

# San Quentin News



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POPULATION 3,039

## SQ residents file new round of habeas petitions

By Andrew Hardy  
Staff Writer

In January 2022, 91 San Quentin residents filed for habeas corpus relief in the Marin County Superior Court. This new round of legal pleadings is an extension of a similar petition that was filed in June 2021, challenging the prison's COVID-19 response amid the virus' latest outbreak.

The petitions, represented by the Marin County Public Defender, call the prison's conditions "unlawful," and seek emergency relief in the form of release from custody.

"[The] California Department of Corrections and Rehabilitation's negligent, reckless, and continuing actions are yet again causing an exponentially-growing outbreak of COVID-19 at San Quentin, subjecting Petitioner to unreasonable risk of serious harm or death through exposure to the Omicron variant of SARS-CoV-2 and severe psychological harm to his mental health through solitary confinement, in contravention of the Eighth Amendment and California Constitution's prohibition against cruel and unusual punishment," the petition said.

In 2020, following the transfer of COVID-infected prisoners from another prison, San Quentin experienced a massive outbreak that left more than 2,600 inmates sick and almost 30 dead of the virus.

Amid daily protests in front of the prison, fierce public outcry and the #StopSanQuentinOutbreak movement, prison officials sought ways to decrease San Quentin's population and alleviate crowding. They began releasing some low-level offenders, while moving infected prisoners to makeshift dorms in the facility's gym, chapels and factories. A 'tent city' was erected

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## San Quentin population on its way back up

By Timothy Hicks  
Staff Writer

In 2020 San Quentin experienced one of the most deadly periods in its long history — the COVID-19 pandemic. Twenty-nine people died, including a custodial staff sergeant. In the midst of the crisis, the prison's population fell gradually — until its recent spike.

Before the pandemic, the SQ prison population fluctuated, but hovered around 4,000-plus residents. When the COVID crisis hit, intake to the prison was halted, some of its residents were paroled, and some went to hospitals where some died. Those held at The Q were subjected to ever-changing housing arrangements.

"Due to the living circumstances at SQ, I caught COVID three times," said Michael Finley, 40. He has been a resident at SQ for three years and part of those years has been during the COVID pandemic. Finley is a Hepatitis-C and high blood pressure patient. The virus worsened his condition, he said.

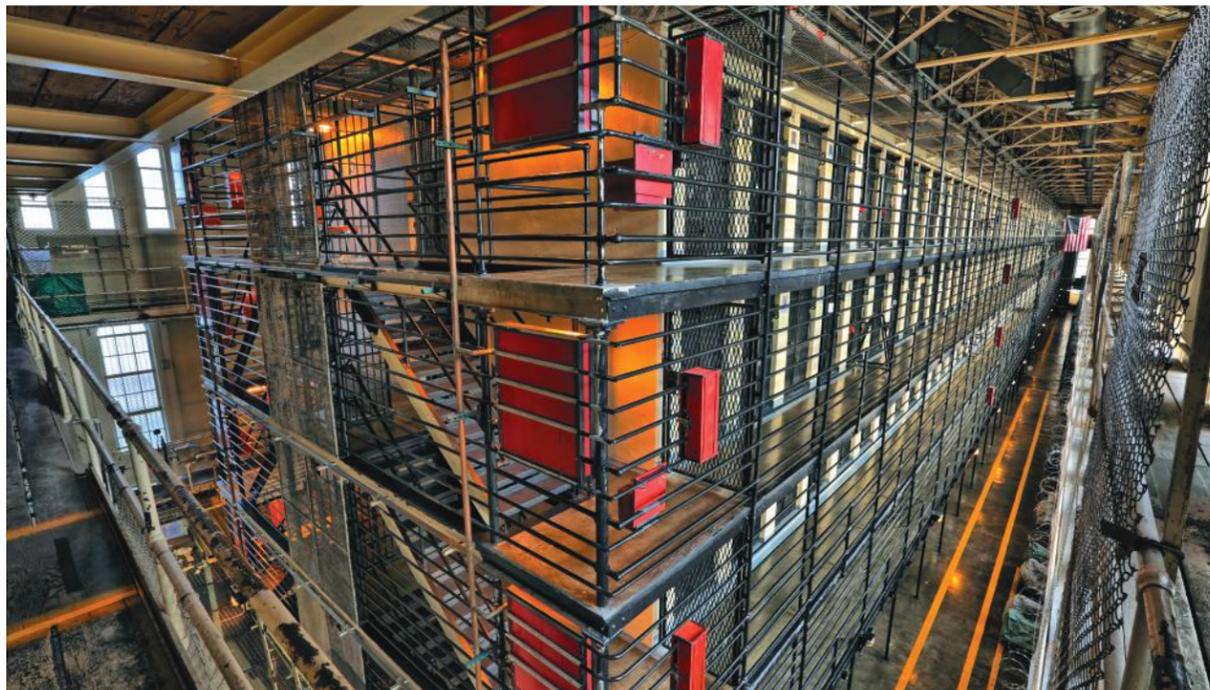
"My cellmate at that time had the disease and the staff at SQ knew it. But, instead of moving me or him to a quarantined section, [they] made us continue being cellmates," Finley said. "But even in quarantine they were still making people cell together."

When the COVID epidemic hit SQ steps were taken to

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### SEE INSIDE:

Major changes proposed for  
**Milestones Credits**  
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San Quentin's East Block "Condemned Row" housing unit, as seen from the upper catwalk. East Block is comprised of 520 one-man cells spread across 5 tiers, the entire building split into two halves, Yard Side and Bay Side. Yard Side, above, flies the American flag across the empty space between the 5th tier and the outer walls.

## The end of the line for Death Row?

The nation's largest Death Row is now in its final throes, as Gov. Gavin Newsom prepares to implement the remaining portion of a 2016 voter initiative that moves condemned prisoners to other maximum-security facilities and integrates them with the general prison population.

"We are starting the process of closing Death Row to repurpose and transform the current housing units into something innovative and anchored in rehabilitation," said Vicky Waters, a spokesperson for the California Department of Corrections and Rehabilitation.

Six years ago, voters approved a ballot measure to speed up executions in California, and to transfer condemned to other prisons where they could be put to work until such time as their death sentence could be carried out.

In 2019, Gov. Newsom announced a moratorium on executions and shuttered San Quentin's death chamber. The following year, corrections officials began a two-year voluntary transfer pilot program, moving 116 condemned prisoners to seven

other high-security prisons surrounded by lethal electrified fences.

For the first time in California history, eligible death-sentenced individuals can be housed in general population areas where they have more access to job opportunities and rehabilitative programming, comparable to those serving life-without-parole sentences.

The message seems to be that, as long as they live, condemned inmates should be put to work and make restitution to the families of their victims. Indeed, the main requirement for transferees is to work a prison job assignment and have 70-percent of their wages garnished for victim restitution.

By all accounts, the program has proven successful. By the end of 2021, nearly \$50,000 had been collected for victims from condemned prisoners' wages.

Critics' fears that the transferred prisoners would be targeted have not so far panned out.

"There have been no safety concerns, and no major disciplinary issues have

occurred," said Vicky Waters, CDCR spokesperson.

Corrections officials have been working on submitting proposals for new regulations that will make the program mandatory, rather than voluntary, and "allow for the repurposing of all Death Row housing units," Waters said.

Gov. Newsom's proposed budget for the fiscal year starting July 1 seeks \$1.5 million to find new uses for the vacant condemned housing. In contrast the state will save an estimated \$150 million annually by converting Death Row housing for therapeutic or rehabilitative purposes.

Not everyone, however, supports the recent changes.

"They're moving condemned murderers into facilities that are going to make their lives better and offer them more amenities, while the victims still mourn the death of their family member," said Michael Rushford, president of the Criminal Justice Legal Foundation, which backed

See **DEATH ROW** on Page 5

## Prisoners feel pinch of skyrocketing prices

By C. K. Gerhartsreiter  
Contributing Writer

San Quentin residents are encountering higher prices at the canteen window. For example, the cost of a quart of ice cream is now \$4.55, up almost half again from the October price. And in Walkenhorst's latest catalogue many incarcerated people have probably noticed sharp increases in the price of quarterly package items.

Rising prices are being pushed by inflation. In January, inflation accelerated at its fastest pace in 40 years, according to the *Economist*. Nationwide, inflation's chief gauge, the Consumer Price Index (CPI), has climbed 7.5%. American consumers already feel the pain, particularly since wages have not risen to match that increase.

The CPI, published monthly by the U.S. Department of Commerce, uses a basket of commonly bought consumer goods as a baseline for the index. Statisticians then compare the total cost of the basket to the cost from a year ago. The increase accounts for the rate of inflation.

Inflation affects incarcerated persons both directly and indirectly. Direct ef-



Prisoners at San Quentin State Prison collect their purchases at the facility's main canteen window. Prisoners throughout the state have seen a significant spike in grocery prices over the past year.

fects include higher prices at canteen. Add to that the stagnant wages paid to incarcerated workers, and affording a carton of ice cream for someone who earns 15 cents an hour now takes 10 ex-

tra hours of work.

San Quentin's canteen, measured from October 2021 to January 2022,

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Earlone Woods, former SQ resident, co-founder and co-host of the award-winning *Ear Hustle* podcast, fights to end California's Three Strikes sentencing laws.

## Earlone Woods takes on California's Three Strikes Law

By **Rahsaan Thomas**  
Contributing Writer

An initiative petition has been filed to repeal California's Three Strikes Law. It now needs enough voter signatures by April 30 to qualify for the November 2022 ballot.

The petition was filed by Earlone Woods, co-creator and co-host of the San Quentin podcast *Ear Hustle*.

"There's a 50/50 chance — it can go either way," Woods said in an interview. "I strongly believe that we will be victorious in 2022."

A committee that includes attorney Michael Romano and State Sen. Nancy Skinner found the Three Strikes Law to be unproductive and oppressive. They recommend that it be repealed. However, Romano believes amending the law will be easier than convincing voters to abolish it completely.

"Because we appreciate that this is a difficult goal, the committee offers the following secondary reforms: 1. Establish a five-year washout peri-

od, after which prior offenses cannot be counted as strikes; 2. Establish that juvenile adjudications cannot be counted as strikes; and 3. Disallow the doubling of sentences for prior strikes when the new offense is not serious or violent."

Woods isn't compromising. He experienced the Three Strikes Law personally, after a judge sentenced him to 31 years to life for attempted robbery and for assault with a deadly weapon. He qualified for a strike out because a kidnap/robbery he committed as a teen against one victim counted as two strikes. He's been trying to get the law overturned since 2006.

Then-Gov. Jerry Brown commuted Woods' life sentence in 2018. Now off parole, he still hasn't forgotten those he left behind.

"The Three Strikes Law is the most oppressive law since slavery was legal," Woods said. "We have constantly experienced the Three Strikes repeal being put on the shelf every time something else

comes up as if it's someone's pet project, but in reality, these are people's lives."

Fanon Figgers and John "Yahya" Johnson, who were also formerly incarcerated under the Three Strikes Law at San Quentin, are working with Woods' organization, CHOOSE1 (Could Hip-hop Overthrow Oppressive Sentencing Enactments), along with The Repeal California Three Strikes Coalition.

Statistics show that the law has been disproportionately used against Black people. Black people make up 6% of California's population but account for approximately 30% of the state's prison population, according to data compiled by Public Policy Institute of California.

Of the 33,000 people in prison under Three Strikes Law sentences, 7,400 people have current convictions that are neither serious nor violent. Eighty percent of people sentenced under the Three Strikes Law are people of color, ac-

ording to the Annual Report and Recommendations Committee on Revision of Penal Code 2021.

The Three Strikes Law has been amended a few times but harsh aspects of the law remain. For instance, there is no limit on how old a prior conviction can be to be used as a strike — even an offense committed as a juvenile and adjudicated without a trial counts. Additionally, a prior strike doubles the punishment for a current conviction, even if the offense isn't considered serious or violent.

About 25 percent of people in prison for second strike cases are in for "wobblers," which are misdemeanors treated like felonies, according to the committee.

"Eliminating or substantially limiting the use of the Three Strikes Law would recognize the law's failure to make California safer, and would be a significant step towards reducing racial disparities in our criminal legal system," the committee said. "For those reasons, any changes to the law should be applied retroactively, as California has done for many of its most significant sentence reforms."

Woods is calling on everyone to help repeal the Three Strikes Law. CHOOSE1 is in talks with Grassroots Law and podcaster Shawn King about spreading the word.

One-million signatures (over 632,000 plus additional signatures for margin of error) are needed by April 30 to make the 2022 ballot, according to Woods.

"If we were thinking about raising funds the traditional way, we'd be out of time," Woods said. "But we're tapping into the power of our people united."

People can donate at [www.CHOOSE1.org](http://www.CHOOSE1.org) and they can sign up to volunteer or leave their info. Donors can also mail checks to Deane & Company Political Reporting and Campaign Treasury Services, 1787 Tribute Road, Suite K, Sacramento, CA 95815. Make checks payable to: Repeal California's Three Strikes Law Coalition.

*Editor's Note: Rahsaan Thomas works with Earlone Woods co-hosting and co-producing the Ear Hustle podcast.*

## Guadalupe 'Silencio' Leon released after suffering heart attack during BPH hearing

By **Anthony Manuel Carvalho**  
Staff Writer

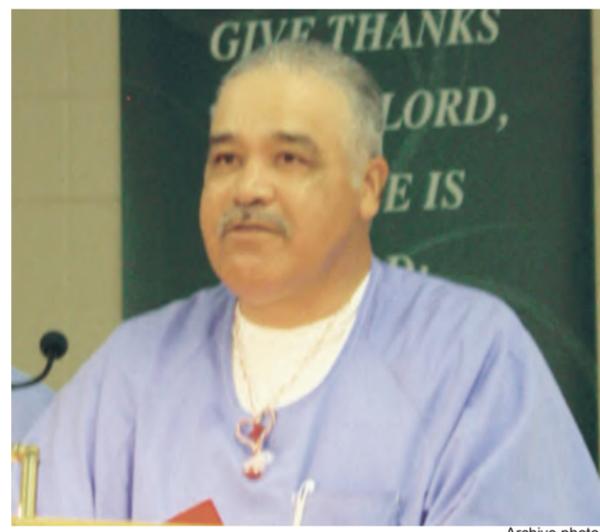
Former San Quentin resident Guadalupe Leon suffered a heart attack during a parole board hearing that resulted in him being found suitable for parole after five failed attempts. He blamed the heart failure on what he called a "COVID long-hauler induced heart attack."

Upon his release from San Quentin, he was taken into immigration custody and is now fighting to avoid deportation to his native Mexico. He said San Quentin gave him "permanent medical conditions," after doctors told him he has to have a pacemaker for the rest of his life.

Leon was sent to Marin General Hospital in the middle of his board hearing.

"At the hospital a doctor told me I suffered a heart attack because my heart was so weak from COVID. I remember being in the emergency room, feeling like somebody hit me with a stick in my back," said Leon.

Within 24 hours, the hospital's doctors performed sur-



Archive photo

gery on his heart.

He said the toxic combination of a board hearing and being a COVID long-hauler may have created his stress that led to his heart attack.

"Silencio," as he is called, entered the United States as a young man. Reflecting on his life, he said, "I arrived in the United States in 1986, and committed a crime of killing a person. The judge sent me to

prison to serve 27 years to life — 'one year for each bullet.' It has now been 34 years."

At the hearing, Leon said, "I started to feel weak; so much so, the authorities stopped the hearing because I had shortness of breath, a hot chest and blurry eyes. The district attorney continued to ask me questions, then noticed I did not have a reaction. Luckily, they decided

to send me to the emergency room."

"The Board of Parole even finished the hearing, and my district attorney recommended a three-year denial after I left in an ambulance!" he added.

Fortunately, the board postponed his hearing and gave him a new date to finish his case for what, he said, they called "health conditions."

His hearing was rescheduled for May of 2021, when he was found suitable.

"My lawyer told me, 'I'm happy to see your insight, your remorse, and your responsibility regarding your case, so the board found you suitable to enjoy your freedom,'" said Leon.

"Understand, in prison I have learned to carry good and positive energy and thoughts," said Leon. "School and programs healed my soul, as I now practice emotional intelligence every single day of my life."

Leon left San Quentin in September and is fighting deportation, as he believes he would receive substandard health care in Mexico.

# CDCR proposes major changes to Milestones credits

By Anthony Manuel  
Carvalho and  
Joshua Strange  
Staff Writers

The California Department of Corrections and Rehabilitation is proposing changes to milestone credits that would significantly reorganize rehabilitative programs and largely decrease credit earning rates for incarcerated people throughout its adult institutions.

CDCR's Regulation and Policy Management Branch released a Notice of Change to Regulations (NCR: 22-04) in March that is designed to "further the department's commitment to providing evidence-based rehabilitative programming and treatment services to its incarcerated population," said the document.

"Milestone Completion Credit courses are amended or adopted to provide eligible inmates greater opportunity to participate in programs and to earn MCC upon suc-

cessful completion," the NCR states. "Some programs have increased the amount of credit that an inmate can earn due to the rigorous coursework and course participation requirements."

The NCR does include notable expansions of credit earning opportunities through the Peer Literacy Mentor Program (PLMP), Integrated Substance Use Disorder Treatment (ISUDT), and Cognitive Behavioral Interventions (CBI) Programs. It also proposes a process to allow continuation of some milestone programming through in-cell, independent study in the event of long-term lockdowns such as caused by COVID outbreaks.

"PLMP is intended to provide inmates who cannot participate in traditional education programs with literacy mentoring from inmate peers," said the document. Participants earn milestone credits, and in order to help incentivize mentoring, completing the mentor certification would now earn

**Examples include a reduction in milestone credits from three weeks to one week for completion of a 3-unit college course. High school-level course credits would be reduced by 50%. The Parole Board-required program, Guiding Rage Into Power, would have its credits reduced by 50%. Also, most Career Technical Education (CTE) programs are on the list for milestone credit reductions.**

90 days of Education Merit Credits.

CDCR is codifying the Cognitive Behavioral Interventions (CBI) component of the ISUDT program. The ISUDT program was established to respond, in part, to a rising rate of drug overdose deaths in its institutions, which have been higher compared to other U.S. prisons and reached a record level of 30 overdose deaths per 100,000 inmates in 2017, according to the NCR.

The NCR includes a prioritization process for CBI based on inmates who have health care services referrals or have a criminogenic need identified by CDCR's automated needs assessment tool.

The NCR states the proposed changes will "help to provide eligible inmates with incentives to participate in rehabilitative and educational programming, and better prepare inmates to find employment upon release, which may eventually reduce recidivism."

A review of the proposed changes to the Milestone Completion Credit Schedule, which is the table that defines the credit earning rates for each Milestone program, reveals the programs slated for substantial reductions in credit rates.

Examples include a reduction in milestone credits from three weeks to one week for completion of a 3-unit college



Phoeun You, SQNews

Students enrolled with Mount Tamalpais College take their placement tests. Proposed changes to existing Milestones Completion Credits would cut credits for college classes by two-thirds.

course. High school-level course credits would be reduced by 50%. The Parole Board-required program, Guiding Rage Into Power, would have its credits reduced by 50%. Also, most Career Technical Education (CTE) programs are on the list for milestone credit reductions.

The Educational Merit Credit for earning educational degrees is unchanged except for the addition of the PLMP mentor certification. The NCR does not affect Good Con-

duct Credit or Rehabilitation Achievement Credit.

In 2016, ballot initiative Proposition 57, the Public Safety and Rehabilitation Act, was passed by voters. It amended the California Constitution to allow CDCR to reduce an inmate's sentence through rehabilitative programming credit rewards. State law provides the Secretary of the CDCR with rule-making authority to make changes to the California Code of Regulations Title 15 and modify credits for approved rehabilitative or

educational achievements.

The proposed NCR is subject to pending public comments. A complete copy is available online and in all CDCR prison legal libraries.

Any person may submit written comments about the proposed regulations by mail to: CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001, or by e-mail to [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov). All written comments must be received no later than April 26, 2022.

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The *San Quentin News* encourages inmates, free staff, custody staff, volunteers and others outside the institution to submit articles, poetry and artwork. All submissions become property of the *San Quentin News*.

### Guidelines for submission:

>> Articles should be limited to 350 words and may be edited for content, clarity and length.

>> Articles should be newsworthy and pertain to the prison populace and/or the criminal justice system.

>> Letters to the Editor should be short, clear and to the point.

>> Please do not submit material that is offensive, racist, sexist, or derogatory toward any group, as it will not be published.

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By Dao Ong  
Staff Writer

In a first major attempt in nearly 50 years, a lawmaker from Los Angeles has introduced a bill that could significantly increase "gate money," the allowance that incarcerated people receive when released from prison.

After her office received a letter from an incarcerated person who asked, "How do you expect any of us to make it if we're getting out with just \$200?" state Sen. Sydney Kamlager said, "It struck a chord." In a Feb. 18 report by the *Guardian*, she pointed to her decision to introduce the bill that could potentially bump up gate money from \$200 to \$2,600.

"People often enter prison impoverished and are being thrown into poverty upon release," Kamlager said in the *Guardian*. The system "perpetuates a fall deeper into desperation for folks who have just been released," she added.

Amika Mota is the policy director for Sister Warriors Freedom coalition, an activist group working with the senator's office on the bill. Mota points out that experts say the first 72 hours after an individual has been released are the most critical time for determining whether or not an individual will reoffend.

Furthermore, for female prisoners who are mothers, \$2,600 would greatly help to secure housing and make it easier to reunite with their children

## California senator pushes for \$2,600 gate money

upon release, said Mota.

The Marshall Project reported California currently offers \$200 at most, and even less for those who served shorter sentences. The amount was last increased in 1973 when \$200 could cover a month's rent. Meanwhile, other states such as Texas, Florida and Colorado only provide \$100, and Alabama and Louisiana offer \$10. Each year, around 600,000 federal and state prisoners are released with barely enough to get a meal, clothing, and a ride home, the *Guardian* reported.

"In 2022, when the price for a gallon of gas in Los Angeles is almost \$5, it is unconscionable that the state of California still gives just \$200 in allowance for folks who are getting out of prison," Kamlager commented.

Another basis for her aggressive push to increase gate funds is that it costs less to send individuals out with \$2,600 than the \$8,800 per month it would cost the state of California to re-imprison an inmate who had just been released, said Kamlager.

Kamlager consulted with federal data and the Massachusetts Institute of Technolo-

gy Living Wage Calculator to estimate the average monthly cost of housing and food for a single adult with no children in 2021. She concluded that the proposed increase of allowance to \$2,590 would be appropriate, and specifies that starting in 2024, it should be adjusted annually to account for inflation, according to the report.

"I've seen guys come out holding that \$200 in their hand, and it's almost like they don't know what to do with it because they're scared," said Rasheed Stanley-Lockheart, a reentry director for the Ahimsa Collective, a restorative justice nonprofit, "We need much more than that to survive."

After being incarcerated for 24 years, Samuel Nathaniel Brown was released last December. Brown is the co-founder of the Anti-Violence Safety and Accountability Project. He recounted his experience of treating his wife, sister and his two daughters to Korean barbecue as a gesture to thank them for their love and support during his incarceration. The bill came to about \$140. "And there went my gate money," he said.

"Not having enough money,

it makes people think 'I need to do something fast.' And that's the same type of thinking that led most women and men to prison to begin with," Brown added.

During the pandemic, a successful pilot program started by the nonprofit Center for Employment Opportunities has been giving \$2,750 in cash assistance to those released from prison. Participants claim the \$2,750 they received after leaving prison helped immensely in paying for transportation, getting food and reconnecting with families. It also helped prevent homelessness, the report stated.

Kamlager said that re-entering society without adequate assistance after decades behind bars can be tough, especially for those with a criminal record that can often deny them job opportunities and housing. Add to that parole obligations and health needs, and it can pretty quickly turn into a dire situation, she added.

More and broader reforms are required, the senator noted. "This is really about making sure that when people get out, we are not perpetuating a cycle of economic violence."

**CANTEEN**

*Canteen customers suffering pain in the pocket*

*Continued from page 1*

has raised its prices by almost 9%. Package vendor Walkenhorst, measured from Fall 2021 to Spring 2022, has raised a sample basket of goods by about 12%. Therefore, package products that cost about \$100 in the Fall 2021 catalogue would cost about \$112 in the Spring 2022 catalogue.

Incarcerated persons have only a few vendors from which to buy goods, including Access, Walkenhorst's, Union Supply, and canteen. The price increases of these vendors determine the rate of inflation for incarcerated persons.

Inflation also affects incarcerated people indirectly. Because of their low wages, some receive support from outside. Such support usually comes from friends or family in the form of fund transfers to trust accounts or package purchases.

If groceries and gas back home cost more, outside supporters may be less able to provide help. Reduced support from outside, combined with higher costs at canteen, squeeze incarcerated people.

U.S. inflation is low compared to other countries: The "economic & financial indicators" in the *Economist's* Feb. 26 issue lists inflation in Turkey at 48.7% and for Argentina at 50.7%. U.S. inflation is nowhere near such levels.

How high will inflation go in the U.S.? No one has the answer to that. Baseball legend Yogi Berra said, "Forecasts remain difficult, especially about the future."



Vincent O'Bannon, SQNews

Pheng Ly, a San Quentin News staffer, looks over a quarterly package catalog at the Media Center. "I've taken micro- and macro-economics and I understand our current situation," he said. But like many incarcerated consumers, he is finding himself increasingly frustrated by rising prices and worried about the economic strain this puts on his family and loved ones.

**Colorado prisoners launch radio station**

**By Jerry Maleek Gearin  
Staff Writer**

Colorado has launched the first radio station by inmates inside a state prison. The show, *Inside Wire*, initiated its first broadcast on March 1 at Limon Correctional Facility in Denver. Limon is a level 4 facility surrounded by a 4,000-foot long doubled fence. The station operates inside a windowless room with Plexiglas walls and soundproof foam.

"This is a truly monumental moment. We thought, 'What else could we do?'" said Ashley Hamilton, executive director of the University of Denver's Prison Arts Initiative. The show runs 24 hours a day, seven days a week, and it gives prison residents access to music programs and information about legislation that affects them, reported *The Denver Post*.

Herbert Alexander, 46, spent 13 years behind bars for robbery. He is the *Inside Wire* production director. He talks frequently about the radio show with his family. In his interview with *The Post*, he said "Most prisoners are going home at some point, so when they do, don't we want them to be better men?"

Hamilton brought this idea to Dean Williams, executive director of Colorado's Department of Corrections, who approved the project. Director Williams plans to participate in

a weekly program called "Up to the minute with Dean Williams." The program gives the prison's residents a chance to talk to him one-on-one about anything.

As reported by *The Post*, The State Department of Corrections has a vision of reform; the goal is to "normalize" life behind bars. Furthermore, the objective of the radio station is to change the narrative about the 14,000 people housed in Colorado's prison system.

The station's engagement producer Jody Aguirre, 58, never had experience with audio until he came on board with *Inside Wire*. He came to prison on a murder conviction in 1994 and has no release date. After 10 years of bitterness and anger, some of it in solitary confinement, he decided to turn his life around. Aguirre reported that he made a commitment to his mother. "I'll live in a way to make her proud," he said. "People in here live honorable lives."

The station is funded by University of Denver Prison Arts Initiative. It does not broadcast over AM or FM, but can be streamed online via the *Inside Wire* app, and it is beamed to every prison in the state of Colorado.

Seth Ready is a communications associate for the Prison Arts Initiative. "This is one of the best days of my life," he said of "launch day."

**Congress weighs efficiency, fairness for federal prisoners**

**By Anthony Manuel  
Carvalho  
Staff Writer**

Congress is considering legislation to increase efficiency and fairness for federal prisoners.

The bipartisan Senate bill called the Criminal Justice Administration Act would:

- Compensate indigent defendants for round-trip travel and lodging if they must attend their own hearings at the federal court level;
- Authorize U.S. magistrate judges to maintain all post-conviction motions in cases that they presided over during sentencing phases for past defendants; and,
- Increase efficiency by allowing federal magistrate judges to rule on post-judgment motions in cases they already presided over.

"For a small annual cost, we can help hundreds of federal defendants who are pre-

sumed innocent get fair treatment," said co-author Sen. Dick Durbin, D-Ill.

"The bill expedites decisions by eliminating the transfer of cases to District Court judges, who are unfamiliar with a defendant's case," said co-author Sen. Susan Collins, R-Mass.

San Quentin incarcerated resident Joshua Grant analyzed Sen. Durban's press release and stated, "It would be great if the original presiding judge could be accountable for the case in its entirety at the state level too. They were accountable for all aspects of the evidentiary phase, up through the sentencing phase. They would be more apt to consider all mitigating factors of our cases, should something like new evidence or an 1170 (resentencing request) warrant judicial attention."

Collins said the changes will help ensure justice is carried out fairly and effectively.

**POPULATION**

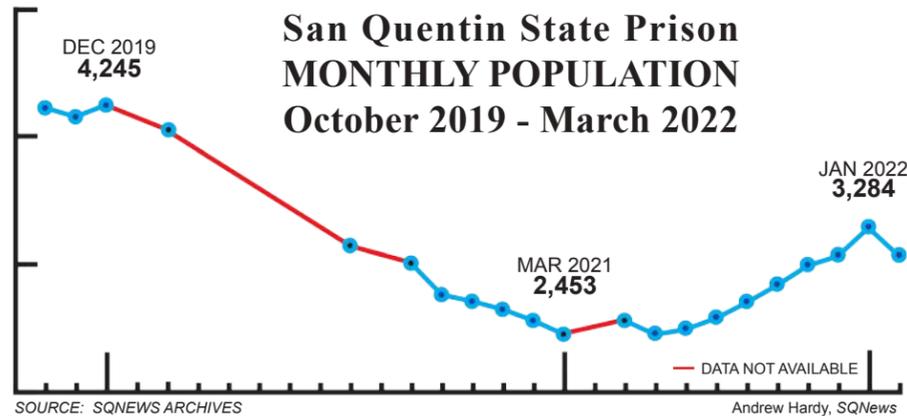
*San Quentin population on an upward trajectory after pandemic decline*

*Continued from page 1*

re-house much of the prison's population. Among these steps was the placement of tents on the Lower Yard that housed residents who were infected with the virus. Other infected residents were placed in The Hole (Administrative Segregation), in the prison's chapels, the gymnasium, the prison's factory facilities, or shipped to outside hospitals.

"At first I refused to quarantine because I didn't want [them] to put me in a worse situation," said Adrian Robinson, 48, referring to The Hole. "However, I still ended up going to Ad-Seg anyway and experienced the difficulties there," he said.

"The Omicron variant is here now and it's nothing new or different than the last



SOURCE: SQNEWS ARCHIVES

Andrew Hardy, SQNews

outbreak that happened here, as far as housing goes," said Robinson.

As a result of the steps taken by SQ prison officials to reduce the spread of the virus,

the prison's population fell to a low of about 2,400. The custody count is now climbing back to pre-pandemic numbers.

In January the prison ex-

perienced another COVID lockdown that lasted for two months. "We were still under quarantine, yet they were still filling this place up with bodies," said Finley.

**HABEAS**

*Continued from page 1*

*SQ residents file 'subsequent' petitions challenging COVID conditions*

on the Lower Yard with portable toilets and showers trucked in.

After a 14-month quarantine lockdown, the prison began to get back to some semblance of normalcy in April 2021, with some groups, volunteers, visitors and rehabilitative programming returning.

Immediately, CDCR began repopulating the prison, and population reduction measures were reversed. Bus after bus began unloading at San Quentin's Receiving and Release with prisoners in orange paper

jumpsuits filing off. By the start of 2022, the prison once again exceeded its designed capacity, though it had not returned to pre-pandemic population levels.

Then, beginning January 9 of this year, the prison went back on a "preventive" institution-wide lockdown for two months as the Omicron coronavirus variant became the nation's dominant strain.

That lockdown, however, wasn't enough to prevent hundreds of Omicron infections among SQ's incarcerated. Between January 12 and January 19, the number of cases at the prison jumped

from just 5 to 243.

The new round of habeas filings are considered "subsequent" petitions because 300 residents of San Quentin filed for relief in 2020 amid the first outbreak, but were denied relief because high vaccination rates among the incarcerated were deemed to have effectively nullified the virus' risk.

In addition, the judge in the case, Hon. Geoffrey Howard, said in his final ruling that the prison had showed a "change in attitudes and conduct through the population reduction achieved to date, in combination with the current

data regarding the vaccine [among other measures that] reasonably mitigated the risk of harm."

Petitioners in this case, and other San Quentin residents, feel otherwise.

"Nothing substantial has changed since the last ground in 2020," said resident Vincent O'Bannon. "We still have no ventilation in the cell blocks, we're still double-bunked in tiny cages, and we still have decades' worth of built-up mold and filth.

"This is no way to treat human beings, regardless of our pasts," he added.

In his November 16, 2021

order, Judge Howard cautioned officials that his ruling was conditional.

"Evidence about a different population level, combined with different data about vaccine efficacy, or evidence about a new variant might result in a different analysis," he wrote.

The claims of these 91 petitioners are not going unanswered or unchallenged by State officials. The California Attorney General's Office has assigned Deputy Attorney General Michael G. Lagrama to the case.

In a request for a time extension filed March 9, Lagrama appeared to mini-

mize the Omicron variant's threat to the San Quentin population.

"[I]t appears there were only 11 COVID-positive inmates at San Quentin and the number of COVID-positive cases had otherwise subsided at the time of the order," Lagrama wrote in his Supporting Declaration of Counsel. "As the Court also noted, it seems petitioners have not alleged or shown that they have been hospitalized or suffered severe medical complications from Omicron."

Lagrama asked for an extension until April 8, 2022, to file the State's response.

## DEATH ROW

## California begins the process of repurposing Death Row housing units

Continued from page 1

the 2016 initiative.

"Newsom is pouring more salt on the wounds of victims," said Nina Salarno, president of Crime Victims United of California. "He's usurping the law."

But it was voters who supported the 2016 initiative, not the governor, who made this decision.

"When [voters] affirmed the death penalty, they also affirmed a responsibility... to actually move that population on Death Row out and get them working," Newsom said in a *Marin Independent Journal* article in February.

Yet the move to take people off of Death Row has been touted as a "continuation of the governor's policy of gradually dismantling California's death penalty," said Robert Dunham, executive director of the Death Penalty Information Center in Washington, DC.

John Cornell is a librarian who supervises the incarcerated library workers who fill out book orders for prisoners on Death Row. Once a week, book requests are filled and delivered to Death Row to be

distributed by correctional officers.

Cornell commented on Death Row's impending closure. "There is a whole range of personalities that end up on Death Row," he said. "They would be more properly placed in custody that fits their psychological personalities."

Cornell said he believes that some of the men on Death Row would actually make great clerks. He felt that their separation from the general prison population didn't make much sense.

Since August of last year, 55-year-old Derrick Gibson has worked in San Quentin's library, filling the book requests that filter in from Death Row. After his own 32 years' incarceration, Gibson is in a unique position to glean some insights into the personalities Cornell talked about.

"They [Death Row prisoners] read the same things as what's read on the mainline," Gibson said. "Like urban, fantasy, and romance. They also like graphic novels, and some like history, business and autobiographies of political figures."

—Andrew Hardy



Until recently, condemned prisoners at San Quentin State Prison have had limited housing options, including East Block and the North Seg unit built atop North Block (above).

Archive photo



## An (abbreviated) history of California executions

**The state of California took over executions from the individual counties in 1891 and began carrying out death sentences at Folsom State Prison, east of Sacramento. San Quentin joined in the business of capital punishment two years later.**

**A total of 215 "judicial hangings" were carried out on San Quentin's gallows (left) over the next 45 years.**

**San Quentin became the sole designated prison for executions in 1938, when the state unveiled its new two-seater gas chamber (top right), nicknamed "The Smokehouse" by those waiting to die. For their final request, the first pair of condemned men to die side-by-side in the jade-green chamber asked for — and got — a shot of whiskey and a cigar ten minutes before their sentence was carried out.**

**California carried out 10 executions by lethal injection, the most recent in 2006. That same year, the state paid \$853,000 for its new lethal injection chamber (bottom right), which was intended to conform with modern court rulings on cruel and unusual punishment, and to provide a more "humane" means of execution.**

**The new lethal injection chamber has never been used, and was decommissioned in 2019 when Gov. Gavin Newsom declared a moratorium on executions in the state.**



Archive photos

By David Ditto  
Associate Editor

## Report: California's death penalty 'beyond repair'

A committee on penal code revisions recommended abolishing California's death penalty, the *San Francisco Chronicle* reports.

Voters have twice rejected ballot propositions to end capital punishment. The new recommendation to end death sentences comes from the Committee on Revision of the Penal Code, established by law in 2020.

"California's system for capital punishment is beyond repair," reported the committee. "[It is] imposed so arbitrarily — and in such a discriminatory fashion — that it cannot be called rational, fair, or constitutional."

California voters amended the state Constitution in 1972 to reauthorize capital punishment, which had been ruled unconstitutional by the state Supreme Court. The current death penalty law was approved by voters in 1978.

Since then, "California has

executed 13 prisoners — none since 2006 — while 156 condemned inmates have died of other causes," wrote *Chronicle* staff writer Bob Egelko in the December 2021 article.

Juries in capital cases are disproportionately White, but Blacks are 35 percent of California's Death Row, more than five times their proportion of the state's population. All eight people sentenced to death in California in the last two years were Latino, wrote Egelko.

Repeal of capital punishment requires voters to approve a constitutional change.

The committee also recommended changing jury selection procedures to include more minorities and reducing the number of already-condemned prisoners.

The committee also proposed removing the mentally disabled from Death Row and urged Gov. Gavin Newsom, Attorney General Rob Bonta

and county district attorneys to commute or reduce death sentences to life terms in appropriate cases.

Bonta told the committee he would consider such reductions. When he was an Assembly member, Bonta supported proposed legislation to reduce or repeal capital punishment, according to *The Chronicle*.

Los Angeles County District Attorney George Gascón "has agreed to resentence four condemned inmates from the county to life in prison, after finding they were mentally disabled," wrote Egelko. "Gascón has also withdrawn his office's 17 pending capital prosecutions and stopped seeking death sentences."

San Francisco District Attorney Chesa Boudin does not seek death sentences either, continuing that office's policy that began in 1996.

"I believe they should get

a second chance," said Andre Davis, a 49-year-old man incarcerated in San Quentin State Prison, where Death Row is located.

Davis recounted a story of another incarcerated man he met at The Q who had spent years on Death Row wrongfully convicted. The man learned to be a drug abuse treatment counselor in prison, paroled and now works in SQ's treatment program.

"I believe there's a lot of people like that on Death Row — people that deserve the opportunity to change, and get tools to help and lead others," said Davis.

"There's an honor section for guys on Death Row who've already shown they're ready to program and work together with other people," said 40-year-old SQ resident Ismael Rosas.

He said, however, that not all condemned inmates would

be good candidates for joining the general prison population. "A lot of them did some really messed up stuff, and some of them don't even want to leave," said Rosas. "It's a real challenge."

Rosas and Davis said they would vote to repeal the death penalty because a life sentence without possibility of parole is punishment enough.

The power to overturn the current death penalty law ultimately rests in the hands of California voters.

Repeal initiatives failed at the ballots in 2012 and 2016.

To succeed, any future attempt would require tremendous fundraising, public support and endorsement from state political leaders, according to *The Chronicle*.

"Until our statewide leaders call for this (repeal), this death penalty report will just lay collecting dust," said Assembly Member Marc

Levine, D-San Rafael, in the article. Levine has proposed measures to reduce California's maximum sentence to life in prison without parole.

One important change since previous ballot initiatives to repeal the death penalty is the governor. "Whenever the next vote occurs, Newsom will probably set a precedent with his position," wrote Egelko.

Newsom endorsed the 2012 and 2016 propositions when he was lieutenant governor. Then-Gov. Jerry Brown, although an opponent of capital punishment, did not, according to *The Chronicle*.

Gov. Newsom declared a moratorium on executions and filed legal arguments against the death penalty after taking office in 2019.

"California's death penalty costs taxpayers \$150 million a year. The average appeal... takes more than 30 years," wrote Egelko. "[The state has] the nation's largest prison system and most populous Death Row...now 697."

By William Earl Tolbert  
Journalism Guild Writer

## Florida program saves canine lives — and prisoners, too

Incarcerated people in Florida are learning how to communicate, take responsibility, and show compassion by bonding with incarcerated dogs, according to a *Valdosta (Georgia) Daily Times* report.

The Hamilton Hounds Program at the Humane Society of Valdosta/Lowndes County partnered with the Hamilton Corrections Institution in an effort to stop unnecessary euthanization of dogs.

"It helps save these dogs out of shelters and possibly being on death row," said lead trainer Katie Rooney of North Florida Paws.

Ten prisoners work in pairs with five dogs to get through this obedience training course. The participants attend 15 classes that last between an hour and a half to two hours.

The dogs are kept at the prison with crates sitting next to the handlers' beds. The prisoners are tasked with caring for the animals 24/7 to build connections.

"The dogs and the prisoners have to bond and the dogs need that security," said



Photos courtesy of the Humane Society

Rooney. "This is their home, right now, and their family and they feel more secure if they're with their family in their home environments," she said in the article.

Although the prisoners are training the dogs to be family pets, this program teaches

both parties about the value of connecting with and appreciating family.

"They're just so absolutely in love with their dogs that it's changing so many things for them emotionally, and they're thinking about things, the mistakes that

they've made...that kind of put them here and the difference they're making in the dogs lives," said Victoria Grindle, lead handler for the Humane Society.

"It's been proven in other programs that if the guys even spend one night without

a dog, there's such a huge effect on them emotionally, almost like a depressive thing," Grindle said, according to the *Times* article.

The Humane Society lists the adoptable dogs online and families apply for adoption.

The incarcerated dog han-

dlers are extremely inquisitive about the adoption process. They want their dogs to get a good home, according to Grindle.

"They are so impactful to the prisoners," Rooney told the *Times*. "It changes them in that they are now responsible for something other than themselves; they have to make sure that they're providing the care and safety, as well as training and behavioral qualifications for these dogs so that they can be placed, and the love they receive is just amazing."

At the end of the program, a graduation is held for the dogs and handlers, according to Grindle. The handlers will showcase the training techniques they taught their dogs. Families will then meet the handlers and take their dog home.

The program has had a tremendous impact on the lives of families across the state of Florida, the story said.

"It's making it a brighter place," said Grindle. "Everybody's just getting that added benefit of having dogs around."

## Coding 'boot camp' launched

By Randy Hansen  
Journalism Guild Writer

Coding Dojo and the Prison Scholar Fund (PSF) are launching a new coding boot camp program to help formerly incarcerated people develop computer programming skills and find work.

There are lots of jobs available for people with coding skills, but approximately 45% of formerly incarcerated persons remain unemployed one year after their release — and 68% are re-arrested within three years, according to an article in *Forbes*.

"We believe talent is evenly distributed, but opportunities are not," said Richard Wang, CEO and co-founder of Coding Dojo.

The new boot camp involves a three month, eight-hour-a-day coding curriculum. It will also provide access to wraparound services, allowing participants to have access to mentors in the industry on top of getting paid to attend the boot camp. The classes will be held online due to COVID-19, and the first cohort will include five to eight students. Applicants will need a high school diploma or GED and will go through an interview process, *Forbes* reports.

Both Coding Dojo and PSF

have invested seed money to fund the new program.

"We need people who can go through some really tough material and not quit," said PSF's founder, Dirk van Velzen. "We're looking for grit — interest and stick-to-itiveness."

San Quentin has a coding program through Prison Industry Authorities (PIA) and The Last Mile that teaches prisoners how to interface with computers and produce web content.

Michael Calvin Holmes, 63, is one such coding student at SQ. When asked if he thinks this class will help him when he gets out of prison, he said "Yes. It will open the door to many entry level jobs."

Holmes already has an offer to apply for a job at the Valley Transit Authority upon his release. He says he would like to see The Last Mile expand their SQ classes to five days a week instead of four.

There has been a renewed focus on rehabilitation in prisons, with a focus on giving incarcerated people access to education and career training while they serve time, so that they can more easily re-join society upon release. Learning how to communicate using computers and the internet is an important part of this process, and may lower rates of recidivism.

By Joshua Strange  
Staff Writer

Significant job opportunities are available to the formerly incarcerated, says reentry teacher Philip Leonida.

He has been teaching San Quentin's Transitions/Reentry class since 2017 and has this message for anyone worried about their job options upon release from prison: "If you want to work, you can work. If you want to invest in an employer, you can make a career. The path now is very well lit."

The formerly incarcerated face many barriers to finding legal employment and are often last in line for jobs. But progress has been made in recent years with numerous states passing "ban-the-box" mandates that prevent employers from initially asking about criminal records.

The pandemic has also created a favorable job market for applicants, including the 20 million Americans who are ex-felons, according to reporting by the *Los Angeles Times*.

Leonida acknowledges that employers can get around ban-the-box by doing background checks or asking about gaps in work histories. But he explained that most larger employers with a Human Resources department

## Transitions reentry program prepares prisoners for a future in the free world

are very aware of the law, including its provisions allowing them to be sued over illegal discrimination.

"They're generally not going to ask about employment gaps during interviews, just like they're not going to ask if you go to church on Sundays," Leonida said.

"A lot of employers desperately want you to be the one to help them get the job done. If they actually offer you the job, they probably won't change their mind even if they then check your background unless there is a direct correlation to the job and your offense."

If you do face unlawful discrimination or denial in the hiring process, Leonida advises calling Oakland-based reentry provider Root and Rebound. It has an aggressive program to protect employment rights for the formerly incarcerated.

Leonida recommends going into interviews knowing your rights, while aiming to make a professional connection and highlighting your relevant skills. If an interview doesn't go well or your background comes out, he

suggests being honest and thinking of it as a "burner interview," a valuable chance to hone your pitch for other interviews in the future.

"They can't legally discriminate against you for your criminal history, but they can for your facial and knuckle tattoos," Leonida said. "True, tattoos these days are a lot more accepted than they used to be. Just remember, it's always important to get cleaned-up and have a good, helpful attitude. Be ready to be Mr. Johnny on the spot."

Leonida hears of many employers looking specifically to hire the formerly incarcerated. He mentioned Costco, which has a reputation for treating its employees well, as being an employer that has contacted him about potential hires. Lots of trade union apprenticeships are available now for those with able bodies, he explained, adding that occupational licensing rules are also easing for those with a criminal record.

"I had one of my graduates email me to say he's now making really good money driving a truck," Leonida

*"If you want to work, you can work. If you want to invest in an employer, you can make a career. The path now is very well lit."*

—Philip Leonida  
Transitions Instructor

said. "He even got the Employment Development Department to pay for trucking school. He said the drug tests are helping him to stay clean."

The Transition/Reentry class is held throughout California state prisons. It takes two months to complete and covers five modules: 1) conducting a personal inventory; 2) meeting your needs and obtaining resources; 3) employment essentials like resumes and job searches; 4) job interviews; and 5) financial literacy and budgeting.

To sign up, ask your correctional counselor to put you on the waiting list between 18 to 24 months prior to your anticipated release date.

An Oakland organization is helping soon to be released and newly released prisoners negotiate a multitude of legal problems.

Root and Rebound is leading the way in reentry legal advocacy for incarcerated people to help them overcome the various hurdles to successful reintegration into society.

Root and Rebound estimates people released from prisons and jails in California face "approximately 48,000 documented federal, state, and local barriers to successful reintegration." These barriers can restrict their ability to address critical needs like securing employment, housing, social services, financial stability and family reunification.

Unlike almost all reentry organizations, Root and Rebound does not directly provide reentry services but rather provides information, referrals, and legal assistance. The founding

## Oakland-based reentry program offers legal help

attorneys at Root and Rebound quickly discovered the demand for legal assistance to help overcome such barriers outpaced their ability to meet with people one-on-one.

In response, they created the "Roadmap to Reentry: A California Legal Guide" as well as a "Reentry Hotline" and "county-based, template letters" to help incarcerated and justice-impacted people and their families be successful in the reentry process. These unique resources are available free to people throughout the state. The Hotline is also available to report discrimination against the formerly incarcerated.

"We realized we would be more effective if we could work to democratize legal information so that it's accessible to everyone," said Laura Merchant,

an attorney at Root and Rebound, on their blog. Merchant noted the lack of timely access to accurate information often impedes people from properly preparing for their release.

"People are shocked when we explain that you can't access the internet when you're in prison," she said. "You can't just Google something. If you want to know the address of a Social Security office, so you can write to them for forms in the county you'll be paroling to, you can submit a request to your correctional counselor, but you might wait six months to get a reply."

Merchant originally worked as a patent lawyer but switched to working for Root and Rebound because she saw how the treatment of people in the criminal legal system was negatively impacting their lives

and their communities.

"I feel like as a lawyer I could actually use my skills to chip away at that," Merchant said. "It's nice to work on an issue that is ripe for change and reform, where there's a big need. It's overwhelming at times, given how much needs to change, but it's also really rewarding."

To help accelerate this change, Root and Rebound also works extensively to advocate for system-wide policy reforms through legislation and litigation campaigns. Policy areas they are currently working on read like a wish list for incarcerated people and their families.

For example, Root and Rebound helps to educate employers — or sue them if needed — regarding California's Fair Chance Act, which is the "ban-the-box" law that restricts

employers from asking about criminal history. They are also promoting a campaign to "Ban the Box in Higher Education" as well as a "Fair Chance Housing" campaign to help ensure that formerly incarcerated people have equal access to education and housing.

Other efforts include reducing the suffering caused by debt due to court-ordered fines and fees, ending blanket denials of occupational licenses for people with criminal records, shortening parole and probation length, reducing flash incarcerations for minor violations, increasing reentry funding and resources, and working to reduce the separation of families affected by the legal system.

Root and Rebound also strives to empower communities impacted by the legal system by holding mobile legal

clinics and educational workshops, and their online training hub helps people to understand their legal rights and the options and support available to protect them.

"The concept of reentry, the transition from incarceration back into a community... it wasn't something that people talked about," Merchant said. "We really want to be here to help people get the information they need to be able to hit the ground running when they get released."

For a free copy of the comprehensive, 1,100-page *Roadmap to Reentry: A California Legal Guide*, send a request to Root and Rebound at 1730 Franklin Street, Suite 300, Oakland, CA 94612. To reach their Reentry Legal Hotline, call 510-279-4662 on Fridays between 9 a.m. to 5 p.m. The Hotline accepts collect calls and calls from family members.

—Joshua Strange

# Researchers see explosion of diabetes in wake of COVID-19

By Steve Brooks  
Journalism Guild Chairman

For more than two million Americans who were locked up in prison during the COVID-19 pandemic, there is a new worry on the horizon: an epidemic of diabetes that has been rising across the nation.

Researchers are observing an increase in new-onset hyperglycemia months after a COVID-19 infection, according to Paulo Fiorina, a doctor affiliated with Boston's Children's Hospital.

"These people were not diabetic before," Fiorina told Alice McCarthy in 2021. "But during admission about 46 percent of the patients were found to have new hyperglycemia." About 35 percent of the newly hyperglycemic remained about six months after infection, Fiorina said.

The study shows that COVID-19 attacks the pancreas resulting in abnormal sugar levels.

The virus affects the pancreas in three different ways, according to a Harvard Health blog published late last year. First, it directly damages pancreatic beta cells that produce insulin, reducing their ability to make enough insulin to keep blood sugars controlled. Second, as the virus replicates in the pancreas, it also can

damage the cells that are needed for proper insulin release. Third, the virus also seems to reprogram surviving cells, making them malfunction, which can wreak havoc with blood sugar regulation.

Diabetes mellitus refers to a group of diseases that affect how your body uses blood sugar (glucose). Glucose is vital for good health because it's an important source of energy for the cells that make up muscles and tissues. It's also the brain's main source of fuel. Diabetes can lead to excess sugar in the bloodstream. This can lead to serious health problems.

At San Quentin over 2,600 incarcerated people were infected with COVID-19. Thousands of incarcerated people across the country were infected as well, increasing the chances that tens of thousands of prisoners could develop the multi-disease known as diabetes. This will undoubtedly help fuel an ongoing public health crisis, particularly amongst incarcerated people.

The other problem is that many prisoners gained 10 to 20 pounds during the 2020 nationwide shutdown. Many prisoners at San Quentin emerged from their sedentary lives much heavier than when the pandemic began, which also increases their chances of



Archive photo

Medical staff provide blood testing and diabetes education at San Quentin's 2019 Health Fair. Experts suggest paying attention to one's risk factors, as well as diet and physical exercise to reduce the risk of developing diabetes.

developing diabetes.

Earnest Woods gained 15 pounds during the pandemic. Once he had an opportunity to get regular exercise he worked out five days a week to get the weight off.

"Diabetes runs in my family," he said. "My grandmother died from the disease and my uncle had both his legs amputated before he passed away

from diabetes."

Woods said he had been exercising and adhering to a strict Jewish kosher diet since 2002 in an effort to avoid the disease. But the pandemic led him to stress eating.

"The number of women who are diabetics here at Fluvanna Correctional Center has doubled from approximately 35 to about 70 during the pan-

demic," Chanell Burnett wrote in an article for the *Prison Journalism Project*.

"Too many found solace in food, eating out of depression or even from sheer boredom. Food has become comfort for us. Perhaps this would not be so distressing if we were served healthier foods or if the commissary sold healthier foods," wrote Burnett. "But we are given too much starch, processed meats and soy and not enough well-cooked vegetables or any vitamins and nutrient supplements."

Richard Fernandez is a prisoner at SQ who has had diabetes for the past six years. He takes two pills each day and one injection of insulin in the morning.

"I attribute that to a mostly sedentary prison lifestyle and a poor diet. I've been in prison for 13 years and I've been eating bread, pancakes, waffles, and coffee cake. This is what they serve us. It's all bad."

According to a National Statistics on Diabetes study done in 2019, each year more than 80,000 people die from diabetes in the United States. Diabetes is number seven on the list of diseases that kill Americans, according to the study.

The prevalence of type 1 and 2 diabetes will likely increase by 54% to more than 54.9 mil-

lion Americans between the year 2015 and 2030, according to the Center for Population Health Management.

In a study titled "Diabetes 2030: Insights from Yesterday, Today, and Future Trends," researchers predict annual deaths from diabetes will climb by 38% to 385,000 deaths per year. These facts and figures came from a 2017 study conducted before the COVID-19 pandemic.

Researchers also predict that annual medical and societal costs related to diabetes will increase by 53% to more than \$622 billion dollars by the year 2030.

COVID-19 and inactivity, along with race and ethnicity, high blood pressure, family history, and weight are all contributing factors to the rising diabetes epidemic, according to health professionals.

To protect yourself, eat a low-fat, low-calorie, high-fiber diet. Eat mostly fruits and vegetables and whole grains. Additionally, exercise regularly to keep your weight down.

"I don't eat processed meats," Woods said. "I only eat fish or a cheese alternative. I normally get one fruit and one vegetable per day with my kosher meal. I do have trouble sometimes with chips and sugary snacks like anybody. It's all we can buy."

## Getting treatment for chronic conditions after release

*Transitions Clinic Network (TCN) hosts a monthly Frequently Asked Questions (FAQ) column. This column is a space where we can answer questions regarding healthcare in reentry. Our goal is to provide information and empower individuals to prepare them for healthy reentry. In our last column, we talked about medications to treat opioid use disorders (MAT). For this column, we will discuss chronic health conditions and how you can impact your health with diet and exercise.*

### What is a chronic health condition?

Do you or someone you know have diabetes, heart disease, cancer, asthma, or another medical diagnosis being treated by a health professional? These are all examples of **chronic diseases** that impact physical health. Conditions labeled "chronic" last a year or longer and require ongoing medical attention. Some chronic conditions can improve or be cured, while others can last the person's lifetime. Most people who are incarcerated are living with at least one chronic health condition.

### How do you know if you have a chronic health condition?

Chronic conditions are diagnosed by health professionals. A health care provider can do tests to check out new symptoms, so let them know if something new is bothering you. Chronic diseases can also be discovered through routine health check-ups called **screening**. You should be screened for chronic diseases like diabetes, high blood pressure, high cholesterol, and some cancers as part of your routine medical care, especially as you get older. You can ask your doctor inside and in the community about what screening tests you need to stay healthy.

### How can my health provider help me treat my chronic health conditions?

It's important to have regular check-ups with your doctor because discovering and addressing a problem earlier is better! You may need to see your doctor more often if you have a chronic disease. While some chronic conditions can be improved with changes in lifestyle (as discussed below), some chronic diseases require medications or additional treatment. Your doctor will discuss these treatment options with you.

### What can I do to prevent or manage chronic health conditions?

There are multiple factors that play into someone developing a chronic condition

— family history (genetics), age, lifestyle choices, and/or environmental exposures. Some of these factors we cannot control, especially while incarcerated, but there are some daily choices that impact health that we do have some control over. As mentioned, one action you can take is to see a doctor regularly and take medications that are prescribed. In this column, we will also talk about diet and exercise. These lifestyle choices can help prevent disease or go alongside medications to help you live better with a disease. Here TCN's Lead Community Health Worker, Joe Calderon, shares some healthy lifestyle tips from his time inside and his reentry journey.

**Diet**— Food fuels our bodies. Our bodies need a balance of protein, carbohydrates, fats, vitamins, and minerals to function at its best. Eating a variety of foods that include the nutrients we need will help our bodies function optimally, while eating an unbalanced diet with excess calories, fats, salt, or sugar (such as fried foods or packaged, processed foods) can increase risk of conditions like obesity, heart problems, and diabetes.

In prison, it's difficult to eat right. Healthy food choices are limited, especially if you don't have money in your account or a job in the kitchen. When I was in prison, I lived off of eating Top Ramen. When I was diagnosed at age 29 with high blood pressure (hypertension), for the first time in my life I linked my health to what I ate. I was also aware that my grandfather died of a stroke and my pops of a heart attack at age 56. I wanted to eat healthier to prevent this for myself; one change I could make was using less of the noodle seasoning packet (which is high in salt) and adding more garlic. What you have access to dictates what you eat, but I encourage you to consider any small choices you can make to optimize your health. Some examples: eat those fruits/vegetables you have access to, consider portioning/limiting your snack foods, and drink plenty of water.

When you get out of prison, you will have more food options and be able to make more choices about what you eat. There is a saying that when students go away to college and begin eating on their own, they often gain weight: "The Freshman 15." In my experience, this can definitely apply to reentry — without moderation, it is easy to overdo your food intake. Like the college freshman, you will have many options, but many of us are not youngsters anymore. The opposite problem might be not having enough to eat. Did you know that when you get out you can



apply for the CalFRESH program to receive benefits for buying food? You will have to re-learn how to shop for food, prepare your meals, and decide what and how often to eat — things you maybe haven't thought of in a while. You can start thinking now about how to set healthy habits.

**Exercise** — Being active has so many benefits for our health — stronger bones and muscles, improved flexibility and balance, lower blood pressure and cholesterol — and helps us cope with stress. Regular exercise prolongs the function of our bodies and minds. It is recommended that adults get 150 minutes of exercise a week, which is about 20 minutes per day. A well-balanced exercise routine includes a variety of activities — some that make the heart pump (aerobic), some that strengthen muscles and bones, and also some that stretch those muscles out!

From my experience in prison, there are three different ways people exercise: not at all, for a limited time (like to prep for family visits or right before parole — don't lie!), and as a regular part of daily life. To prevent/manage chronic disease, it's best to consider how to regularly be active. Like your diet, choices around movement are limited in prison — you are not in control of your space, time, or what equipment you have access to. Additionally, everyone's ability to exercise is different and can be limited by health conditions or injuries. Consider what ways you can be just a bit more active each day, whether through stretching, push-ups, walking, running, etc.

When you get out of prison, you will be able to structure your own day and you can choose to make exercise part of your new daily norm. You could continue with activities you might be already doing inside, like strength training or running, or try out some new active hobbies, like cycling, swimming, or joining a gym or sports team. What's worked best for me is to stay active with activities that I can sustain because I enjoy them and they fit in my lifestyle. And to stay positive!

Whether in prison or reentering the community, we all have to balance our health with other priorities each day. In whatever way possible, practice taking the best care of yourself where you are now, so you have that foundation when you hit the bricks. Little daily choices make a big difference!

## New variants, same old COVID-19

By Carlos Drouaillet  
Staff Writer

The Omicron variant of COVID-19 is more infectious but potentially less dangerous, two leading medical experts report.

This makes it less important to impose some previous precautions except in high-risk populations, reported Dr. Monica Gandhi and Dr. Jeanne Noble in a recent *Time* magazine article.

"Public-health measures should adjust accordingly...removing and reinstating COVID-19 restrictions based on metrics are no longer clinically relevant," they said in the article titled "We need to rethink COVID-19 restrictions."

Considering vaccination percentages, and the origins of the variant, the statistics should no longer be guided by number of infections due to the fact that very few cases represent extreme illness, the article said.

The Delta and Omicron variants produced a very high percentage of asymptomatic or mild effects on the vaccinated population, which should not be counted as failures, the story stated. The large numbers of mild cases are the result of a highly effective vaccine. Not to mention that cases with critical COVID-19 symptoms are extremely rare among the fully-vaccinated, explains the article.

"Because so many vaccinated individuals may test positive for COVID-19 with few or no symptoms, the number of infections in a community no longer predicts the number of hospitalizations or deaths," the article said.

The number of infections should not be considered the reason for lockdowns, masks or physical distancing mandates, the article reported.

*Considering vaccination percentages, and the origins of the variant, the statistics should no longer be guided by number of infections due to the fact that very few cases represent extreme illness*

The writers also mentioned and favored the method adopted by Singapore in September, which eased preventive measures.

A comparable approach to Omicron infections was recently put in practice in Marin County, location of San Quentin State Prison.

The article recommended stopping school closures or postponing sporting events just because of the multitude of asymptomatic testing. They also explain that most of the inconveniences inflicted on athletes, spectators and students can no longer be justified based only on the number of cases.

"Use of N95, KN95, KF94, FFP2, or even double surgical masks should be encouraged among select high-risk populations, but perpetual masking of entire populations is not sustainable or necessary," wrote Dr. Gandhi and Dr. Noble. "We encourage the Biden Administration to take a rational approach to the COVID-19 pandemic in 2022."

Dr. Gandhi is professor of medicine and chief of the Division of HIV, Infectious Diseases, and Global Medicine at San Francisco General Hospital. Dr. Noble is associate professor of emergency medicine and director of COVID response at the University of California at San Francisco.

By Randy Hansen  
Journalism Guild Writer

# Prisons' quarantine isolation measures failed to prevent massive COVID infections

Solitary confinement cells used to quarantine prisoners during the COVID-19 pandemic did not prevent spreading the virus or prevent prisoners from getting physically sick or psychologically harmed, according to *Solitary Watch* and *Crime Report*.

"Despite spotty reporting and underestimates, more than 397,000 COVID cases have been reported in prisons nationwide, and more than 2,600 people have died as of May," wrote Annalena Wolcke. "An additional 113,000 cases and 200 deaths were reported among prison staff."

The Prison Policy Initiative estimates that mass incarceration was linked to more than 560,000 additional COVID cases between May and August of 2020.

Today the number of prisoner deaths stands at 2,700 and staff deaths have reached 241.

"Prisons are designed as these gigantic sealed cages ... and a pit of hell from which no escape is possible from a virus," prisoner John Hovey wrote in an email to *Solitary Watch* from the Monroe Correctional Complex in Washington State.

Researchers at Stanford and Yale University found that the virus spreads faster in

U.S. jails and prisons than it did on the infamous Diamond Princess cruise ship, where more than 700 people became infected within a month.

While the CDC recommends frequently opening windows and doors for better circulation indoors, *Solitary Watch* points out many prisons don't have windows.

In 2020 over 2,500 incarcerated people became infected with COVID-19 at San Quentin and 28 died, plus a correctional officer. The prison has five-tiered housing units with open cell bars, windows welded shut, closed doors and poor ventilation. In addition, it was overcrowded. Imposing a lockdown made the situation worse, according to experts.

Solitary confinement "is completely ineffective in stopping the spread of the virus and worse, it discourages people from self-reporting that they're having symptoms," said David Fathi, director of the ACLU National Prison Project. "And so it's not only not helpful, it's affirmatively harmful."

A new report done by CalPROTECT (California Pris-

on Roadmap for Targeting Efforts to Address the Ecosystem of COVID Transmission) shows why prison lockdowns failed so drastically at protecting incarcerated people from COVID-19.

Dr. Rachel Sklar of the School of Public Health at UC Berkeley is one of the researchers who put together the report. "We're pouring millions, billions of dollars into ensuring proper ventilation for schools to ensure that children are safe ... and [prisons are] the exact same thing," she said in an interview with *Solitary Watch*.

According to CalPROTECT's report, the most effective measure to slow the spread of the virus inside prisons is clear: Immediate decarceration.

"Even when people are physically separated from one another in solitary confinement conditions, prison ventilation and air filtration systems are simply not built for stopping a deadly virus," the report finds.

"Occupancy reduction is the single most effective method to prevent and reduce COVID-19 transmission," ac-

ording to the CalPROTECT report. "In other words, prisons need to let people go in order to save lives," Wolcke said.

In 2020 researchers visited the Substance Abuse Treatment Facility (SATF) in Corcoran, which was experiencing a large outbreak of COVID. The virus was increasingly coming from single occupancy cells, instead of open dorms, researchers noticed.

Some of the cases were traced back to prison staff moving throughout the prison facility and other cases were due to poor ventilation.

In prisons, overcrowding and poor ventilation lead to large clusters of outbreaks, reported CalPROTECT.

"Windowless cells. Ventilation filters below efficiency ratings. Pressure imbalances. Low air exchange rates. Lack of routine maintenance. Missing toilet lids. All contributed to infected aerosols spreading, from cells to a common area, from the common area to another tier, and from one prison building to another.

"The more time you spend indoors, the higher the risk

of transmission, period," said Dr. Sklar. "And in prison, you're spending 24 hours a day indoors. So you do the math," she told *Solitary Watch*.

Other solutions to slowing the spread of disease include: rebalancing the ventilation system, introducing better filters, and installing lids on toilets to reduce the transmission of infected fecal aerosols.

"I think the most important thing to realize is that the COVID-19 virus doesn't recognize prison walls," said Fathi. "If the prisoners have it today, the staff will have it tomorrow and the staff's family members and other people in the community will have it the day after that," David Fathi told *Solitary Watch*.

Another problem with using solitary confinement to stop the spread of infectious diseases is the psychological harm it imposes.

"Solitary confinement is pretty fundamentally averse to public health," Keramet Reiter, a criminologist at the School of Law at the University of California, told *Solitary Watch*.

"When we have this grow-

ing body of evidence of the psychological and the physical harm associated with solitary confinement and how long-term they are, it's really ironic about it being a so-called public health intervention."

Experts warn that people subjected to solitary confinement show symptoms usually seen in torture victims. Symptoms can include anxiety, paranoia, personality changes, and substance abuse, and can last long after a person has been released from solitary.

The United Nations stipulates that any use of solitary confinement for longer than 15 days at a time is considered torture and cruel and degrading punishment. The U.S. Department of Justice recommended restricting its use in 2016.

"The evidence is now overwhelming that [solitary confinement] is harmful, it is counterproductive, it breaks people, it makes them incapable of leading a productive and positive life after release," said Fathi of the ACLU. "And so we need to turn away from solitary confinement."

## Transgender murder rate on the rise

'Rising epidemic of violence' not helped by COVID

By Cassandra Evans  
Journalism Guild Writer

Homicides of transgender people have been on the rise since 2019, according to data from the National Center for Transgender Equality (NCTE). In 2021 the number of murders has doubled to 50.

Within the first seven months of 2020, more transgender people were murdered than in all of 2019, *People Magazine* reported as the number reached 28. The American Medical Association called this a "rising epidemic of violence," according to article in *People*.

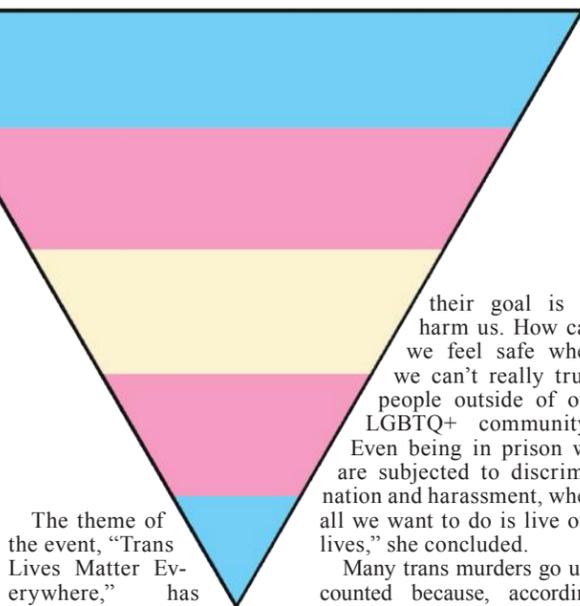
Black trans women account for more than 90% of the victims that are targeted, according to NCTE statistics. Most of the violence is not only based on gender identity, but on skin color.

San Quentin prisoners from the LGBTQ+ held a Transgender Day of Remembrance Ceremony in honor of the trans women that were killed. The event was the first of its kind in any U.S. prison. In attendance was California State Sen. Scott Weiner, D-San Francisco, whose advocacy for the LGBTQ+ community was critical to the event's success.

In SQ, trans women have opined that fear of beatings, sexual harassment, homophobic slurs, and even death, are a part of their daily lives, in and outside of prison.

"A lot of times, we trans women face discriminations because of our gender identity, but most abuses come from not telling the person who we are and what we are about," said Eriqa Slack, a trans woman who is incarcerated at San Quentin.

"But it's the fear of harm perpetrated upon us so regularly that prevents us from opening up. We only want to be accepted for who we are as a people," Eriqa added.



The theme of the event, "Trans Lives Matter Everywhere," has sparked debate on how trans women can be safe from hate crimes predicated on gender identity in the United States.

"There will always be hate out there when you're not being true to yourself. At the end of the day, you have to be who and what you are," said Jordan, a trans woman at San Quentin. "For me, it took time to embrace my identity, but I don't go back and forth between who I was and who I am. That puts everything in perspective right there."

*Forbes Magazine* reported transgender murders are up worldwide. There were 350 in 2020. But 2021 proved to be the deadliest year yet, with 375 murders.

"There shouldn't be any discrimination against any human being just because of the color of our skin," said Eriqa. "We all have the same color blood on the inside, but it seems that trans lives will always be at stake wherever we go. It's up to us to stick together and protect our LGBTQ+ community."

"People target us for all kinds of reasons," San Quentin resident Cinnie K added. "They target us under the guise of wanting a friendship or a relationship, but

their goal is to harm us. How can we feel safe when we can't really trust people outside of our LGBTQ+ community? Even being in prison we are subjected to discrimination and harassment, when all we want to do is live our lives," she concluded.

Many trans murders go uncounted because, according to *People*, police and family members don't accurately report the victim's gender.

"Whenever you're facing the systemic issues we face as Black people, that triple identity of being a Black, trans woman, it's easy to just give up or not want to get out of bed, but you never saw Shokie do that," said Natalie Nia Faulk of her friend, Shokie Peters, who was found fatally shot along a roadside ditch in rural Amite City, La. Police initially identified her as a man, reported *People*.

"There are some men that group up, and target transgender women walking around; their main focus is to abuse or harm them," said Eriqa. "Some even look for their victims online, acting like they want to get to know them, but all they're trying to do is set them up so that they can hurt you."

"There are transgender people who think they are going out for a night on the town, and have to worry about getting drugged, which could lead to death," said Cinnie K.

"It's more of a risk being in prison, because we're more likely to be the first person that someone will target to get off on," Eriqa said.

## Organization gets \$750K boost from Justice Dept.

By Harry C. Goodall Jr.  
Journalism Guild Writer

The Maine Prisoner Reentry Network has received a \$750,000 grant from the U.S. Department of Justice, reported the *Bangor Daily News*.

It represents about 10 times the nonprofit's typical annual budget, according to Bruce Noddin, who said that the federal grant is the largest sum of money the group has ever received by a longshot. The money will primarily go to hiring more staff, taking on more work and tracking the success of its efforts, he said. He noted the state doesn't have a lot of in-

formation about people who cycle in and out of jails, compared with prison.

Noddin helped found the nonprofit as a volunteer in 2017. He was volunteering at the Androscoggin County Jail when he noticed the same people kept returning to custody. He also thought of how his son, who was incarcerated in Maine State Prison, struggled to get back on his feet after being incarcerated, the January article said.

"What are we doing for these folks?" he wondered. Not much, he saw.

The reentry program aims to connect former prisoners to organizations across Maine that

aid those who are reentering society with housing, social services, and jobs. The program's small staff works as peer mentors inside Maine's prison system.

"I call it a living, breathing resource guide," Noddin said.

The group has grown quickly. There has been an increase of around 80 people a week, including recovery experts, district attorneys and social workers. Many now attend Zoom meetings to discuss relevant reentry issues for formerly incarcerated individuals.

"I couldn't be more happy for MPRN," said Randall Liberty, commissioner of the Maine Department of Corrections. "What Bruce Noddin and his team have accomplished on behalf of and with the justice-involved is remarkable."

## Foundation focuses on prisoner trauma

By Jad Salem  
Journalism Guild Writer

Church member volunteers are working with Nebraska prisoners to help them find positive new lives.

"It's a big deal," said state Sen. Suzanne Geist, who sits on the oversight committee that monitors the Department of Corrections.

"What we're talking about is getting local churches and people who are really passionate about walking with the people involved. Since we're charged biblically to care for those who are hurting, we think the most common sense place to come around those who are hurting is in the church."

The project called Master Trauma Foundation seeks to focus on prisoners' traumatic experiences to help them restore their lives, *The Associated Press* reported Sept. 29, 2021.

Most people in prison were exposed to danger or life-threatening situations and suffer from post-traumatic stress disorder, said Scott Carlson, a certified trauma specialist and founder of Master Trauma Foundation.

"Helping someone in a

correctional facility is long-term," said Geist, at a gathering about the program. "It requires passion, it requires patience, and it's not for everybody."

The gathering hosted 50 people in Kearney to discuss ways to undo the harm that individuals go through in the state's overcrowded prisons.

Carlson introduced three formerly incarcerated men at the gathering to share their personal stories of abusive parents, addiction and life in prison.

The men said the current prison rehabilitative programs are ineffective because a lot of the prisoners fear that they would be seen as cooperating with authorities if they participated in programs.

"Fake it until you make it," said Cory, one of the speakers, who didn't want to use his last name, on trying to survive prison life. "You will receive a lot of punishment if you don't go along with them."

Matt, another speaker, shared how prison made him worse and caused his PTSD. The prisoners run the prison and not the guards, said Matt. If you don't fall in line, they'll make you suffer, he added.

"Crisis mode is surviv-

ing a 900-man riot in prison," said Matt, who is now wary around large groups of people. "Prison made me a worse person than when I went in."

Matt added that he prefers to sit near exit doors in case he panics and has to leave.

Since the men returned home, the trauma continues as they feel shunned by society while they are working through their issues and seeking a second chance.

"Give us an opportunity to see how we should be," said Cory. "The general community sees us as throwaways."

The foundation has raised \$50,000 for its program, while the state has allotted \$230 million for building a prison to deal with overcrowding.

Prisons are toxic places, said Carlson. The program will help prisoners transition to a more normal life, noted the article.

"The issue of prison overcrowding has been in the press," said Geist. "What we're looking at is a way to help people transition out of prison in a successful way. So this is a way of taking the overcrowding problem and bringing some unique solution to it."

## Innocent man exonerated after serving six years in prison



Courtesy of Anthony Miller

By Harry C. Goodall Jr.  
Journalism Guild Writer

Anthony Miller is a free man after a New York appeals court ruled he was wrongly arrested, convicted and imprisoned for a street robbery.

Miller returned home after 6 1/2 years of incarceration, thanks to a renewed investigation that concluded he was wrongly identified for the crime.

"It used to be normal for me to be out here," said Miller looking down the street in his neighborhood. "Hanging, playing basketball, cooking out, or getting ready to go somewhere."

The crime involved Jack Moseley being robbed at gunpoint for cash, a pack of cigarettes, and an iPhone. The robber was described as a 5-foot-9-inch young Black man wearing a grey hooded sweatshirt and blue jeans. Miller is four inches shorter and had on a red hoodie and black pants at the time he was apprehended, according to the article.

Moseley falsely identified Miller as the thief.

Miller felt his actual innocence would free him. He rejected a 3 1/2 year plea deal and accepted a public defender as counsel. He was convicted by a jury and sentenced to 10 years in prison.

Miller spent time in the library researching similar cases and contacted a conviction integrity organization. He gained notice by filing motions and con-

tacting news organizations about his case.

District Attorney Sandra Doorley created the Monroe County Conviction Integrity Unit in 2019 to review claims of actual innocence. It was her unit that reviewed the case of Anthony Miller.

The appeals court ruled, "There is considerable objective evidence supporting the defendant's innocence. The defendant was found standing in a driveway half a mile away from the crime scene only seven minutes after it occurred, wearing clothing different from the clothing worn by the gunman. He was not in possession of the fruits of the crime or a firearm."

Miller was freed four days later.

But freedom looks different to him now. The young dreamer that he used to be has been replaced by a more wary man. He's careful about what he wears, where he goes, and how long he lingers with anyone. All those things can be triggering for him.

"Inaccurate witness identifications contributed to 784 of the 2,783 cases in the National Registry of Exoneration. Of those 784 cases, 508 wrongfully convicted were Black — two-thirds of all cases," said the article.

"According to the National Registry of Exoneration, innocent Black people spend an average of 13.8 years wrongly imprisoned before being exonerated — about 45% longer than innocent Whites," the article reported.

## Pope Francis calls for hope in sentencing reform

By Charles Crowe  
Staff Writer

Pope Francis has called for criminal sentencing that leaves incarcerated people with hope and provides a chance at redemption.

"It's right that those who have made a mistake pay for their mistake, but it's even more right that those who have done wrong should be able to redeem oneself from their mistake," the pope said in his weekly address from the Vatican. "There can't be sentences without windows of hope."

According to *The Associated Press* report dated Jan. 19 the pope did not mention any particular country or justice system in his remarks, but Catholic teaching opposes the death penalty. "Let's think of our incarcerated brothers and sisters, and let's think about the tenderness of God for them and pray for them so that they may find in that window of hope a way out toward a better life," added the pope.

Otherwise, the pontiff commented, "we risk being imprisoned in a justice that doesn't allow one to easily get back up again and confuses redemption with punishment."

Criminal justice reform is a current topic of debate in Italy following prison unrest last year prompted by the coronavirus pandemic. Officers at a southern Italy prison allegedly beat, kicked and



Archive photo

punched prisoners during the disturbance. Surveillance video showed guards assaulting inmates, including one in a wheelchair, said the AP.

After visiting the prison last year, Justice Minister Marta Cartabia and Italian Premier Mario Draghi promised reforms. Cartabia reported reform efforts to the country's Parliament on January 19. She described Italy's system as 14% overcrowded.

"It's a condition that ag-

gravates the relationships among inmates and which makes the work of prison personnel, often victims of aggression, even more difficult," said Cartabia.

Potential reforms include sentences that do not involve prison time. Italy already has about 69,000 people serving sentences outside of prisons, she noted. About 54,000 people are held in Italy's prisons, a little more than half the number incarcerated in California's prison system.

## Marin program helps former offenders pursue 'clean slate'

By Giuseppe Ricapito  
Marin Independent Journal

Emanuel McLemore was in jail three years ago when he had a "look in the mirror" moment.

"I had seen people I know make the change," he said. "I asked myself, when is it going to happen to me?"

Upon release, he set out to get his life on track. That meant getting sober and complying with probation requirements.

On Thursday, seeking "closure" on the long ordeal, McLemore visited an event in Marin City hosted by county agencies to assist people convicted of crimes with a variety of services meant to clean up their criminal records.

"To be able to come down here and to this place, it's closing a chapter of that old life," he said. "If only I knew what I know now back then. But it's a give and take. I never knew that I would get to this point in my life."

The program, called Clean Slate, is a collaboration among prosecutors, public defenders, probation officers and the Marin County Department of Health and Human Services to offer those convicted of crimes a chance to clear their records. But the program is intended to be much more than that, said Public Defender David Sutton.

"We wanted to take the Civic Center back into the community," Sutton said. "If we could reach just one person in the community, that would be a success."

Dozens of applicants show-

ed up outside St. Andrew Presbyterian Church to call upon the agencies for a variety of services such as clearing records, terminating probation early or dismissing a conviction.

The event was seen as a first step for the applicants to receive information about the program and, armed with the proper documentation, initiate the process. The departments had Spanish translators available and an immigration lawyer ready to assist.

Most were hoping to get records expunged, meaning having prior criminal convictions erased. A website dedicated to the Clean Slate program describes expungement as a legal order that acknowledges offenders have paid their debt to the criminal justice system and their criminal history cannot be used to limit opportunities in work, academics or access to services.

The expungements only relate to criminal records in Marin. Eligible applicants are people who have been convicted of a felony or misdemeanor who successfully completed probation and are not serving a sentence or charged in a new crime. Ineligible candidates were those who were convicted of a felony and sent to prison, and anyone convicted of specific sex or ve-

hicle code offenses.

Expungement can allow applicants to answer on job applications that they have not been convicted, though the program warns that government jobs and jobs requiring security clearances will discover the conviction. Expungement, however, will not remove the conviction, but instead reflect that it was dismissed. It also does not, in most cases, reinstate the right to possess firearms or prevent the conviction from being used as a prior in subsequent prosecution.

Criminal records are a barrier to employment and some said they wished to clear their records in order to secure work and stability. McLemore said he was in the process of opening a sober living home in Merced and was seeking to be released early from probation.

"There's been a change in my life," he said. "I had to get this off my jacket."

Sutton said he was out to lunch with Assistant District Attorney Otis Bruce Jr., Probation Chief Marlon Washington and D'Angelo Paillet, a county social services official, when they came up with the idea for the program.

Bruce characterized the program as a first of its kind collaboration between the

*The program, called Clean Slate, is a collaboration among prosecutors, public defenders, probation officers and the Marin County Department of Health and Human Services to offer those convicted of crimes a chance to clear their records.*

different agencies of the criminal justice system. The event linked Black History Month, historically Black Marin City and Black leaders in criminal justice to highlight shared cause and community, he said.

"We're facilitating a historical process that's never existed in Marin County," he said. "The whole goal is to create a movement."

Bruce said expungement applicants are screened to determine if they qualify for the program. A legal petition is filed to the district attorney's office, which has 60 days to respond. If there is no objection, an order will be forwarded to a judge or commissioner to grant the expungement.

"Nothing removes barriers more than expungements," Paillet said.

The program is intended to also offer other services to assist the applicants. Representatives of the Department of Health and Human Services were present, providing Medi-Cal, CalFresh food assistance, CalWORKS services, employment training and general financial relief for families. Off to the side, a row of medical workers gave out COVID-19 vaccinations.

Darrell Roary, a case manager with Marin County Behavioral Health and Recovery Services, said the program would allow applicants to "come out of the darkness."

"This work is really important to me. It's personal and professional," he said. "It's kind of the final chapter of what they've been through."

The group hopes to take the program to other areas such as the Canal neighborhood of San Rafael and Novato.

"This is the inaugural event and definitely not the last," Sutton said.

## Federal women's facility plagued by allegations of staff sexual misconduct

By Jad Salem  
Journalism Guild Writer

A federal prison for women in California is riddled with allegations of staff sexually abusing prisoners.

The warden and three other staff members at FCI Dublin face charges of sexually abusing women prisoners, *The Associated Press* reported Jan. 19.

Former correctional worker and chaplain James Highhouse is the latest to be charged with sexual abuse of a ward, abusive sexual contact and making false statements to investigators. The abuse occurred multiple times, between May 2018 and February 2019, reported the article.

More than 100 Bureau of Prisons workers have been arrested, convicted or sentenced for crimes since 2019, according to a November AP report.

Former Warden Ray Garcia was indicted after his arrest in September on charges that he molested an inmate on multiple occasions. Garcia is alleged to have scheduled times and places where he would instruct an inmate to undress in front of him and he then would take multiple photos with his government-issued phone, said the article.

A correctional officer and a recycling technician were

*There have been more than 100 Bureau of Prisons workers arrested, convicted or sentenced for crimes since 2019, according to a November Associated Press report.*

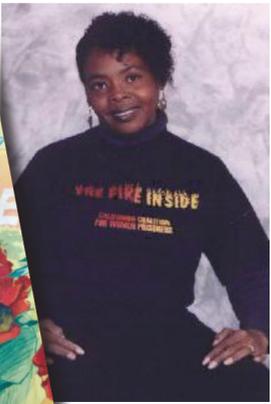
also arrested and charged with sexual misconduct.

The prison and some workers were still under investigation, according to the AP.

The Bureau of Prisons has been plagued with criminal misconduct and corruption, dozens of escapes, coronavirus outbreaks, deaths of prisoners and workers, and frequent staff shortages.

The Bureau of Prisons Director Michael Carvajal and deputy director have announced their resignations.

FCI Dublin made headline news when actresses Felicity Huffman and Lori Loughlin served their time there for a college admissions scandal.



Charisse Shumate, above, co-founded the California Coalition for Women Prisoners, dedicating her life in service to incarcerated women. Right: Protesters rail against sexual abuse of female, queer, and transgender prisoners at a #MeToo Behind Bars demonstration.



# Happy 25th Birthday



For two and a half decades, the CCWP has represented the women of California's prison system. They have protested abuse and injustice, celebrated victories in justice reform, fought against life-without-parole sentences — and mourned the tragic loss of those whose lives ended while still incarcerated... Above, in stark black-and-white contrast, are four of these faces, women who now rest forever in peace.

Photos courtesy of California Coalition of Women Prisoners // Illustration by Andrew Hardy, SQNews

## The California Coalition of Women Prisoners celebrates 25 years of activism

By Marcus Henderson  
Editor-in-Chief

It's a challenge being on the frontlines for any political movement, but the California Coalition of Women Prisoners (CCWP) organization is celebrating 25 years of advocating for and with people incarcerated in the state's women's prisons. "Together We Get Free" is this year's anniversary theme for the organization. The group consists of the incarcerated, formerly incarcerated, and prison abolitionists. CCWP has sponsored campaigns for the "Drop LWOP" (life without the possibility of parole), #Clemency Now, #No More Deaths, and #Stop ICE Transfers movements. It successfully advocated for the Sterilization Reparations Program, for which Gov. Gavin Newsom allocated \$7.5 million in the state's 2021 budget to compensate survivors of involuntary sterilization in California prisons. The group partnered with California's Latinas for Reproductive Justice and others for four years to gain this victory.

"We cannot go back to an old normal — not in the health sphere where people are coercively sterilized, nor in the criminal justice system where compassionate release is on the books but no one ever gets it, and elders and all those who are medically vulnerable are left to die in prison despite community calls for decarceration. We are together working for a new normal," said a CCWP editorial in *The Fire Inside*, the organization's newsletter. CCWP was founded in 1996 to support a lawsuit that challenged the state's inadequate medical care system for prisoners at that time. Women inside Central California Women's Facility (CCWF) bonded to provide the humane care for each other in their time of medical need. Linda Fields wrote a heartfelt reflection on the death of her friend, Anna Jackson, who was going through a medical ordeal at CCWF. "We stole food for her that she could barely eat. We begged for medical help," wrote incarcerated Fields for an article appearing in *The Fire Inside*. "Who cared about

her? I did. I loved Annie. She was my best friend, my roommate. I swore that I would never watch another person die like she did. I promised her I would tell her story. Please remember Anna Jackson. She was a mother, a daughter, a friend. Don't let her suffering be for nothing." Witnessing those experiences galvanized the incarcerated women to file the lawsuit. Fields has Anna's name in her locker and reads it every day to keep her name alive, reported the newsletter. CCWP launched the #No More Deaths campaign to bring awareness to the high rate of suicide in women's prisons. CCWP helped raise money for funerals and led protests with family members outside of the prisons calling for prison transparency. "The experiences of the people caged in women's prisons tend to be the most under-reported and invisible," said Diana Block, CCWP current advisory board member, in a 2019 *BAR Abolition Spotlight* interview. "When you hear about sexual assault in the workplace, ev-

eryone is freaking out about it and saying that this has to stop. People are appalled watching the news, but there's thousands of people who can't complain at all," Stacy Rojas, who identifies as "they" and is formerly incarcerated, told *SQNews*. "You're stuck in a place where nobody worries about you. Here in this state, there are thousands of people going through this and it's kept a secret. "[It] runs so deep — trans women are looked at in a f@#ked-up way. Toxic patriarchal men look at them and are upset that they believe in their head that they are men and can't believe that they want to be a woman. They can't understand what trans is at all. "I can't imagine a positive future for the CDCR, and in my heart I think ending it all would be the best option," she said, referring to the prison system. "But right now I will fight so that things can be a little better for folks in there." CCWP has built a support network for immigrants inside and outside prison with the #Stop ICE Transfers cam-

paign and the Compañeras [Companions] Project, an inside support group. CCWP supported the Vision Act (AB 937) — a bill that would have prevented CDCR or California county jails from cooperating with the Immigration and Customs Enforcement (ICE) agency. The bill did not pass. "California is a sanctuary state. The governor has it in his power to issue an executive order to stop all transfers from CDCR to ICE," said Ny Nourn, CCWP coordinator. "The work of the statewide coalition will continue to grow into the next year." CCWP partners with the Asian Americans Advancing Justice and the Asian Law Caucus for education and social media campaigns. The coalitions have won some ICE releases, even with the stall of the bill.

The Compañeras Project supports incarcerated immigrant women who face deportation, have language barriers and suffer from the trauma of trafficking. "A woman lost her six children in one fell swoop because

she did not speak and understand English," said Patricia Fernandez, one of the outside founders of the project. "The papers were in English and there was no translation. CCWP did not have access to a Spanish-speaking lawyer at that time." Laura Santos, a CCWP member, added, "It's harder for non-English speakers to advocate for themselves. There was one incident where a woman was speaking in Spanish to a nurse. The doctor told her, 'You don't speak Spanish here.' That really affected her. She didn't want to get any more treatment from him. She felt... how does she know he is going to treat her properly?" The Compañeras Project offers translated materials and currently is advocating for Spanish-speaking self-help groups to prepare women for a parole hearing.

The Drop LWOP campaign advocates an end to sentencing prisoners to life without the possibility of parole. "A Living Chance: A Storytelling Project" was created by CCWP to highlight the situations of women and transgender people serving LWOP sentences with an audio and photo art exhibition. Another campaign the organization wants to bring awareness to is #Defend Survivors (SurvivedAndPunished.org), which spotlights the incarcerated women who are survivors of sexual and domestic violence, but are living under the penalty of incarceration. "Whether addressing and intervening in medical neglect, coming together and forming sisterhood and communities of healing and care, or taking a stand against racism and xenophobia, the theme 'together, we get free' has been taken up consistently in *The Fire Inside*, answering clearly that freedom is collective, freedom is community, freedom is a right to safety, life, and family, and the necessary resources to thrive," concluded the CCWP editorial on its 25th anniversary. CCWP SF Bay Area 4400 Market St. Oakland, CA 94608 CCWP Los Angeles P.O. Box 291585 Los Angeles, CA 90029



"A Living Chance: A Storytelling Project" was an art exhibit created by CCWP to highlight the situations of women and transgender people serving LWOP sentences. Below, former LWOP women celebrate their precious freedom.



By Edwin E. Chavez  
Spanish Journalism  
Guild Chairman

# CDC examines racial disparities in gun-related murders

Young Black men are 20 times more likely to be killed by guns than Whites, a federal report says.

Black males age 15–34 made up 2% of the United States’ population, yet accounted for 37% of gun-related murders, the Centers for Disease Control and Prevention reported.

The 2019 analysis titled “A Public Health Crisis in the Making” uncovered a number of racial and ethnic disparities in America’s gun violence epidemic, *USA Today* reported.

The study also revealed that Black males, irrespective of age group, accounted for 63% of gun-related homicide victims.

Two groups, the Educational Fund to Stop Gun Violence and the Coalition to Stop Gun Violence, led the CDCP’s analysis.

Their statistics compared figures for the Anglo population of all ages and concluded that African American men were roughly 14 times more likely to be killed by a gun than White males.

“First time I lost someone to gun violence was when



Demonstrators protest gun violence in America. A recent study by the Centers for Disease Control and Prevention found that one-third of all gun-related homicide victims were young Black men, and nearly three-quarters of all gun-related suicides were White men.

I was nine years old,” said 22-year-old SQ resident Davion “Dayday” Gates. “It was my cousin, and he got killed in Menlo Park in East Palo Alto... The majority [of people] that passed in my life passed from gun violence...

Thirteen [of my] friends were killed, and with family it’s in the 20s.”

The threat of gun violence among Blacks is not limited to males, according to the CDCP report. Black women and underage girls face higher risk

of being killed by a gun than females of any other race — four times greater risk compared to the general public.

The CDCP analysis shows that in addition to Black Americans, other ethnicities have also been dispro-

portionately impacted by gun violence. American Indian and Alaska Natives were determined to be the next highest-risk group, followed by Latino and Hispanics.

In 2019, one out of every 10 childhood deaths in the U.S.

were due to gun violence — the second-highest number in the last 20 years.

“In response to legislation, there needs to be a drastic overhaul of how guns are distributed and to whom,” said Vincent O’ Bannon, 60, a San Quentin resident.

The report noted that White males make up 73% of gun-related suicides. This makes White men nearly three times more likely to commit suicide with a gun than all other demographics combined.

In 2019 firearm suicides went up 60%, leaving 39,707 people dead from self-inflicted gunshot.

San Quentin resident Andrew Hardy was shocked by this number. “Forty-thousand suicides is a huge number,” he said. “Forty-thousand is an epidemic in its own right.”

The CDCP report said, “Despite the limitations, gun death data are the most reliable type of gun violence data currently available — but gun deaths are only the tip of the iceberg of gun violence. Many more people are shot and survive their injuries, are shot at but not hit, or witness gun violence,” the analysis said. “Many experience gun violence ... or being threatened with a gun” but do not die.



Photo contributed by James Ramirez

## AROUND THE WORLD

The San Quentin News touches down in Cancun, Mexico!

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## Growing movement calls for greater use of non-police first responders

By Jerry Maleek Gearin  
Staff Writer

Calling non-police professionals for some emergencies is a growing trend in America, *The Washington Post* reports.

The movement uses new tactics of non-police responses to mental health and domestic abuse calls.

California has enacted the Crises Act, which allows public money to be used to fund community organizations that can respond to such calls. Policy Link is a California-based organization that helped advocate for the Crises Act.

Gov. Gavin Newsom signed the Crises Act in October 2021.

“We are trying to really build up our community-based infrastructure to respond in ways that are rooted in healing and creating safety that comes from what survivors want and see as safety rather than what the punishment system is determining,” said Sybil Grant, a senior associate of Policy Link.

Anne Patterson, vice president of Steps, has seen the needs of survivors of intimate

partner abuse often go unaddressed. And though non-police alternatives are not widely available now, she’s enthused about the emerging models going forward, said the report.

The Anti-Violence Project (AVP), another New York City-based organization, provides an around-the-clock hotline for the LGBTQ community, who are also victims of intimate partner abuse. They are faced with specific barriers like misconduct when interacting with the police, said *The Post*.

“I’m not saying to eradicate the police right now because there are some kinds of situations that do require that level of intervention,” said Marcel Woodruff, a community organizer in California’s Central Valley.

Survivors are saying, “We want that tool [police] to be in the toolbox, we just don’t want it to be the only tool. They are saying let us choose when to call the police and when not to,” said Monica Moran, who manages domestic violence prevention services for the

Pioneer Valley Planning Commission in Massachusetts.

Women face the risk of incarceration along with their abusers, the article said. An Ohio woman faced failure-to-protect charges, after reporting that her husband sexually abused their children, *The Post* noted. She could lose custody of her children if convicted.

“There are many cases where a survivor is being harmed by someone that they love, and they want that person to receive mental health treatment or substance abuse treatment and be able to heal in a safe place,” said Ivette Ale of Dignity and Power Now, a Los Angeles-based organization.

A 2015 study found that 66% of those who called police on their abuser were afraid to notify authorities in the future; 14% said they would call law enforcement next time, said *The Post*.

Similar domestic violence programs operate successfully in the United Kingdom, Australia, Columbia, and other countries, reported *The Post*.

## Federal investigation slams SLO jail

By Randy Hansen  
Journalism Guild Writer

California’s San Luis Obispo County Jail violated numerous constitutional rights of its incarcerated residents, a federal investigation concluded.

“There is reason to believe that the practices at the jail violate the Eighth and 14th Amendments of the Constitution, as well as the Americans with Disabilities Act,” the U.S. Department of Justice stated in an Aug. 31 report, according to the *Associated Press*.

The report said county jailers denied prisoners adequate medical and mental health-care and, in some cases, used

excessive force against them.

Persons with mental health deficiencies were placed in restrictive housing conditions without access to basic services, programs or activities.

In a response to the report, the Sheriff’s Office acknowledged “the issues and concerns brought forth,” but claimed the investigators didn’t include the steps already taken to improve the jail’s practices.

The sheriff’s statement cited the county’s efforts to shorten jail time for people with serious mental illness, in addition to providing “dedicated space to treat and house patients with special needs, including chronic

medical and mental health problems.”

Sheriff Ian Parkinson said in the statement, “The Sheriff’s Office has worked cooperatively with the Department of Justice over the past three years... We are pleased with our progress so far and will continue to work diligently to provide a safe and secure jail facility.”

“Our Constitution guarantees that all people held in jails and prisons across our country are treated humanely, and that includes providing access to necessary medical and mental health care,” said Assistant Attorney General Kristen Clarke of the Justice Department’s Civil Rights Division.

## SF jail population drops during pandemic

The San Francisco County Jail lowered its population by about 38% from January to May 2020, beating the statewide reduction of 29% during the same period, reported the *San Francisco Chronicle*.

The data shows the San Francisco jail maintained its lower percentages for longer.

“The principle of reducing incarceration is very much a part of this office’s mission,” said Rachel Marshall, communications director for the San Francisco District Attorney’s Office.

A chief component of this shift comes from District Attor-

ney Chesa Boudin, who pushed for a zero cash bail policy that has helped reduce the number of people held in custody while awaiting a court appearance.

Another strategy advocated by Boudin’s office has been to release those with 60 days or less left on their sentence for misdemeanor and nonviolent crimes. Some were placed in alternative housing and/or on probation.

“We were able to reduce that population much faster than we envisioned because the pandemic forced us to be under a pressure cooker,” said Marshall. She credited Dr. Lisa Pratt,

director of Jail Health Services, for helping implement policies to reduce the San Francisco jail population from 1,000 to 700 or 800 to allow for social distancing.

“This general approach and way of working is going to continue,” said Josie Halpern-Finnerty, director of the DA’s Safety and Justice Challenge project. “The DA’s office is going to individually determine whether someone should stay in custody and do so in a collaborative way.

“There’s no going back, only going forward.”

—Randy Hansen

## ‘Black’ dialects stymie stenographers

Courtroom reporters sometimes incorrectly transcribe Black dialect, potentially distorting the official record in criminal cases, according to *The New York Times*.

“The larger implication is that people are not being afforded a sense of fairness and justice because the system is not responding to their language,” said Anthony L. Ricco, a New York criminal defense attorney.

The story cites a study where researchers played audio recordings of African American English for 27 Philadelphia courtroom stenographers. They made an average of two errors for every five sentences.

“The findings could have far-reaching consequences, as errors or misinterpretations in court transcripts can influence the official court record in ways that are harmful to defendants,” *The Times* reported.

The errors in court transcription reflect the impact of segre-

gated communities. Black and White areas develop their own way of pronouncing words differently, said the article.

“I know that I didn’t do it so why don’t you just give me a lawyer dog ‘cause this is not what’s up,” said a Louisiana assault suspect.

The lawyer for the suspect wanted his client’s confession of a sexual assault thrown out, because he was questioned after invoking his right to counsel, reported *The Times*.

The Louisiana Supreme Court said that officers could continue questioning the suspect because “lawyer dog” is ambiguous, and he was not asking for counsel, noted the newspaper.

Court reporters’ training was faulted by researchers, because they only used classroom English and didn’t take into account what they were going to be hearing in court, according to the report.

“If the court reporters are missing the story, the jurors are missing the story,” said Ricco.

The court transcribers did not intentionally misinterpret the dialogue; their own discomfort was because of a limited understanding of Black dialect, according to *The Times*.

In a Philadelphia courtroom a defendant said, “He don’t be in that neighborhood,” but a court reporter transcribed it as, “We going to be in this neighborhood,” the opposite of what was actually said, according to the article.

“People who speak African American English are stigmatized for so doing,” said Taylor Jones, a doctoral student in linguistics at the University of Pennsylvania and an author of the report.

The study showed that Black stenographers made mistakes at roughly the same rate as their White colleagues.

—Jerry Maleek Gearin

# JUSTICE REFORM PRIORITIZED IN 2022

## Panel takes aim at California's LWOP, Three Strikes Law

By Andrew Hardy  
Staff Writer

A state commission is recommending ambitious changes to California's criminal justice system, including revisions to the Three Strikes Law and life-without-parole sentences, and ending capital punishment.

The seven-member panel of lawmakers, former judges and criminal justice experts has been laboring under the task of unraveling California's convoluted crime laws and recommending policy changes that would help lower the state's high incarceration rate.

Criminal laws in California are far too complex, said Stanford Law School lecturer Michael Romano, who is also chairman of the state Committee on Revision of the Penal Code.

"The penal code is like a phone book," Romano said. "It's so thick and so dense and complicated. I don't think people understand it very well, in the system and out of the system."

The commission's recommendations are intended to "significantly reduce unnecessary incarceration for thousands of Californians, reduce racial disparities in criminal sentencing, and save taxpayer dollars better spent on programs proven to improve public safety," the *Los Angeles Times* reported Dec. 31, 2021.

In 2021 alone, 10 of the recommendations resulted

in a half-dozen new laws, including limits on the use of gang-related sentence enhancements and an end to mandatory minimum sentences for nonviolent drug crimes.

The panel's second Annual Report to state lawmakers was submitted in December and includes significant suggestions for 2022 that would reduce crime by placing greater focus on rehabilitative efforts, prison diversion programs, and mental health treatment.

Changes to the Three Strikes Law are among the CRPC's proposals. According to the commission's latest study, 80% of the more than 33,000 people serving Three Strikes sentences in California for a third strike are people of color.

As a partial remedy, the panel recommends excluding juvenile offenses and any offense more than five years old from being used as a strike, the article said. The report also suggests eliminating doubled-up sentences for a prior conviction when the current offense is neither serious nor violent.

In addition, the commission proposed phasing-out life-without-parole sentences and gives the parole board the power to consider release of a prisoner after the individual has served 25 years. It also suggests giving the parole board power to recommend clemency in some circumstances.

"Three strikes, life-with-

out-parole, those would both need to be reformed by votes of the people through ballot measure, which we don't envision anytime soon," Romano commented.

Many in the law enforcement community have already criticized the commission as being too one-sided.

"They don't really have a balanced group, it seems," said Michele Hanisee, who heads Los Angeles County's Association of Deputy District Attorneys. "They're in lockstep with what they want to accomplish, which is across-the-board reduction in incarceration without necessarily a reasonable consideration of victims' rights and the seriousness of some of these offenses."

California's recent spate of smash-and-grab robberies, as well as a 31% increase in the state's homicide rate, has fueled criticism of Democrats' criminal justice reform efforts. Gov. Gavin Newsom was assailed as soft on crime in last year's failed Republican recall effort, and San Francisco District Attorney Chesa Boudin will face the same fight this June.

State Sen. Sydney Kamlager, D-Los Angeles, a former commission member, hopes a more rational approach to criminal justice reform will override the knee-jerk instinct to punish offenders.

"All we need are these anecdotal stories to scuttle really thoughtful approaches to reforms because we just err on

## Report targets mandatory minimums, jury diversity

By Dao Ong  
Staff Writer

Thirty changes in criminal justice practices are recommended by a criminal justice reform organization.

The 2022 annual guide on state legislative reforms was released by the non-profit Prison Policy Initiative (PPI). The reforms could have substantial impact on the criminal justice system, *Law360.com* reported Dec. 19, 2021.

The PPI report, "Winable Criminal Justice Reforms in 2022," identifies legislative proposals that include reducing lengthy prison sentences, allowing juries to include people with criminal convictions; and eliminating cash bail.

These reform measures are intended to help end mass incarceration and lower prison costs, according to *Law360.com*.

"While many states have taken laudable steps to reduce the number of people serving time for low-level offenses, little has been done to bring relief to people

needlessly serving decades in prison," the report stated.

Among the 30 state legislative reforms, several were highlighted by PPI, such as eliminating mandatory minimum sentences, because sentencing enhancements do little to improve public safety; they only fuel incarceration rates, PPI reported.

California's passage of Assembly Bill 1245 in April 2021 allows individuals who have served at least 15 years to file petitions directly to the court for reduction of their sentence.

Ending cash bail is another targeted legislative reform cited by PPI. These policies require people who face criminal charges to pay money for pretrial release. Such policies add pressure on innocent people to accept plea bargains because they cannot afford bail.

The report explained how just a few days in jail can destabilize peoples' lives by the loss of employment, housing and child custody.

In January 2021, Illinois passed the Pretrial Fairness

Act, which ended cash bail and narrowed pretrial detention criteria.

"When this legislation takes effect, it will make roughly 80% of people arrested in Cook County (Chicago) each year ineligible for pretrial detention," PPI stated.

Lack of jury diversity is an obvious target for reform. PPI suggested that states should eliminate policies prohibiting people with criminal histories, or sometimes simply accused of crimes, from jury service. PPI reasoned that such laws reduce jury diversity by disproportionately excluding Black and Latinx people, and often bans them from jury service forever.

"These laws bar more than 20 million people from jury service," PPI reported.

The report highlighted the passage of H.B. 84, a Louisiana bill that would terminate the state's lifetime ban on jury service for individuals who are off parole or probation after five years, and restore the right to serve on jury.

the side of really wanting to be punitive to make a point," Kamlager said.

Sen. Nancy Skinner, D-Berkeley, a current commission member, agrees.

"Public safety has to be paramount, but responding to sensational crimes ... does not necessarily reduce

crime," she said.

"California has led the nation in criminal justice reform," said Romano. "Election after election, there have been reforms to reduce punishment and provide more opportunities for people to get out of jail and prison. At the same time, our crime rates

have dropped."

California Department of Justice figures reflect a nearly 14% drop in robberies in 2020, and more than an 8% drop in the rape rate. Total arrests in the state dropped by 17.5%. Violent crime in 2020 did increase, though that figure was less than 1%.

## 9th Circuit nominee grilled by Republican senators

By Jad Salem  
Journalism Guild Writer

Last year, U.S. Circuit Court of Appeals nominee Gabriel Sanchez was grilled by Republican U.S. Senators for his role in the passage of California's Proposition 57 in 2016.

Sanchez, who has since been appointed to the Ninth Circuit Court, helped pass the measure that allowed for early parole of prisoners, according to a *Reuters* article.

"In the governor's view, that was the safer way to approach the problem that we had to face as opposed to indiscriminate releases by the courts," Sanchez testified during a Senate Judiciary Committee hearing.

Sanchez stressed that the U.S. Supreme Court in 2011 concluded that California's overcrowded prisons violated constitutional prohibitions of cruel and unusual punishment.

Proposition 57 allows an increase in parole for persons convicted of nonviolent crimes. It also created a system of sentencing credits for rehabilitation and good behavior.

While he was being questioned by members of the Senate, Sanchez told the committee that at the time, California had to either create a new system for parole or allow the federal courts to order the outright release of prisoners without any rehabilitation.

Sanchez was nominated to the 9th Circuit by President Joe Biden in September. The White House seeks to bring greater



Stock photo

diversity to the judiciary and hopes to elevate the Latino judge to the federal bench if his nomination is confirmed by the Senate.

Sanchez is a justice on the California Court of Appeal, First Appellate District, a Democrat and a Yale Law School graduate. He was also an associate at the law firm Munger, Tolles & Olson, according to the article. He worked under then Gov. Jerry Brown from 2012-2018 as deputy legal affairs secretary.

Sen. Ted Cruz, R-Texas, said that Proposition 57's proponents were not candid that it could be applied to incarcerated people convicted of crimes like rape and human sex trafficking.

"As a result of your direct efforts, violent criminals were paroled and California was made less safe," Cruz said. "Did you intend for violent criminals to be released early, or were you simply unaware of the consequence of your actions?"

Sanchez replied that he was aware "it would affect the entire population of the prison system, hopefully to get people to rehabilitate and improve their lives."

## NM court's innovative approach to addiction

By Joshua Strange  
Staff Writer

A judge in New Mexico has created an innovative drug-diversion program that doesn't use the threat of jail time for convicted addicts in recovery, *The Washington Post* reported.

Judge Jason Lidyard did away with jail time for positive drug tests and minor violations for participants. He added a peer-supported probation component and collaborates with a local harm-reduction organization.

"I don't care if you're high, so long as you show up here," Lidyard said. "Only two things will get you kicked out. If you don't show up, or if you commit new crimes."

The concept of designated drug and alcohol treatment courts has been used for several decades to divert people with addictions from the carceral system. Such programs have reduced long-term prison sentences but also use the coercive threat of jail time for positive drug test results or minor violations. Critics argue this approach furthers the extent of social control and continues to treat addictions as a criminal problem as opposed to a health problem.

Lidyard is using his drug court in rural Rio Arriba County to experiment on how the criminal legal system can be used to "actually better people's lives." The key, he contends, is developing relationships with participants in the program. True to this philosophy, during COVID closures

he held one-on-one meetings with defendants at a local park, ironically one known as a place to score drugs.

With traditional drug courts, the initial criminal charge — often a felony drug possession — hangs over people's heads until they complete the program, which typically takes months or years. Violations result in flash incarcerations that repeatedly disrupt the ability to maintain jobs, housing, and parental and educational obligations.

Lidyard knows first-hand that addicts can still contribute to their communities and families. His father had a crack cocaine addiction that eventually cost him his life.

"My father held a job his entire life despite his addiction and was such a loving, caring individual to me and my sister and my mother," Lidyard said. "It reminds me that just because these people aren't making all the decisions that we would want them to does not mean they don't have value to other people."

Like many places, northern New Mexico is struggling with high rates of drug addiction — an estimated one in five residents — as well as all too frequent overdoses from drugs spiked with fentanyl, an extremely potent and toxic synthetic opioid.

In response to this drug crisis, local advocates and former addicts started a non-profit to provide harm reduction services such as mobile distribution of needles, naloxone overdose kits, and fentanyl test

*"I don't care if you're high, so long as you show up here... Only two things will get you kicked out: If you don't show up, or if you commit new crimes."*

—Hon. Jason Lidyard

strips. These harm reduction services create synergy with Lidyard's drug court, and neither could function without the other.

But implementing these efforts hasn't been easy. The non-profit has had its supplies confiscated by police and some in the law enforcement community have resisted Lidyard's reforms.

"Trying to get other people to buy into a new philosophy, trying to get other agencies on board, was always such a struggle," Lidyard told *The Post*.

Before winning the judgeship, Lidyard worked for the district attorney prosecuting drug cases. He recalled ride-alongs with police where sometimes they'd raid a drug dealer's house and find a drug court diploma on the wall.

"Lasting change doesn't come from being scared straight," he said. "When I became a judge, I decided I'm not going to create that revolving door."

Lidyard's diversion pro-

gram still uses drug tests, not to punish with jail time but rather to monitor progress and prompt discussions about what participants still need to fix to find sobriety. His program also allows medical marijuana prescriptions.

In addition, Lidyard created a "peer-supported" probation program by hiring a peer mentor who had experienced addiction and incarceration to work with participants instead of a standard probation officer. Lidyard says this is crucial to building real trust and having people get through probation successfully.

"People who have experienced that same situation as others and have been able to find their way out of it, are so dedicated to trying to help other people get out too," Lidyard said.

In Lidyard's view, someone "stumbling in recovery is comparable to a diabetic failing to take steps to regulate their blood sugar," and such a person needs more support, not more disruptions.

"We think of success as: They never use substances again," Lidyard said. "We need to look at it differently."

The program appears to be working based on county statistics and testimonials. "If it wasn't for this program, I'd be dead," said Kimber Romero, a program participant who has struggled with debilitating alcoholism. "When people are on a precipice of self-destruction or caged, they need positivity and guidance, and that's what he always offered me."

## SPANISH

## Cuarentenas en cárceles juveniles

Por Edwin E. Chavez  
Spanish Journalism  
Guild Chairman

Jóvenes encarcelados en toda la nación están sintiendo la presión psicológica al estar expuestos a las condiciones difíciles que representan los encierros solitarios por el “aislamiento médico”, cuarentena ligera o problemas de conducta debido al brote de la pandemia del COVID-19, según un reporte del The Marshall Project.

“Dejar a los menores encerrados en sus celdas sin acceso a las escuelas, recreación, programas de rehabilitación y sin visitas familiares, está ocasionando que los niños se sienten solos y se estén aburriendo”, dijo un terapeuta de Maryland Youth Facility, según el reporte.

“Es difícil imaginar una población más vulnerable de cara a la pandemia”, dijo Craig W. Haney, en una declaración en la corte en Marzo 2020. Haney es un Psicólogo social y un experto en psicología del aislamiento en la Universidad de California en Santa Cruz.

Él añadió que los problemas de abandono pueden resurgir en estos tiempos porque los jóvenes en el sistema de justicia han sufrido trauma en sus infancias, según el reporte.

Una madre, cuyo hijo fue detenido en la Bon Air Centro Juvenil Correccional en Richard, Virginia, dijo que su hijo estaba regresando a su forma de pensar negativa y le escribió una carta de suicidio. Le tomó un mes más hasta que ella pudo hablar con su hijo por teléfono.

“La llamada se cortó antes de que yo pudiera decirle te amo”, ella dijo, según el re-



Archive photo

porte.

Se dijo que los niños en la institución estaban sentados solos en sus celdas preocupados por el virus mortal y su efecto en sus familiares y maestros, de acuerdo a otro padre, quien tiene un niño en la misma institución.

Antes del brote, la Institución Bon Air daba una clase de tejido y los voluntarios enseñaban literatura Rusa, dijo el reporte.

Las condiciones en las instituciones de jóvenes se están pareciendo más a al estilo de aislamiento de las prisiones para adultos, según muchos adolescentes encarcelados, partidarios y oficiales de correccionales en más de doce estados, dijo el reporte.

Hay más de 44,000 adolescentes encarcelados en centros de detención federal y estatal, señaló el reporte. Aproximadamente 70% de

jóvenes están encarcelados por delitos no violentos, reportó The Sentencing Project. Muchos de los detenidos esperan sus juicios y no han sido condenados por ningún crimen, añadió el reporte.

En Louisiana, algunas instituciones de menores estaban siendo re-equipadas por oficiales de libertad condicional, quienes son entrenados en tácticas policiales para adultos, y algunos jóvenes están siendo sometidos a la fuerza. Los adolescentes que pelean o tratan de escapar son puestos en celdas de aislamiento que no han sido usadas por años, según el reporte.

En circunstancias irregulares como esta, es normal utilizar todos los recursos del departamento para seguir manteniendo un ambiente seguro para nuestro personal y los adolescentes, dijo Beth Touchet-Morgan,

vocero del Louisiana Office of Juvenile Justice, en cuanto al uso de las celdas.

La decisión de cancelar las clases escolares y visitas familiares en las instituciones juveniles debido al COVID-19 ha ocasionado que muchos adolescentes se sienten paranoicos, solos y aburridos, expresó el reporte.

“En realidad, yo siento que no les importamos a ellos”, dijo un joven de Baltimore al The Marshall Project.

Según la Academia Americana de Pediatras, todo los días que un adolescente pasa en un aislamiento similar al de las prisiones para adultos, sin aprender nuevas habilidades y sin recibir un tratamiento de salud mental, es en sí mismo una emergencia de salud, citó el artículo.

Los jóvenes han estado encerrados en celdas de aislamiento 23 horas al día.

Ellos solo interactúan con los oficiales de la correccional, o tienen que gritar por debajo de las puertas de sus celdas para poder comunicarse con sus amigos, dijo el reporte. A nivel nacional, el equipo SWAT y el gas pimienta han sido usados para controlar a jóvenes frustrados que han tenido discusiones acaloradas y se han peleado entre ellos mismos.

Algunas agencias de detención juvenil y jueces alrededor del país han tenido que intervenir para reducir la población en las prisiones juveniles. Solo dos gobernadores (Michigan y Colorado) han ordenado la libertad masiva de jóvenes que se encuentran en las cárceles para combatir la propagación del COVID-19. Solo 10 estados han reducido la población a nivel estatal, según el grupo de apoyo Youth First Initiative, señaló el reporte.

“En nuestro sistema judicial, nunca antes nos hemos preguntado; si la cárcel hace más daño que el bien”, dijo Jenny Egan, jefa de abogados de la división juvenil de la oficina de defensores públicos de Maryland. ¿Puede ser posible que se logre el objetivo de rehabilitación de las cortes juveniles en este periodo de tiempo?

El estrés, la frustración y la distancia social han llegado a ser una forma de encierro aislado para los adolescentes en las cárceles. La escuela era una forma de libertad dentro de las instituciones. Ellos podían salir de sus celdas y participar con otros estudiantes, señaló el reporte.

Las tareas, videojuegos y lecciones de video en la pantalla han sustituido la recreación y el aprendizaje para los jóvenes encarcelados.

Los partidarios de los derechos de los niños no están seguros cuantos niños han sido puestos en aislamiento por razones médicas, u otras razones, ya que no los dejan entrar a las cárceles debido a la pandemia, dijo el reporte.

La Organización de las Naciones Unidas considera el aislamiento de adolescentes una violación de los derechos humanos. Estudios han demostrado el incremento en suicidios y futuras tasas de mortalidad, dijo el reporte.

“¿Puede alguien creer que la rehabilitación es posible en una institución cerrada durante una pandemia?”, preguntó Nate Balis, el Director del Grupo Estratégico de Justicia Juvenil de la Fundación Annie E. Casey. ¿Qué es lo que estamos haciendo, en realidad, al mantener todavía a los niños encerrados en instituciones de detención?

— Editado por  
Tare Beltranchuc

## Dificultades para votar

Heriberto Arredondo Jr.  
Escritor

Existen actualmente 5.17 millones de ciudadanos Americanos a quienes no se les permite votar, aún después de haber servido su condena en la prisión y haber pagado su deuda con la sociedad, reporta Trone Dowd de las noticias Vice.

Muchos de los estados todavía tienen leyes estrictas para votar y obtener esos derechos de nuevo pareciera algo imposible. Algunos estados requieren que el que ha estado encarcelado anteriormente pague sus deudas de restitución, abogado público, y otras deudas pendientes antes de poder votar. Así mantienen a estos ciudadanos rehabilitados sin derecho al voto muchos años después de que son liberados. Otros estados requieren una petición especial al gobernador y aún así no es garantizado. Esto afecta en su mayoría a las personas de color, reporta Dowd.

En Florida grupos a favor de los derechos al voto, luchan en contra del requisito de pagar deudas de prisión, pero una corte federal eventualmente mantuvo la ley a pesar de las objeciones de éstos grupos y de jueces de las cortes bajas, comentó Dowd. A partir del 2016, varios estados han cambiado leyes de privación al derecho a votar, para que menos personas sean afectadas, o han hecho cambios para que les resulte

mucho más fácil obtener sus derechos a votar después de cumplir su condena. Kentucky, Virginia, Florida, Nevada y Alabama son estados que han pasado leyes en respuesta a las demandas de regresar los derechos a votar a los ex reos.

Teóricamente, éste cambio afecta a millones de personas, pero en realidad, no todos estos individuos votan. Muchos estados todavía tienen procesos complicados, en tanto otros procesan mala información de cómo las leyes funcionan. Esto todavía predomina en comunidades impactadas, reportó el artículo. La situación es todavía peor, particularmente en estados donde no les gustan estos cambios y no entrenan a los registradores apropiadamente, dijo Blair Bowie, un abogado y consejero del Centro de Campaña Legal en Washington, D. C.

“El estar encarcelado es una experiencia en la que el estado controla cada aspecto de tu vida 24/7,” dijo Bowie.

Estas personas entienden el poder del gobierno y el impacto en sus vidas. Ellos no se imaginan en solo apagar un switch y vivir libre ignorando al gobierno. Saben por experiencia lo importante que es usar los métodos de nuestro proceso democrático.

El sentirse separado de la sociedad es un factor importante en la reincidencia de acuerdo a Gicola Lane, organizadora para corazones libres en todo el estado, esta es una organización en Tennessee

a favor de las leyes locales de restauración al votante. “Cuando no pueden votar por problemas de trabajo y vivienda, los hacen sentirse como ciudadanos de segunda clase, eso es lo que expresan ex reos después de ser liberados.” Dijo Gicola Lane.

“Me sentí muy mal, ya que los errores que cometí antes de que siquiera pensara en tener hijos ahora les van a causar sufrimiento”, dijo Chandra McNealy, después de ser liberada de prisión, y perdió el derecho a votar, según el proyecto de sentencias. “Esto hace que unos se pregunten ¿De qué sirvió mi tiempo en la prisión y pagar mi deuda a la sociedad? ¿Porqué no olvidar el pasado y continuar con el presente?” dijo McNealy.

McNealy, quería votar en las elecciones locales. “yo ni siquiera trataba de votar por un presidente; solo trataba de votar por las personas que ocupan posiciones en la mesa del distrito escolar y las personas que ocupan posiciones en la comisión de policía. Estas personas desempeñan un papel importante en los asuntos de nuestra comunidad que afectan a nuestros hijos. Yo quería formar parte del voto en la toma de decisiones y ni siquiera pude ser parte de eso”.

Alonso Malone, 60 años nativo de Bardstown, Kentucky, perdió su derecho a votar después de pasar ocho años en prisión. Para solicitar su derecho a votar, tuvo que pa-

gar una solicitud de derecho de \$70 dólares. Todo esto por su record criminal. Él trabajaba por la mañana haciendo trabajos pequeños en restaurantes. -obtenía cerca de \$70 a \$80 dólares al día.”- dijo Malone. “Cuando deduces los impuestos, pasajes y comida, te queda poco dinero para ahorrar. Tenía que ahorrar durante las semanas para poder pagar la renta al fin del mes”.

Sus intentos de seguir adelante fueron truncados. Le negaron su derecho al voto cinco veces durante 17 años y cuatro administraciones gubernamentales de Kentucky.

“Yo me sentía como si no fuera nada, como si yo no existiera,” le comentó Malone a Noticias Vice. “Yo era el hombre invisible con una “F” escarlata en mi frente.

Ahora, Malone es pastor de la Iglesia Nuevo Cristiano en Louisville y tiene una licenciatura en administración y artes culinarias. Él también administra su propio servicio de alimentos {catering}-reporta el artículo. Para Malone obtener el derecho al voto, no solamente le da una segunda oportunidad después de su tiempo en la prisión, sino también le da esperanza en todos los aspectos de su vida.

En los últimos tres o cuatro años, él ha visto algunas mejoras y está muy agradecido, dijo Malone. “Aunque me habían dicho que yo nunca volvería a tener el derecho a votar otra vez, yo continúe creyendo que podía. Este es un recordatorio a mí mismo que si continúo perseverando, cualquier cosa es posible.”

— Traducido por Víctor Tapia; editado por Tare Beltranchuc

## DHS promueve naturalization

Por Carlos Drouaillet  
Reportero de SQNews

El Departamento de Seguridad Nacional (DHS por sus siglas en inglés) publicó un reporte en julio describiendo como 11 agencias trabajarán juntas para inhibir las barreras hacia la ciudadanía Estadounidense y acelerar el proceso de naturalización.

La agencia de Servicios de Ciudadanía e Inmigración de Estados Unidos (USCIS por sus siglas en inglés), un departamento de DHS, encabeza la colaboración de las 11 agencias federales. Juntas las agencias integran el nuevo “Grupo del Trabajo de Naturalización.”

El grupo fue formado en respuesta a la orden ejecutiva del Presidente Biden para dar prioridad a la educación de ciudadanía y conocimiento, y para restaurar la confianza en nuestro sistema migratorio.

Su reporte, titulado “Interagencia de Estrategia para Promover Naturalización,” describe el plan para “...” asegurar que los aspirantes a la ciudadanía puedan proseguir hacia la naturalización a través de un claro y coordinado proceso.”

“Nosotros nos preparamos para dar la bienvenida y apoyar a los aspirantes Americanos equipándoles con las herramientas que necesitan para progresar en su camino hacia la ciudadanía, y más halla.” Dijo el Director Interino de USCIS, Tracy Renaud.

Renaud considera que permitiendo a los inmigrantes alcanzar la ciudadanía, junto con sus correspondientes derechos y oportunidades, demuestra el deseo de los Estados Unidos de animar a otros a unirse como ciudadanos estadounidenses a ayudar a construir una más perfecta unión.

“Llegar a ser ciudadanos de Los Estados Unidos es un tremendo privilegio,” dijo el Secretario Alejandro N. Mayorkas. “Nuevos ciudadanos, fortalecidos con el poder y las responsabilidades que trae la ciudadanía Americana, hacen nuestra Nación mejor.”

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Fotos por Prison Arts Collective

# Transformando vidas a través del ARTE

By Edwin E. Chavez  
Spanish Journalism  
Guild Chairman

El lenguaje universal del arte puede transformar a hombres y mujeres encarcelados al ofrecerles herramientas de auto-descubrimiento, auto-reflexión y un proceso para sanar.

El Arte Colectivo de la Prisión (PAC) es un programa administrado por la Universidad de San Diego y está disponible para las prisiones dirigidas por el Departamento de Correccionales y Rehabilitación de California (CDCR).

El programa fue fundado para apoyar a los artistas encarcelados. El programa ofrece a los artistas encarcelados una plataforma para compartir sus talentos, inspirar, educar, y sustentar a las comunidades creativas dentro de la prisión.

“Siendo una graduada del programa, he visto ambos lados del programa” dijo Wendy Staggs al SQ News, en una entrevista vía correo electrónico. “Como participante he observado a individuos dejar de ir al cuarto de observación por intento de suicidio. He visto que personas dejen de usar drogas y muchas cosas más, por el simple hecho de crear arte.”

“Entonces me di cuenta que el arte tiene el poder de transformar vidas en formas que nunca pensé posible. Me complací, sané y crecí” Staggs añadió.

PAC tiene su base central en la Universidad de San Diego y está asociado con el CSU Fullerton, CSU Los Angeles, CSU San Bernardino, y la Universidad Estatal de Humboldt.

El PAC provee un Programa de Entrenamiento para aquellos que se encuentran encarcelados que deseen ser Facilitadores de Arte. Es un programa de 60 horas, seguido por 3 meses de entrenamiento. Una vez que los estudiantes completan las horas del programa, se convierten en maestros y pueden facilitar clases dentro de sus respectivas prisiones.

Antes de la pandemia global del Covid-19, los equipos del

PAC ofrecían clases semanales de historia del arte, teoría, prácticas creativas y reflexión en al menos 13 prisiones estatales. La organización tuvo que ajustarse al cierre de los programas en las prisiones a medida que el coronavirus se esparcía a través de todo el estado incluyendo al sistema carcelario.

PAC inicio un curso por correspondencia enviando su currículo en paquetes. Ellos establecieron el proyecto Producciones Afuera/Adentro (Outside/Inside Productions), el cual creó videos para instruir sobre el arte, yoga, y un podcast para presentar historias de artistas, escritores, y músicos encarcelados.

“El Covid ha tenido un gran impacto en nuestro programa, al igual que en todo el mundo. El Covid cambió la forma de cómo hacer nuestro trabajo, pero no lo que hacemos.” Dijo la Profesora Annie Buckley del SDSU, fundadora del PAC. “Todavía estas dedicados a transmitir el poder transformativo del arte a las personas que están encarceladas. Solo hemos tenido que encontrar nuevas formas de hacerlo debido a que no podemos entrar a las prisiones.

“Estamos regresando a algunas clases presenciales, pero no soy muchas. Lo más importante que hicimos fue crear paquetes de aprendizaje a distancia, similares a los programas ofrecidos a través del país”, añadió Buckley.

Los materiales enviados por correspondencia fueron creados con el apoyo del equipo PAC, estudiantes, y personal de las universidades, dijo Buckley.

Algunos de los talleres ofrecidos por PAC son clases de Arte Multidisciplinario, Entrenamiento para Facilitadores y un Programa de Artistas Invitados. También se creó el Proyecto Alice para apoyar a individuos que se reintegran a la sociedad.

“Después de obtener mi libertad fui voluntario y luego me convertí en maestro.” Dijo Staggs. “Quería ayudar a otros a que se descubrieran así mismos como yo lo había hecho. Los retos se encuentran

en todas partes y en todo, y siempre existirán, pero hacemos lo mejor para superarlos.”

“Sin embargo, los éxitos son graduales y naturales,” Staggs mencionó.

Mark Taylor, otro voluntario que había estado en la prisión, añadió, “Mientras estaba encarcelado en la Prisión Estatal de Ironwood, todos los hombres que estaban en PAC disfrutaron las clases, al igual que yo.”

“Con la orientación del personal de PAC, pude crear un Currículo Creativo de Escritura con Enfoque a realizar Enmiendas (Amends Focus Creative Writing Curriculum) que me ayudó con el proceso de introspección y transformación.”

“Tengo mucha confianza en este programa que continúe siendo voluntario con PAC después de obtener mi libertad”, dijo Taylor.

Algunos de los programas de PAC fueron diseñados en

la prisión. El Programa Compañeros Líderes de PAC (Peer Leader Program) empezó en la institución de California para Hombres. Donde los participantes de la prisión desarrollaron regulaciones, ayudaron a monitorear los materiales y auxiliaban a los maestros en las clases.

El Programa de Entrenamiento para Facilitadores de Arte fue creado en la Prisión Estatal de Ironwood.

“Yo no voy a las prisiones, pero siempre me inspira escuchar las historias y leer la retroalimentación de los participantes actuales y anteriores”, dijo Mariana Moscoso, Directora del Programa Arte en las Correccionales (Arts in Corrections) al SQNews. “Desde mi punto de vista, el arte es una puerta para nuestra liberación colectiva es un lugar donde podemos imaginar y experimentar otras posibilidades para nosotros

mismos y nuestro mundo.”

“Debido a que el arte puede ser una puerta, yo creo que es esencial sanar porque el creador puede crear y controlar las condiciones de su imaginación. Ellos pueden imaginar una versión de ellos mismos que sea alegre, sana y en unidad con la comunidad. La imaginación es el principio de toda actividad humana”, añadió Moscoso.

PAC apoya al poder inmenso de la creatividad a pesar de las limitaciones del encarcelamiento.

“El arte tiene la capacidad de transformar corazones y mentes al descubrir quiénes somos, y darnos empatía para entender a otros”, dijo Buckley. “Yo creo que la forma creativa y única en que el arte nos permite conectarnos con nosotros mismos y otros es importante para todas las personas; para aquellos que están pasando por momentos difíciles, el arte también puede ser una salvación.

“Para aquellos que están encarcelados, yo pienso que el arte los invita en lugar de ordenares- a hacer algo nuevo o ver las cosas de una mane-

ra diferente... El arte ayuda a las personas a localizar aspectos de su identidad aparte del hecho de estar en la prisión”, Buckley añadió.

Ser vulnerable en la prisión puede ser difícil, y aunque algunas personas pueden dudar que el arte sea una forma de rehabilitación, el arte puede ofrecer un tipo de libertad mental y del alma.

“Las personas que nunca han sido encarceladas o afectadas por el sistema carcelario ven a la comunidad encarcelada como criminales”, dijo Staggs. “Ellos no pueden entender porque los voluntarios ofrecen a los encarcelados programas como arte, tampoco pueden comprender que esas personas merezcan tal privilegio.”

“Hasta un 90% de las personas encarceladas regresaran a sus comunidades ¿No sería mejor ayudar a estas personas a sanar y ofrecerles lo necesario para procesar los traumas que experimentaron antes de su encarcelamiento? Necesitamos ver a cada ser humano con ojos de amor”, Staggs concluyó.

—Traducido y editado por Tare Beltranchuc



**SPORTS**

# The resurgence of the March Madness brackets

By Timothy Hicks  
Sports Editor

The month of March brings together all 64 NCAA college basketball teams for one reason: to see who will win the NCAA Championship. To keep track of the teams' match-ups, the NCAA created what's called the bracket.

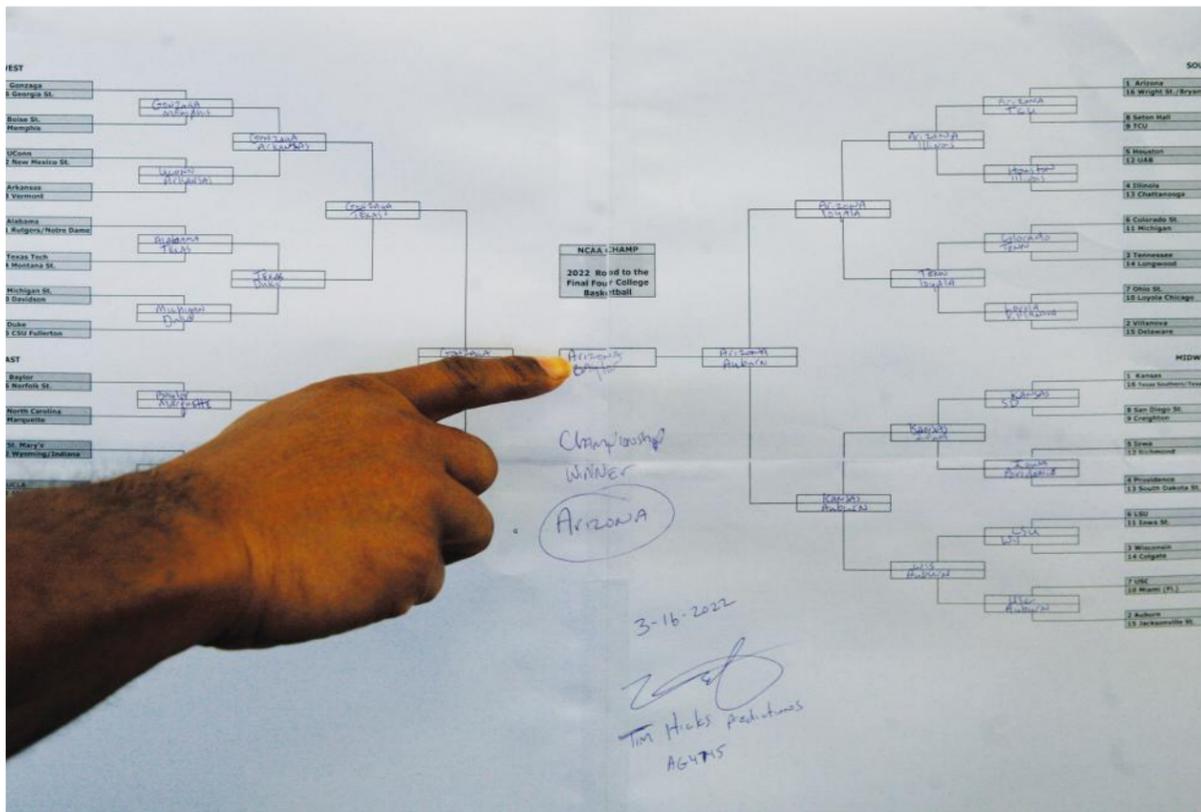
SQ sports fans have created their own bracket and have selected the teams that they are predicting to go all the way.

"I'm going for Gonzaga. I think they are going all the way," said SQ TV's videographer E. "Phil" Phillips.

Gonzaga came very close to having a perfect winning season last year until they lost in the Men's NCAA Championship against Baylor.

All of the NCAA teams get that chance to go all the way, including the women's college basketball teams. Stanford beat Arizona by one last year in a clutch game. However, all of the NCAA brackets end up a bust every season.

According to an NCAA CBS article, the longest-winning streak anyone has ever had on the brackets was in 2019 with 49 wins and through the Sweet 16. Many people have tried their luck in guessing who would go all



Vincent O'Bannon, SQNews

the way and win without losing. And some people have claimed the bracket challenge to be a Ponzi scheme or some kind of unfair setup.

"I think the brackets are done fairly," said James "JB"

Brown, a San Quentin resident who follows the tournaments. "Although they are fair, I still think that Gonzaga had the easy picks coming out of the West." Brown is referring to the last year NCAA

bracket.

Fans say that the way that the brackets are set up is unfair because of the way they don't change the seeding structure when teams advance.

"It wasn't easy choices be-

cause of the seeding," Phillips said. "There's a thing about the 13<sup>th</sup> and 4<sup>th</sup> seeding placements. Maybe it could be any high-ranking seed versus a low-ranking one. But, I think that those placements are the

upset placements."

The article suggests that the NCAA should reevaluate the brackets like the NBA does during the finals, to give teams the match-ups they are compatible with.

Some get lucky and may pick the winning team. Last year Brown picked Baylor to go all the way because the team he wanted to go all the way, Michigan, did not make it through. And his prediction came true. "Baylor had a good guard game and I think they were the stronger team," he said.

Many wagers are made around the world on the bracket picks and people have lost fortunes. With over 100 million brackets being played by people, the NCAA has not recorded a winning bracket yet.

In theory, the NCAA has been recording bracket data since 1985. And since the brackets have been played for decades, maybe someone actually won somewhere before. But it has not been recorded.

However, as the structure stands with the seeding of the NCAA bracket, it allows the bracket to continue giving the world basketball match ups and good battles in the Sweet 16, the Elite 8, the Final 4 and the NCAA Championship.

In December 2021 the sports world lost a legend: the former head coach of the Raiders, Super Bowl Hall of Famer and trail-blazing commentator, John "All Madden" Madden.

He was an icon to the football world, known as the one who played the game, coached the game and commentated on the game.

Madden revolutionized the game in many ways, including how he commentated on games with his enthusiasm.

"He made football easier to watch and easier to understand. Madden not only commentated the game, he taught it. He made it academically fun," said Greg Eskridge, 48, a longtime Raider fan with the LA "Raider Nation" since the '80s.

"When the Raiders came to Los Angeles, it was a big Raider movement out there. The city was all Black and Grey or Silver and Black. It was more than just football to the fans. We were all diehard Raider fans. We loved the team and the spirit it brought to Los Angeles," said Eskridge.

Madden became famous when he took the Oakland Raiders football team to

## The day we lost an icon *Remembering the late, great John Madden*

the Super Bowl in 1977. He coached for 10 years until he retired.

Madden then took to commentating games and was instrumental in making Fox television stations a major competitor in the sports arena. He revolutionized the sports world of commentating with his knowledge of the game.

"I never knew Madden as a coach because I was born in '73, so the only way I knew him was as a commentator and from the commercials. But, he still left an impact on me that still resonates with me today, because he was a man's man. He was like that uncle with all the theatrics," said Eskridge.

Madden's name is in the realm of other greats who commentated sports, such as Howard Cosell and Chick Hearn. Their voices transcended any barriers of contention.

"Like all the other greats, when Madden spoke, his voice made you overlook race;

there wasn't any color line there. When you reach his level of commenting, you only notice the way the game is being spoken about. He was just a person with a great spirit," said Eskridge.

Madden retired from commentating after a few years and started doing commercials. He was also known to his fans by the cross-country tours he would take on his Madden tour bus.

Madden also revolutionized the sports world for gamers when EA Sports made a football game after him called "Madden," giving him a platform for the younger crowd.

"He was one great coach," said Troy "DC-4" McKay, 29. "I grew up hearing my dad talk about Madden.

I only remember him from that. But I actually remember playing the game 'Madden' before I even knew who he was. I used to play the game on my very first PlayStation. And when '2006 Madden' came out with all those up-

grades and new dynamics; it revolutionized the game. They had this new feature called the 'Hit Stick,' which allowed playmakers and play action to happen. It was a dope game."

One recent commentator of a football game said those who knew him as a coach called him Coach Madden, those who knew him as a commentator called him John and the young crowd called him "All Madden."

It's evident that Madden left an impression on everything that he was involved in. He was a family man, but football was his first love. He said in an interview on a local TV station that he put football before everything in his life.

Not long before he passed away, a documentary aired on a local TV station that documented Madden's life.

"I watched that documentary and then he died," Eskridge said.

"I was emotional after he died. I was shocked that he



Stock photo

died not long after the documentary had aired, though. It was like he was just waiting for everybody to see it. He played a big role in a lot of people's lives."

Madden left an impression on generations young and

old and brought an element to the sports arena that made it more interesting to watch. He will be remembered in the sports world forever. Rest in peace to the icon, Coach John Madden.

—Timothy Hicks

**TIER TALK**

## A point guard's perspective: Q&A with Joshua "JB" Burton

Super star point guard Steph Curry has broken the three-point record with the Golden State Warriors, beating out legend Ray Allen by a comfortable margin. Curry broke the record when he and the Warriors faced the New York Knicks in December 2021.

I sat down with long time Golden State Warrior fan Joshua "JB" Burton, who is a point guard himself, to get his perspective on Curry's new record.

**TH:** JB, tell me how long you've been a Warrior fan.

**JB:** I've been a Warriors fan all my life, ever since I was a little kid. I used to always dream about the teams.

**TH:** Who were some of your favorite players?

**JB:** Sprewell, Hardaway, Davis, Mullen, were a few of the players I liked, but none of them can compare to Curry. He's on a different level. His shake-N-bake is off the chain. He know how to buss them three-pointers like nobody else can do. But, I don't think he gets all of the recognition that he truly deserves.

**TH:** Yeah, Curry is one of the best three-point shooters that I've ever seen. He just broke one of my favorite shooters records - Ray Allen. I remember seeing Allen shoot some impossible three-point shots. But Steph is now the all-time greatest three-point shooter. The other half

of the Splash brothers Klay Thompson. Steph just sealed that record and he is not done. The season is still going. Warriors got the best record thus far. How you feel about Curry breaking Ray Allen's three-point record?

**JB:** It's a great deal for basketball history and it's good to see somebody break the record with their home team, especially being from the Bay Area where I'm from. To see somebody do it from my favorite team is amazing.

**TH:** Yeah, that's right. Before COVID, the Warriors team used to come into the prison to play the SQ residents. Were you on any of the teams that played against

them?

**JB:** Those were the good days. I still remember some of those times when they would come visit The Q. It felt good when they would come. It took me away from prison. I played on the SQ Warriors as a point guard. I never broke any records like Curry did (laughs). But I did get to celebrate a championship we won against them.

**TH:** Oh yeah? When was this?

**JB:** Well, I played on the SQ Warriors for about seven years and the game we beat them was the 2014-2015 season. That was huge to me. It feels good to put our talents with theirs but for them to come in to play against us is

a gratifying experience, because those guys could be doing something else with their time. It shows us inside that we matter and that someone cares. It lets us know that we are not our crimes - we are human beings.

**TH:** That's true. We are definitely human beings. What was one of your most memorable moments when they would come in the prison?

**JB:** One of the most memorable moments to me was when the Warriors had won their first NBA Championship after that long losing drought. They brought their Championship trophy into the prison and shared their victory with us. I was able to

hoist up that trophy. The feeling I got when I did that was one that took me out of this prison reality.

**TH:** That must have been really nice.

**JB:** Yeah it was. I look forward to when General Manager Bob Myers brings the Warriors organization back into the prison so that we can hand him another loss against us. (Laughs) I'm just joking, because the way those guys are playing this season, it looks like they will be going to the Championship again, plus doing it under this COVID era—that shows their dedication. I've got a lot of respect for the Golden State Warriors franchise.

—Timothy Hicks

By Timothy Hicks  
Sports Editor

African Americans have been contributing to American sports and taking intricate steps towards trying to mend the fabric of social injustice for many years. According to the novel *The 40 Million Dollar Slave* by William C. Rhoden, Black athletes' contributions to sports and integration date as far back as the late 1800s, the 1900s, until today.

The Negro National Baseball League was started by Arthur "Rube" Foster in 1920, a Black man who brought into fruition Black Americans' pathway to sports team and league ownership.

The author of the novel wrote that Foster was even a more significant figure than the late Jackie Robinson, who became the first Black man to integrate American major league baseball. Robinson later became a baseball Hall of Famer.

The novel mentions boxing legend Jack Johnson, who broke barriers by becoming the first Black boxing World Champion, all while battling oppression and racial hatred.

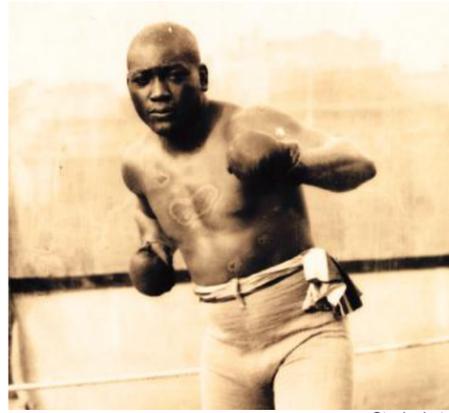
According to the book, Blacks were very instrumen-



Stock photo

« Arthur "Rube" Foster started the Negro National Baseball League in 1920.

Jack Johnson » was the first Black man to be named Boxing World Champion.



Stock photo

## American sports' rich Black history

tal in horse racing as jockeys, too. From the 1960s well into the 2000s, Blacks dealt with what the author describes as the "Jockey Syndrome."

The Jockey Syndrome was numerous barriers set up by oppressors to limit jockeys of color.

Blacks have been standing up in the face of racial injustice, oppression and adversity ever since the first days of their habitation in America. They encountered barriers that held them back from

competing or representing African Americans in the sport that they desired.

For many years it has been Blacks' desire to just be considered free and be treated as equals. However, the fight for social justice for the entire Black race continues today.

Blacks are still widely oppressed across the nation and Black athletes have found ways to protest and use their platforms to voice their outrage in simple but unique ways.

According to Wikipedia, in 1968, when social unrest was high, Americans Tommie Smith and John Carlos had won the 200 meter race in the Summer Olympics held in Mexico City, the first to ever be held in a Latin community. The two had first and third placements, Smith with the gold and Carlos with the bronze.

A third guy on the podium who protested with them in his own silent way was a German guy name Peter Norman. They all wore badges on their

jackets that represented human rights for the Olympics.

However, while on the podium, Smith and Carlos stood barefoot and both raised black-gloved fists in the air while the *Star Spangle Banner* was played. It was their way of showing their silent gesture of protest against the racial injustices in America.

According to his autobiography, *Silent Gesture*, published 30 years after the fact, Smith said that the gesture was not a "Black Power" sa-

lute. However, the demonstration is regarded as one of the most overtly political statements in the history of modern Olympics.

That sentiment of the gesture still stands true today to most Black sports enthusiasts who know their history. One other person who made a significant stance by kneeling for the cause to fight social and racial injustice in America is former NFL quarterback Colin Kaepernick of the San Francisco 49ers. His teammate, Eric Reid, and many others followed his lead and joined him in the silent protest.

There has been a high percentage of African Americans being mistreated and even killed by law enforcement during the early 2000s. News agencies broadcasted the tragedies perpetually.

Kaepernick decided in 2016 to use his platform to protest in a silent and peaceful way to show the world that he was not in agreement with the way things were going for African Americans around the country. He said in an interview that his reason for kneeling was "to protest racial inequality and the oppression of Black people in America."

## Silverbacks take SQ football championship

In a grueling December championship battle, a back and forth football brawl, team Silver Backs took on undefeated team Hit Squad on the SQ field of dreams and won a narrow victory, 35-34.

Football fans watched under the hot sun as the Silver Backs' defense held on four straight downs in the red zone, denying team Hit Squad the win.

"This was the most controversial game I ever played," said Hit Squad star quarterback Brandon Riddle Terrell.

The game was called by referees from their own view of the field, but some players from both teams said that some of the calls were unfair. The calls even led to some confrontational incidents between players and referees.

Hit Squad Coach Jeremiah "JB" Brown said that despite uncharacteristic displays by the players during confrontations with referees, he is proud of both teams, as well as the referees, for showing up to make the league a success.

"I'm extremely proud of the guys in the league. We started this league to give the guys in prison something to look forward to and to build good character," Brown said. "I understand when it's all on the line and it's the championship, tempers will flare and passions will get high. But, overall, that was a very good game."

Silver Backs Coach Tom Garner, in his first role as coach, delivered a passionate message of hope to his team that revved them up for the game.

"My game plan was just for them to come to play aggressive and to play hard with unity," said Garner.

The tone of the day was set when the Silver Backs broke through a banner as they entered the field, sending out electric energy like a hyped up college team in a Pac-10 conference title game. Roars from the players echoed across mid-field as they ran through, sending the message "We came to play."

"When they came through the banner, I saw a different kind of energy," said referee Brown.

Both teams had come to play, but the favorites were the Hit Squad. They beat the Silver Backs twice during the regular season, but Silver Backs wide receiver Joshua "JB" Burton never lost hope.

"I used to always tell my team that we were gonna see them in the championship and, look, we did," said Burton, who ended the day with two touchdowns and 105 reception yards, the most on either team. "Every time I touch the ball, it's electric; that's my slogan," he said.

Since the Silver Backs were not favored to win, they were looked at as underdogs, Burton said.

"Most of our guys had left [gone home] and we had to use

like I'm not even in jail."

The Hit Squad didn't waste time striking back as Terrell had a 50-yard run, setting up a short throw to Jesse Rose in the end zone.

Rose had 70 yards receiving for the day and one TD, and was second only to Burton in reception yards.

By halftime the game was a stand-off like an old Western movie. It was 14-13 after Terrell hit Raveon Wooden in the back of the end zone with a 50-yard bomb that dropped right into his hands.

The crowd was into the excitement, with cheers and ooh's heard throughout the game. Spectators were screaming to team Silver Backs, "Contain! Contain!" Spectators for the Hit Squad were yelling, "Watch out for JB!"

Offensive and defensive lines clashed and clutched one another. Every time the defenses would apply pressure, somehow the offenses would figure out a way to make a play.

Silver Backs center Jonathan Estrada hiked the ball and blocked nose tackle Jermaine "FM" Gurley while Adams threw a 20-yarder to "A-1" Wooden. That led the team to the American flag hanging at the back of the goal post.

Hit Squad receiver Oscar Acosta ran untouched 60 yards into the all-dirt backfield late in the third quarter to put more points on the board. The score was 20-21. From there it was a back and forth strike match. Defense and offense did not disappoint the fans.

After watching QB Terrell out-sprint the defense of the Silver Backs and run for a TD on a designed sideline play, ex-semi-pro running back Donovan "DC" Cotton was ecstatic.

"Man, that was a beautiful TD. You got to outside-contain him [QB Terrell], because if you don't, that's what he's going to do," said Cotton.

After a daring 80-yard run and TD by QB Adams late in the fourth, the score was 35-34 Silver Backs. Their defense held Hit Squad at the goal line, stopping them from scoring after several missed opportunities. The SQ champions and one time underdogs, the Silver Backs proved to the doubtful that anyone came overcome anything if you are willing to work hard.

—Timothy Hicks

## Demetrious Mitchell crowned king of the West Block chess tourney

San Quentin's West Block held a chess tournament right before Christmas and there was only one chess king left standing at the end of the 32-contestant entry – Demetrious Mitchell.

"When I play chess, from my perspective, I do not lose," said Mitchell, 50, after coming out victorious over a very challenging and fierce competitor. "I was still a little nervous playing my opponent, Mr. Mackey. He and I have history. When it comes to the battle of the minds, he's my arch nemesis."

The two best chess players in the building are Mitchell and Vincent R. "Osiris" Mackey. They annihilated challengers that sat in front of them, one by one.

"I have a life philosophy: to survive and evolve," Mackey said. "The rules of the game are few –my king and army against your king and your army, and both kings with their armies are to engage with equal footing on the battleground."

Their match was determined upon who can win the best out of five. All games were played on equal footing battlegrounds up until the championship. Additionally, a time clock was added to their game, which was a total game changer.

"Having the clock was an added element that Mr. Mackey was not accustomed to, yet he still ended up getting a stalemate and even won the third game," said Mitchell.

"I congratulate the winner of the tournament, D. I won the chess tournament in West Block for the last 12 years. So, it's about time somebody dethroned me. And I appreciate the guys who took it upon themselves to host it. It shows that we as the incarcerated can make some positives things happen when we want to. However, it should have been one set of rules set for all, but hey, I tip my hat to the winner. He was the better thinker.

"My passion for the game allows me to truly enjoy it. I have fun, I learn as I play. And I believe that I be in good company. That right there for me is a win within itself," said Mitchell.

In the novel "Winning Chess Brilliances," International chess Grandmaster Yasser Seirawan writes that the rea-



Vincent O'Bannon, SQNews

sons a skilled chess player could beat an equally skilled adversary one day and then lose the next day are many. The main factor, he says, is the inspiration they have.

According to Wikipedia, the first game of chess was played over 1,500 years ago in India. From there it traveled through the Middle East after the Muslims conquered India. Then it went on to Europe and after that, the northern parts of the world.

Chess has also been dubbed an "old man's sport," even though there are kids as young as toddlers who play. The contestants in West Block's tournament were all 40 and older.

During the tournament, kings were knocked off of the board and queens were stolen and traded during the battles. Knights, bishops and pawns were at battle while rooks were trying to protect the kings. The more experienced players who know how to use the four pointers outlined in Seirawan's advanced to higher levels.

The four pointers are:

- Time (deployment of pieces)
- Force (being ahead or behind in pieces and pawns)
- Pawn structure (for determining a plan)
- Space (how much of the opponent's territory a player controls)

The tournament was sponsored by one of West Block's chess enthusiast's, B. "Rahseed" Ballard, who wanted the

tournament to be recognized as more than just a game of chess.

"I wanted to sponsor something fun for the residents at The Q since the COVID pandemic has come and all but dismantled the extra-curricular activities that happen here in the prison," said Ballard. He said that he also wanted to do something that would allow people to get to know each other in a fun way that would relieve some of the tension around pandemic issues in the prison.

Ballard and one of his partners donated \$25 for the first-place prize. Canteen certificates and bragging rights were given to the final four contestants and the title of "Chess King" was given to the overall champion.

"This is proof that healthy competition can bring all sorts of different people together – even in the hardest times," said Ballard.

In the matchups, there was no bias or disparities on the checkered battle field. Race or creed was not a factor. Matches were set up through picking names out of a bag.

It is clear when playing chess that those who play the game strategize by trying to out-think their opponents. Dubbed the thinking man's game by chess enthusiasts, it is apparent that chess exercises and challenges the most important part of the body – the brain.

—Timothy Hicks with  
B. Ballard contributing

# A message for Ramadan from the Imam

By Imam K. Mohammad  
San Quentin Muslim Chaplain

Islam is categorized technically as a religion. More so it is a complete way of life instead of something done out of mere ritual. It is not empty rhetoric but rather an implementation of daily life full of meaning and purpose. To practice Islam is to be one who submits to the will of God by means of our divine scripture The Quran. As credit to the author Gary Wills, in his speeches he points out that the Quran does not negate former books or scriptures but rather confirms them. The Quran is a beautiful expression that allows a person's spirituality to decipher what God is saying to us. Solomon spoke to the birds and ants, Moses didn't just speak on the mountain but the mountain witnessed his speech with the Lord, Jesus not only was sent as a messenger but was a miraculous healer. And to add to the thoughts that Gary Wills expressed, animals and trees spoke to Mohammad and he was not sent to one community rather was sent as a mercy to all communities of mankind. May Peace and Blessings be upon all of them.

*The Quran is a beautiful expression that allows a person's spirituality to decipher what God is saying to us. Solomon spoke to the birds and ants, Moses didn't just speak on the mountain but the mountain witnessed his speech with the Lord, Jesus not only was sent as a messenger but was a miraculous healer.*

To be a Muslim is actually a spiritual way of life, not that of pseudo spirituality (where people say I am more spiritual than religious). Islam is a lifestyle that separates the truth from falsehood. It demands self-restraint and character building under the order of the Creator. Islam is a way of life that demands of us to forbid evil and enjoin good. The Prophetic tradition encourages those who believe to increase their capacity to assert this belief. If one were to witness acts of immorality they are obligated to prevent it physically if their faith is strong enough to do so, if they cannot do so, then to speak out against it, and if they cannot reach this point, then the least they can do is condemn it from within their heart and that is considered faithful but the weakest form of faith. Condemning corruption of any kind and condemning immorality is a prophetic teaching. In fact this is a direct teaching of the prophet himself, Muhammed PBUH.

**"What will finally destroy us is not communism or fascism, but man acting like God."**  
— Malcom Muggeridge

# San Quentin News

THE PULSE OF SAN QUENTIN

Vol. L, No. 29

TAMAL, CALIFORNIA 94964

Friday, Sept. 19, 1980

## Governor Vetos 20-to-Life Law

SACRAMENTO (AP) — Gov. Edmund Brown Jr. has vetoed a bill to permit a 20-year-to-life sentence for anyone convicted the third time of a serious felony.

The bill Brown vetoed is the so-called habitual criminal bill. Brown's office said it is the first measure to increase sentences that he has ever vetoed.

The state used to have a habitual criminal law, under which a person convicted the third time of a serious felony would get a longer sentence.

But that law was removed when the determinate sentencing law took effect in July 1977. The new law sets relatively fixed terms for most non-capital crimes.

The bill Brown vetoed, AB3375 by Assemblyman Alister McAlister, D-San Jose, would have allowed judges to give the 20-year-to-life sentences instead of shorter sentences to third-time felons.

Brown said in his veto message he "strongly supported" the goal of keeping repeat offenders in prison for longer terms. But he said the first step towards that goal is "to make

## SQ Muslims

# 100 Attend Service in Chapel

By Steven Mack

At a recent post Ramadan celebration here at San Quentin, approximately 100 guests and inmates of the American Mission in San Quentin, celebrated Id'Ul Fitr.

was Dwyane (Al-Sahib) Davis, inmate here at San Quentin. Showing everyone the traditional Islamic way of prayer, he recited the first sura from the Holy Qur'an in Arabic, then in English.

Next to take the pulpit was D. W. Smith, associate warden. He welcomed and thanked the outside guests for attending the program. He went on to speak of minorities coming to the prison system and the present reclassification process of the entire inmate population.

Speaking next was guest speaker Imam Bashir Salaam. Salaam spoke of wisdom and knowledge to a meaningful degree, receiving several applause. Before he introduced the main guest speaker, he left saying, "I want to relax everyone and bring smiling faces on the many brothers and sisters attending this affair."

Imam A. K. Hasan of Los Angeles spoke of the success and failure many of us face throughout life. He went on to speak of the understanding of a religious faith and the *ummah* (meaning) a nation or community, and not the brotherhood



A. K. HASAN speaking to guests and inmates.

## Throwback: Friday, September 19, 1980



INMATES AND GUESTS leaving Garden Chapel.



GUESTS AND INMATES serve themselves in visiting room.

## Volunteers of Vacaville is now hiring!

The Blind Project at California Medical Facility in Vacaville, California, is looking for incarcerated workers to be trained for the following positions: **Eyeglass Gauger • Braille Repair • Braille Transcriptionist**  
Hours: Monday - Friday 0700-1500 • RDOs: Saturday/Sunday/Holidays

### — HIRING CRITERIA —

- Minimum of two years remaining on sentence
- CSR endorsed for Permanent Placement to California Medical Facility (Vacaville)
- Two years disciplinary-free of any serious CDC 115's, and five years disciplinary-free of any drug-related CDC 115's
- Medium-A Custody or less — **no Close Custody** applicants
- Minimum High School Diploma or GED; must have TABE Reading Score 9.0 or higher for all positions except Eyeglass Gauger
- Be able to pass a comprehensive reading test when applying for Braille transcription positions
- Must not have any history of computer crimes or security incidents

The Volunteers of Vacaville ("The Blind Project") is a 501(c)(3) nonprofit organization located at CMF. We provide jobs for inmates in the field of Braille Writer Repair, and Eyeglass Gauging. those inmates trained as transcriptionist receive certification through the Library of Congress. Inmates wishing to transfer to CMF for the purpose of working for the Volunteers of Vacaville should talk to their CC1 and request to be put up for transfer.





**NEWS BRIEFS**

**1 Arkansas** — (AP) The state Department of Corrections began 2022 with a statewide lockdown of prisons due to rising COVID-19 cases among prisoners and staff. Arkansas reported its highest one-day count of new infections (4,978) since the pandemic began. Almost one in five tests has been positive. The state plans to employ its National Guard to help distribute 1.5 million test kits in public places.

**2 Colorado** — (The Hill) Gov. Jared Polis signed an executive order on Dec. 30 pardoning 1,351 convicted for minor marijuana possession crimes. The state passed a law in 2021 that legalized possession of up to two ounces of marijuana by residents over the age of 21. “Adults can legally possess marijuana in Colorado, just as they can beer or wine,” said Polis. “It’s unfair that 1,351 additional Coloradans had permanent blemishes on their record that interfered with employment, credit, and gun ownership, but today we have fixed that by pardoning their possession

of small amounts of marijuana that occurred during the failed prohibition era.”

**3 Hawaii** — (AP) State Sen. Kurt Fevella made an unannounced visit to the Halawa Correctional Facility in November after hearing complaints from prison guards of unsafe conditions. *Hawaii News Now* reported that the senator counted 58 guards instead of the 91 that were supposed to be on duty on the day of his visit. More than 100 of the 332 positions at the facility are either vacant or taken by staff on leave. Some guards are working 16-hour shifts. The shortage is impacting inmate church, visits and exercise programs. Fevella said that prisoners are challenging guards because they know that they are tired and lack backup.

**4 Alabama** — (AP) Jeff Dunn stepped down as the state’s corrections commissioner at the end of 2021. Gov. Kay Ivey appointed John Hamm, previously deputy secretary of the Alabama Law Enforcement Agency, to take Dunn’s spot. Ala-

bama’s prison system faces a Justice Department lawsuit because of the conditions in its facilities. Dunn took the position heading the already troubled system in 2015. He sought funding for hiring and retention of corrections officers and prison construction. However, the system’s problems persisted during his tenure. The Justice Department suit alleges that Alabama’s prisons are among the most dangerous in the nation and that state officials have been deliberately indifferent to the situation.

**5 Utah** — (AP) “Systemic deficiencies” in the state’s prison healthcare system are resulting in instances of inappropriate and inadequate patient care, said an audit by the Office of the Legislative Auditor General. The findings included HIPAA violations, delayed care of medically vulnerable prisoners, noncompliance with mental health assessments, and improper disposal of medicines, medical equipment, and personal information. Audit manager Brian Dean cited inadequate su-

pervision of personnel on multiple levels as the main cause of the deficiencies. Rep. Mike Schultz, R-Hooper, was among lawmakers who heard the auditor’s report. He read an email from Wendy Parmley, director of medical and mental health issues for Utah Prisoner Advocate Network, describing an inmate’s situation. “Mr. Herbert is a double amputee. Let’s see, no wheelchair or shower chair for a double amputee below the knees, requiring him to crawl around on the stumps, including in the shower, puts him at risk for infection or an injury,” read Schultz.

**6 Connecticut** — (AP) In-person visits were suspended at all of the state’s prisons effective Nov. 30 due to rising COVID-19 cases. Video visits were available as an alternative. “Our hope is this will be a temporary situation,” said Karen Martucci, spokesperson for the Connecticut Department of Correction. The state’s positive test rate topped 5%, a threshold the department had previously established, triggering the move.

**LETTERS TO THE EDITOR**

**SOUTH DAKOTA CELL BLOCK SENDS SOME LOVE**

Dear Editor:  
I love your newspaper. It always has good articles and info in it. The facility I’m in here in South Dakota has COVID-19 restrictions and the library is closed, so there’s no way to get literature right now. It’s been like this for a while and when I receive new issues of your newspaper, I let everyone read it. The whole cell-block is fans of San Quentin News. Keep up the good work.  
Peace and love,  
—Lyle Holton  
PCJ-South Dakota

*Hey, Lyle! Thanks to you and all the fellas at PCJ for the love. Hope you guys are all staying well and keeping healthy. Keep your heads up!*

**MULE CREEK SHU RESIDENT REACHES OUT**

Dear Editor:  
Hello and God bless. My name is Morgan, and I really love reading your newspaper. I am doing a SHU-term here at Mule Creek. I know you send 600 newspapers each month to the Mule Creek library, but I can’t just go there and get one because I am in Ad-Seg. I have put in several requests to the law library, with no response. Please send me your paper! I beg you to please send me your paper. My family will also subscribe if we can. Thanks a lot.

—Morgan A.  
Mule Creek State Prison

*We’re adding you to our mailing list, Morgan! You should start getting the paper soon. Your family can go to SanQuentinNews.com to read our paper, donate, and get their own copy. Thanks for reading the SQNews!*

**MINNESOTA POETRY SUBMISSION**

**“A Speck of Sand”**

I am a single miniscule grain of sand  
Dying of thirst in a desert of over 3 million other significant specks.  
Entire beaches of silica swallowed  
Whole by America’s international monstrosity called **Prison Reformatory Secure Detention Facility Penitentiary House of Corrections Land of the Lost**  
The infinite granite walls a hard shell  
Clamping down, locking us in  
We see behind the concrete curtain  
Watching in horror as  
The great and terrible Administrative wizards wind & grind  
The inner machinations of the System  
Spineless, heartless, cold-blooded as an oyster  
My burden: To try to fix the broken by  
Writing grievances, kites, letters, fiction, appeals, essays and  
Poems (like this one)  
I’m only one speck of sand, creating a little friction a minor irritation to the Goliath leviathan  
but maybe someday I’ll be a Pearl.

—Matthew Feeney  
Moose Lake, MN

*Thank you for sharing your work with us, Matthew!*

**BOOK REVIEW**

**The Souls of Institutions**

By C.K. Gerhartsreiter  
Contributing writer

To draw a parallel between young students at a fictional school deep in the English countryside and incarcerated persons at San Quentin — the very real, oldest state prison in California — should be an unimaginable stretch. But after reading *Never Let Me Go*, the excellent novel by British writer Kazuo Ishiguro, this comparison seems uncannily accurate.

Set in the “late 1990s,” Kathy, 31, tells the flashback story of the time in which she and her friends lived at Hailsham, a coed boarding school in the English countryside. The institution, one of the country’s great “privileged estates,” places a great emphasis on arts and crafts, and on essay writing and poetry.

The novel’s first part centers on school life, the second part on the few weeks after Kathy graduates, and the third part on her working life in the narrative’s present. The flashback structure makes it clear that Kathy’s experience at Hailsham defines every part of her existence, from its beginning up to its end.

Hailsham’s outstanding faculty offers a wide variety of classes and extracurricular activities. The students respect each other according to artistic ability and creativity, and the school encourages students to value all creative work, even a nine-year-old’s poetry of “funny little lines, all misspelt.”

The privileges of Hailsham extend into Kathy’s 11 years of post-Hailsham work as a “carer,” a job that takes her to surgery “recovery centers” from Britain’s Channel coast to North Wales. Her narration wanders from first- to second- to third-person, giving the reader a calm and rational description of her life.

Hailsham has an excellent reputation as a caring and nurturing institution. A critical scene shows a dying patient in Kathy’s care who “desperately” did not “want reminding [of the similar institution in which he had grown up]. Instead, he wanted to hear about Hailsham” so that he could die happy, hearing about the school.

“Privileged estates,” does not mean that the students come from privileged families — none of them do. Hailsham charges no exorbitant tuition

for them to enjoy the institution’s blessings. The issues that the novel exposes fall squarely into the realm of society, the wider world outside of Hailsham.

Halisham feels similar to San Quentin in the way the school treats its students. Hailsham does not treat them like Kathy’s dying patient’s institution treated him. Instead, it gives them ways to evince their undeniable humanity, much in the same way San Quentin does for the incarcerated people who live there.

The fictional Britain of Ishiguro’s genre-defying pastiche needs institutions like Hailsham as a matter of survival. In the same way, California needs institutions like San Quentin to survive. The novel ultimately comments not on the institution’s reason for existence, but on its qualities and its varying states of grace.

Hailsham’s dual emphasis on the arts and education parallels the programming at San Quentin. The novel highlights the benefits of institutions that have a great array of arts and education programs, such as the ones at San Quentin that are generously provided by

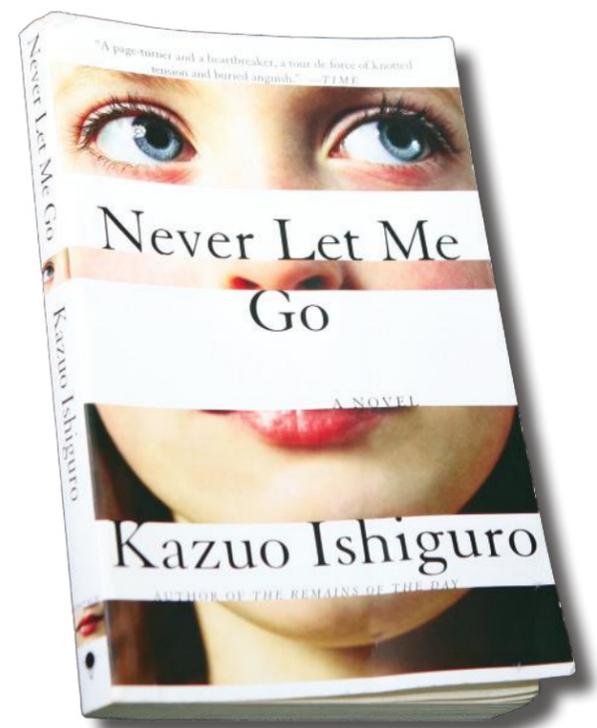
William James Association and other donors.

Should San Quentin have colleges like Mount Tamalpais and Coastline and its many other learning opportunities? Should it have rehabilitation programs like GRIP? Should it offer resources like *Ear Hustle* and *Humans at San Quentin* in which incarcerated persons can attest to their humanity?

Anyone who answers affirmatively and who supports such endeavors should read this book. Why do incarcerated persons participate in such programs if not to prove exactly the *same point* the students at Hailsham have confirmed, a point that Miss Emily and Madame express so acutely at the novel’s climax?

In 2017, Ishiguro won the Nobel Prize in Literature, and no review of his *oeuvre* seems complete without mentioning his greatest work *The Remains of the Day*, which holds a place on many lists of greatest books ever written. His name belongs on a list of most influential postmodern novelists of all time.

*Never Let Me Go* stands as a reflection for workers, volunteers, and financial do-



**Never Let Me Go**  
By Kazuo Ishiguro

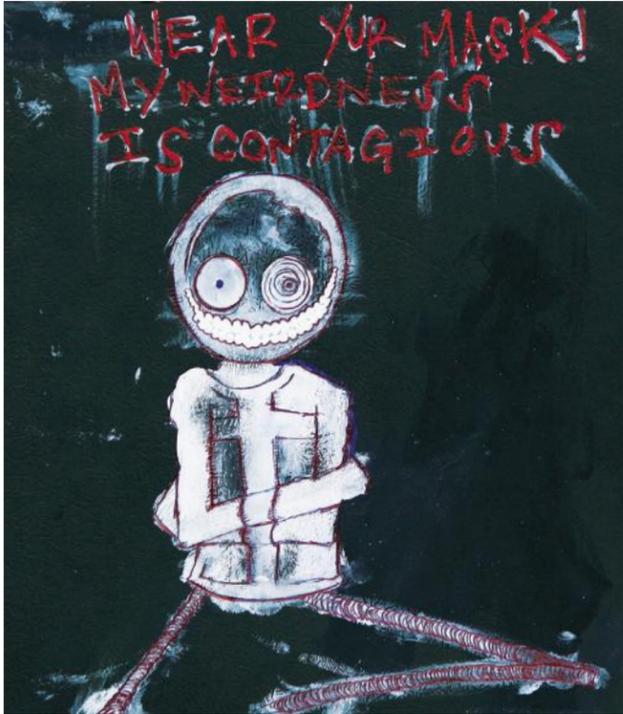
nors to arts and education programs at San Quentin. Ishiguro could very well have written this masterwork for them and they should read it if only for validation of their deeds — and their generosity. More importantly, the novel also stands as a strong

warning for financial donors considering decreasing their giving in these uncertain times and for volunteers who recently cut back on time spent at San Quentin. They should read it before making any final decisions about reducing their involvement.

# 'If it's broke... why fix it?'

Robert Kuikahi celebrates the beauty of brokenness

By Edwin E. Chavez  
Spanish Journalism Guild Chairman



Photos by Edwin E. Chavez, SQNews



Prison can limit and restrict artists, but Robert Kuikahi finds it therapeutic and self-soothing to sit behind the scenes, creating or sketching his crafts.

"Art releases my stress; it gives me peace of mind. When I feel overwhelmed or weighed down with negativity, drawing or sketching helps clear my mind," said Kuikahi.

The 44-year-old artist has been incarcerated for 25 years, on a seven to life sentence. He tries to be positive in sharing his creating ways.

Art is his favorite form of meditating, which also helps him when connecting with people.

Kuikahi began creating his dolls and named them "Hope Not's" in 2014/15 at the R. J. Donovan Correctional Facility which had a pilot program in Art and Corrections. Later, he was transferred to another CDCR institution that wouldn't allowed him to continue with his hobbit-like dolls. This is when he became more determined and creative by starting to sketch his dolls instead of making them.

As a result, the characters seemed to come alive, creating a story behind all his paintings.

The style that Kuikahi has developed with the Hope Not's is a direct result of being limited and restricted.

He began making a 3-D form of little dolls by using recycled materials. When he was no longer allowed to create 3-D dolls, he switched to 2-D and started painting the Hope Not's on a brown paper lunch bag. He also used cardboards and old packet folders that people were throwing away.

Kuikahi estimates he has drawn approximately 400 Hope Not's.

The Arts and Corrections program is not available in all state prisons. Kuikahi faced multiple setbacks in one of his previous locations where the prison administration confiscated his paint.

He was more determined and refused to give up and started using whiteout or soot and ashes for pigment. His brushes were also confiscated, and he learned to paint with his bare hands.

"They can limit my access to materials, but they can't limit my imagination or my will to create," Kuikahi said.

"Every time I grab a pencil and start sketching, I am free!"

He has one Hope Not's figure, sitting down and holding a damaged heart captioned "If It's Broke Why Fix It?" According to the artist, the idea behind this particular painting is that going through a breakup or a failed relationship is painful, especially inside prison where distractions or the possibilities to rebound, as people in the outside world would, are absent.

Kuikahi said with this painting, he asks, "Why put ourselves through that pain?" When asked by SQNews if he was in a relationship, Kuikahi said, "No."

Kuikahi's styles vary from making dolls, sketches and paintings, to drawing wildlife.

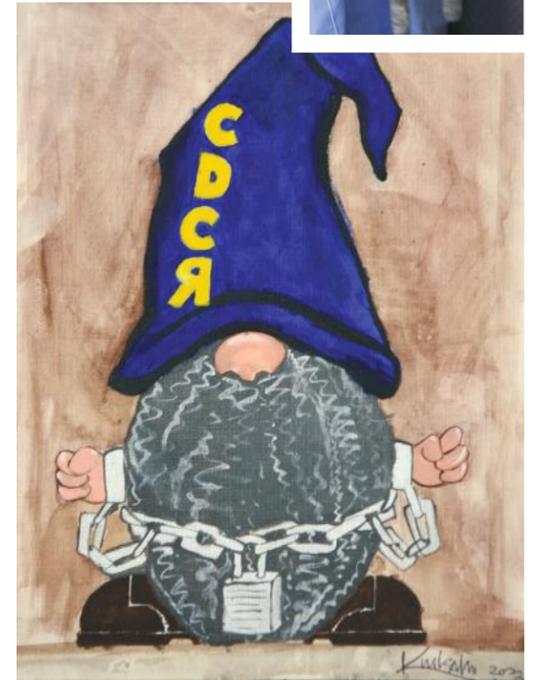
What he likes the most, however, are portraits. To him, this is the most challenging, but also the most rewarding.

"When catching someone's likeness or their loved ones' on paper and seeing their reaction and enjoyment, the feeling I get is indescribable," Kuikahi said.

Kuikahi has been donating his art to various charities, including but not limited to the Children's Hospital of Orange County.

When asked why he considers donating art important, he said "It is a way to give back and make a positive impact in someone's life."

Kuikahi is working on putting together artwork for "Humans of San Quentin," a nonprofit organization.



## ARTS

# Where slick lines and poetic provocation converge

By Aron Roy  
Contributing Writer

George "Mesro" Coles-El is engaging in social justice reform through art. His two preferred mediums of art are graffiti and poetry.

"My main goal is social awareness," said Coles-El, "Not all of my pieces are talking about social reform, but even my name is a social statement because it creates awareness around what people in prison are capable of."

Born in Brooklyn, New York, the 42-year-old has spent 15 years incarcerated, with the last 10 as a resident of San Quentin. Around the yard, he is known for helping people learn math as a member of the Peer Literacy Mentor Program.

He is also a member of San Quentin's gaming community, playing games such as Dungeons & Dragons and Magic the Gathering.

"When people look at me, they don't see a web designer or a graphic artist, they see a hoodlum," said Coles-El, "But if I come in clean-shaven in a suit, they assume I'm a Black Republican. That's why my art portrays and displays our society's most pressing issues — inequality and inequity."

Coles-El defined these problems as an unfair difference in opportunities and treatment of different people.

He hopes to change people's hearts and minds with his art.

Coles-El considers his graphic art vital to street culture and describes his style as "cartoony."

"I'm a graffiti artist," he explained.



Photos by Phoeun You, SQNews

"My main goal is social awareness. Not all of my pieces are talking about social reform, but even my name is a social statement because it creates awareness around what people in prison are capable of."

—Mesro Coles-El



"Graffiti art is the street's newspaper, plus it's also used to beautify the streets."

As for his poetry, he compares it to lyrics without music because he cannot write a poem that does not rhyme.

"When I'm writing," he says, "I put my soul on the line because it might be the last thing that I write."

Coles-El has an AA degree in Liberal Arts from Patten University through the Prison University Project and an AS in Web and Graphic Design from the Institute of Technology in Sacramento. Also, he said he has an honorary Master's Degree in Can Control from the Zulu Nation, North Star Chapter.

