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The visionary who resurrected San Quentin News

By Kevin D. Sawyer
 Associate Editor

Eleven years ago, former San Quentin warden Robert Ayers Jr. pulled the San Quentin News from the dust heap and revitalized the inmate-run publication more than 20 years after it had been officially suspended.

Ayers' decision was a gamble. But it paid off to the benefit of thousands of prisoners and other readers around the world who learn about criminal justice, incarceration, rehabilitation and reentry from stories advancing social justice, written by incarcerated journalists.

"At that time, I wanted to get some quality journalism out and hopefully have other institutions do the same," said Ayers during a recent visit to *SQ News*. He said as warden, he was used to doing things without a lot of oversight. So in 2008, when the News was restarted, the California Department of Corrections allowed it, as long as it stayed at San Quentin.

"I believed at the time good things were going to come of this," said Ayers. "I saw this as a vehicle for people to know who inmates are." He said he wanted to take the mystique out of who inmates are because "inmates are not a subset of humanity."

In October, Ayers and his wife Peggy accepted an invitation to visit *SQ News* and attend one of its weekly staff meetings with some of

the newspaper's volunteer advisers. It was the first time he'd seen the newsroom since it relocated to the prison's media center.

The celebrated podcast Ear Hustle was far in the future when Ayers brought *SQ News* back to life. Ayers said, "I didn't have any notion of a podcast or anything else." (The newspaper and Ear Hustle share space in the media center, but have separate staffs.) Ayers said when he revived the newspaper, he did not envision a journalism guild to teach new writers or that the *SQ News* would become so big.

Ayers became a correctional officer at San Quentin in 1968. Then, he said the *SQ News* was a four-page paper. "There was very little news." It was a publication about news on the prison yard.

According to Ayers, rumor had it that outside influences tried to guide the content of *SQ News* in the turbulent 1980s. The paper was shut down in the mid-1980s, along with every other prison newspaper in the state. "The reason it was stopped is because it couldn't be censored anymore," he said. "That's the truth." California courts had sided with inmate journalists in a number of cases in which prison administrators attempted to censor content.

Ayers left San Quentin in 1986 as a lieutenant. Over the years, he's worked at Pelican Bay State Prison, California State Prison Sacra-



Photo by FirstWatch

Former Warden Robert Ayers Jr.

mento, and filled in as warden at California State Prison Los Angeles. When he was offered the job as warden at San Quentin, he said it took him about 30 seconds to make his decision.

Ayers returned to San Quentin in the spring of 2006. He said it

was a place that he had "kinship with." But it was known for doing things its own way. "I wanted to change that, but I also wanted to do something about the inmate population."

See **Warden** on page 11

Alameda County top prosecutor in favor of rehabilitation

One of California's top prosecutors says it's important to keep deserving persons out of prison and to help deserving incarcerated people build a successful life upon release.

Progress toward rehabilitation and strengthening reentry programs for "justice involved" people was discussed at San Quentin by Alameda County District Attorney Nancy O'Malley on Oct. 13.

O'Malley visited the state prison to converse with incarcerated men about some of the programs she supports on the outside. One of those programs is Developing Impacted Lives (DIL).

"A lot of young people who would otherwise go to jail would go to the (DIL) program," said O'Malley. "Part of what we do with DIL—we meet every month. This is for peer support."

O'Malley said her office is also trying to help stop people from becoming involved in the criminal justice system. To help reduce crime and recidivism, she also recruits organizations to hire justice involved individuals whose lives are impacted by a criminal conviction.

"By year three, more than 50 percent of those put on felony probation are committing new crimes," said O'Malley. "We had to own the failure." In the post tough-on-crime era, programs like DIL have become an important component for prosecutors like O'Malley who are trying to increase public safety. "I'm very happy to be lifting it up"

and supporting the program, she said.

O'Malley acknowledged that just because someone gets out of jail or prison, it does not mean things will be different. She said, however, DIL is not always the starting point.

Someone without structure may not enter the program immediately, O'Malley said. "It's not to tell them what to do with their life, but to get them to figure it out for themselves." She said the Family Justice Center allocates resources with justice-involved individuals to help them.

See **O'Malley** on page 4



Photo from O'Malley's website

Alameda County District Attorney Nancy O'Malley



Photo courtesy of Brendon Woods

Formerly incarcerated have hopes to fill jury boxes

California law paves the way for ex-felons to serve on juries

By Joe Garcia
 Journalism Guild Chairperson

The California jury system came a major step closer to fairly representing their communities and the criminal defendants they deliberate over thanks to newly signed Senate Bill 310.

Starting in 2020, most former felons who have served their time and been discharged from parole or probation will no longer be excluded from jury service.

"Over 30% of Black men were eliminated from the juror pool, simply because of a felony conviction in their past," Alameda County Chief Public Defender Brendon Woods told *SQ News*. "First seeing that as a young trial lawyer 20 years ago, I knew it was fundamentally wrong and unfair."

"The concept of 'a jury of your peers,' does that exist? No."

Woods said he has still "never" looked at a client's jury and seen what he considers to be a fair demographic panel. "It just doesn't happen."

Jennie Otis, a Deputy Public Defender in Woods' office, agrees. "Even before voir dire, you never need two hands to count the number of Blacks available in the jury pool," she said. "That doesn't make sense in counties like Alameda."

As a passionate defense attorney and Black man himself, Woods continues to advocate for a justice system that accurately reflects society's diversity. Three years ago, he started working on and lobbying for SB310.

See **JURY** on page 4

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A profile of success: Antwan "Banks" Williams

Ear Hustle cofounder has lasting impact on his community - both inside and out of prison



Photo by Eddie Herena, SQN

Antwan "Banks" Williams

By Kevin D. Sawyer
Associate Editor

Antwan "Banks" Williams, 31, one of the co-founders of the celebrated podcast *Ear Hustle*, paroled from San Quentin in October. Imprisoned at the dawn of adulthood, he had to mature behind bars.

Williams said he "can't fathom" what it's like to be outside prison. "The sad reality is there are people in here that I may never see outside these walls." He said he's leaving with a heavy heart.

"A big part of who I am stems from the people in here," said Williams. "All of you have shaped who I am. You guys have been my family."

"I grew up in prison," he added, "and I don't know what my life is going to look like without it."

Most of the men at San Quentin know Williams

by the moniker "Banks," a name given to him in the Los Angeles county jail by other prisoners who thought he was arrested for robbing "banks" because his bail was set at \$7.3 million.

"I couldn't bail out," said Williams, convicted of one count of robbery, but with a gun enhancement.

Williams told a gathering of admirers in the San Quentin Media Center the day before he walked out: "I've been in this place longer than I've lived in any place my entire life."

Tears flowed and emotions ran high as the men, volunteers and staff shared their stories of how they came to know Williams and their working relationship, friendships and bonds formed over the years.

Brian Asey first met Williams in 2011 when he transferred to San Quentin from Old Folsom. "I watched (Williams) grow from the

hot-headed, emotional, hard person that he was to the mature and thoughtful man that he is today," said Asey.

"I grew up in prison and I don't know what my life is going to look like without it"

"It's been amazing, and when I think about him leaving, I think about all we've gone through to put the podcast together," said Sacramento State Professor Nigel Poor, a volunteer, co-host and co-creator of *Ear Hustle*. She said Williams was part of the creative influence and now that he has paroled, "I don't know who's going to be that creative person."

Williams, like the other men who work in the media center, started out as a volunteer when there was little opportunity. "You have to gently fight your way into the media center and make it work, but there's a camaraderie," said Poor. "It's going to be interesting to see how the media lab will be changing as more and more people get out."

"I hope that (Williams) works with young people," said Poor. He can inspire them, she said, adding, "I feel like that's his calling."

"When my specific talents weren't needed, people kept telling me I need to be there" (in the media center), said Williams, so he stuck it out by providing artwork and music, while keeping the workplace positive with his easy-going personality.

"He made this prison a better place and now he's

going to make this world a better place," said Rahsaan (New York) Thomas, co-host of *Ear Hustle*. He described Williams as "talented and humble."

"Banks (Williams) is like the talented little brother that I never had," said Greg Eskridge, an inmate who volunteers at SQ Radio. "We all started this radio program together in this little room."

Williams was sentenced to 15 years. He served 13 years, eight of which were at San Quentin, where he arrived on November 8, 2011. He left Old Folsom for San Quentin as a result of Assembly Bill 109, California's plan to reduce its prison population. A number of San Quentin inmates had been moved to county jails. After his arrival, Williams met Earlonne Woods, the other *Ear Hustle* co-founder, who paroled last year.

Prior to his arrival at San Quentin, Williams served time at Kern Valley State Prison, California State Prison Corcoran, and Folsom State Prison.

Before his last day in prison, California Department of Corrections and Rehabilitation (CDCR) public information officers Alexandra Powell and Ike Dodson arrived to videotape Williams. They planned to video him paroling the following morning as well.

"A big part of who I am stems from the people in here. All of you have shaped who I am. You guys have been my family"

"We're here to capture Antwan's (Williams') experience as he prepares to leave prison," said Powell. "We've been trying to tell stories of both those in prison and the people that make programs work."

Powell said the CDCR is very interested in what programs work inside of prison to influence successful reentry back to society.

Williams said it's not the groups, programs or self-help groups that make San Quentin though. He said it's the men that make it a "community."

Dodson said he got to know Williams the first time the CDCR's Office of Public and Employee Communications came to San Quentin to cover a story about *Ear Hustle*.

"I thought it would be cool to share that story," said Dodson. "When you get to know people inside, you build a relationship. This is a very important moment for Antwan."

"Anybody would miss where they've grown up," said Poor, who teaches art at the Sacramento campus, in reference to Williams spending so much of his adult life in prison. "I hope (paroling) will be everything that he dreams it to be. It's going to feel empty when I come to work tomorrow."



Photo by Eddie Herena, SQN

Antwan "Banks" Williams, Nigel Poor and Earlonne Woods

A governor's commutation gives Laverne Shoemaker a second chance

By Marcus Henderson
Editor in Chief

Laverne Shoemaker overcame what some prison reform activists call "a living death sentence."

Shoemaker was serving life without the possibility of parole (LWOP) until her sentence was commuted by then-Gov. Jerry Brown. After 26 years, Laverne (Dej) DeJohnette Shoemaker walked free in June.

"I am a 'DROP LWOP' advocate. I will not ever stop advocating for LWOPs and lifers. LWOP is a 'Death

by Incarceration sentence,'" said Shoemaker. "When you are given that sentence, what they are saying is, you are irrelevant, you're irredeemable, you're beyond redemption. And that's just not true."

"Look at me. I have 19 arrests, 16 convictions, three prior prison terms and the fourth was the life crime of murder. Sure it took over 10 years, but I did change. Now I'm a tax-paying citizen. We are all capable of transformation," she added.

Shoemaker did not sit on her heels when she walked free. She began working

with the California Coalition For Women's Prisoners (CCWP), where she was named the first Charisse Shumate Fellow.

The Shumate fellowship highlights the life and legacy of Shumate, who suffered from sickle-cell anemia. She died in prison. Her supporters say her death was due to negligence on the part of the California prison system. Shumate was one of the founding members of CCWP. She was a lead plaintiff in the 1995 lawsuit that challenged California's women's prisons health care system. She also helped start *The Fire Inside*, the organization's newsletter.

"I was blessed to live with this woman as a roommate. I was fortunate enough to see her in her high highs and her low lows," said Shoemaker in correspondence with *SQ News*. "I saw her in action and witnessed her determination to make a change. She was famous for saying 'It's not a me thing; it's a we thing.'"

Shoemaker resigned to living out her life in prison. But she credits Shumate for being one of the inspirations who helped to educate her about the need to stand up for the rights of everyone inside.

"In the beginning I did what most did. I jumped right into the criminal elements inside. I got involved with the prison politics. I racked up many 115's (disciplinary write-ups) and SHU (administrative segregation) terms," said Shoemaker. "I had seen people change and grow. But I had two dilemmas: one, I didn't think change was possible for someone like me, and two, I didn't know 'why' I should change."

Shoemaker's change came when she started being honest with herself and addressing all her childhood traumas.

"I began to see a human with value and worth under all the tarnish," said Shoemaker. "The LWOP was not a factor. In all actuality, receiving the LWOP sentence saved my life. The truth is I was a very dysfunctional, unstable substance abuser."

"I was very dangerous and an extremely violent individual. But after a few SHU terms I changed my thought process. I went from I don't care if I live or die and I'm a piece of sh#*t anyway to....It doesn't really matter 'where' I die, in the free world or prison, I'm still going to die," she continued.

What began to matter to Shoemaker was what type of person she was going to be and what her quality of life would be like.

"My motto became, 'When shall I live if not now?'" she said. "I never in my wildest dreams thought I'd ever get out. So every group, program, workshop facilitating, curriculum I created was for me and my community. Not for anyone else."

"I definitely learned who I was and who I am today. I've grown and learned the impact that we have on our victims and communities," said Shoemaker. "I learned that by taking a life I have committed the most serious crime of humanity."

"I've learned that changing my behavior is the only acceptable atonement. Living today and every day for your victims is not just words you tell the BPH (Board of Parole Hearings).

That is what you have to you live by," she added.

Shoemaker shared her re-entry experiences and goals for her fellowship.

"What I see is that we (lifers) are impatient and want to hit the ground running. We think we have the formula that we know it all," she said. "I get it—we have sat decades and planned what we wanna do. But the hard truth and the reality is this is a different world."

"I began to see a human with value and worth under all the tarnish,"

"We need to take it one day at a time. The adjustment period is tough. We are new to the free world. The technology alone is mind-blowing. Some days I feel like a refugee. I guess the hardest part of being out is missing being back inside."

"Most will read this and think I'm crazy. But it's true while inside you spend all your time thinking about freedom, but when you're out here you spend a considerable amount of time thinking about back inside," she added.

Shoemaker knows and understands her responsibilities. She is in the process of creating a curriculum for the LWOPs.

"I will spend my last breath advocating for the LWOPs," she said. "We are always left behind, overlooked, or at the bottom of every list—that is, if we even make the list at all."

"Yet we (LWOPs) are the pillars of the prison communities, we are the glue that holds the yards together."

Her plans and goals for the fellowship are to honor her friend Shumate and not stop or back down.

"Charisse didn't just complain or just file a grievance—no she went up against a system. And she got that system to listen. She made a difference," she said. "She left some pretty big shoes to fill but I think collectively together we all can fill them. I promise to do her name justice!"

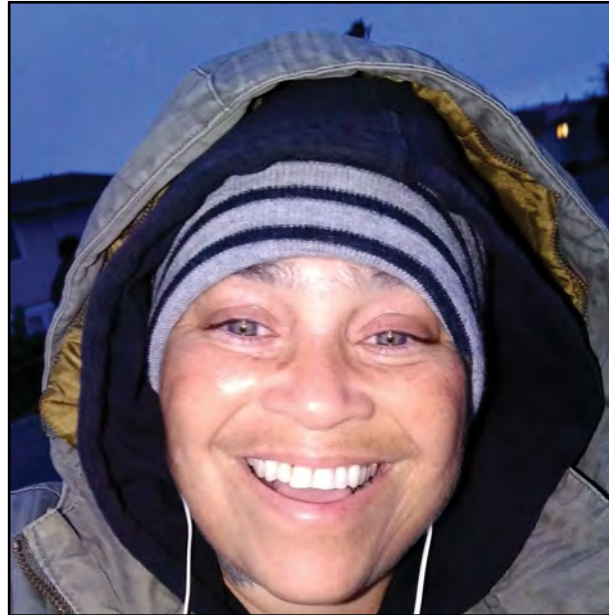


Photo courtesy of Laverne Shoemaker
Laverne taking a selfie



Photo courtesy of Laverne Shoemaker

Laverne outside CCWF women's prison



Photo courtesy of Laverne Shoemaker

Laverne eager to get her ID



Photo courtesy of Laverne Shoemaker

* Shoemaker holding CCWP's quilted logo created by Brandi Taliano. It says "Fearless, Together and Unified."

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Behind the Scenes



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California legislators want to streamline re-entry

New "one-stop" program would acknowledge many hurdles for returning citizens

By Harry C. Goodall Jr.
Journalism Guild Writer

Congresswoman Karen Bass is spearheading legislation to create a one-stop reentry program, as well as criminal justice reform, according to the *Los Angeles Sentinel*.

"There should be a place where you can get your ID, sign up for benefits, get connected to medical services, get transportation -- a place where people can get their lives on track quickly," Bass

said at a July 13 legislative hearing in Los Angeles on criminal justice changes.

Bass, a Los Angeles Democrat, has concentrated on criminal justice reform most of her political career, according to the *Sentinel*. She said she is currently working on reform legislation.

"Many of our criminal justice policies are good; they protect our loved ones and communities," said Bass. "At the same time, far too many of our laws are ineffective or

do more harm than good. I am committed to reforming criminal justice so that it is sensible, effective and consistent with our notions of equality and fairness.

"In addition, we need to ensure that those who have paid their debt to society have reentry services and opportunities to live productive lives."

Among those attending the hearing were Susan Burton, founder of A New Way of Life.

"I'm really thankful to Karen Bass for holding this

hearing, so that we can discuss women and their need (upon reentry to society)," Burton told reporter Jennifer Bihm. "I know what it could mean to leave prison and not have safety."

Burton's reentry program is geared towards helping women function after prison.

"I've visited 40 states and 36 prisons. When we talked about what women need when they are leaving; overwhelmingly, I saw women who were desperately trying to maintain their parental rights," said Burton. "I saw women who wanted a job but were worried about how they would be employed."

The topic of jobs, housing and reunification were topics that Bass mentioned.

Witness John Harriel of reentry program 2nd Call said, "I did not know that I had low self-esteem growing up. I had no idea that I wanted to commit suicide. I didn't want to do it by my own hands. I wanted someone else to do it. When I think back, there were no men leading the way, putting on their boots and going to work every day. I envisioned going to prison as a young man because in my community going to prison was rewarded."

Harriel said he pulled his life back from the edge with the help of two support members. He has success-

fully gained a union job and is now a homeowner and a mentor to the youth, according to the article.

Another witness, Stanley Bailey, said he is a former drug addict who spent 36 years in prison. He said people with mental health issues make up a large part of the prison population and don't receive the help they need.

Bass commented, "I believe we could drastically reduce prison overcrowding by repealing harsh mandatory minimums and reserving the toughest sentences for serious criminals who threaten public safety. We should invest in community-oriented crime prevention and intervention efforts for struggling neighborhoods and at-risk youth."



File photo

Congresswoman Karen Bass

Table 1. Institution and Active Parole Population, June 30, 2008 through June 30, 2022

June 30	Institution			Percent Change	Active Parole	
	Female	Male	Total		Total	Percent Change
Actual						
2008	11,392	159,581	170,973	N/A	125,097	N/A
2009	11,027	156,805	167,832	-1.8%	111,202	-11.1%
2010	10,096	155,721	165,817	-1.2%	94,748	-14.8%
2011	9,565	152,804	162,369	-2.1%	90,813	-4.2%
2012	6,471	128,852	135,323	-16.7%	69,435	-23.5%
2013	5,995	127,019	133,014	-1.7%	51,300	-26.1%
2014	6,306	129,294	135,600	1.9%	44,499	-13.3%
2015	5,857	123,325	129,182	-4.7%	45,473	2.2%
2016	5,769	122,874	128,643	-0.4%	43,814	-3.6%
2017	5,971	125,289	131,260	2.0%	45,261	3.3%
Projected						
2018	5,793	122,669	128,462	-2.1%	47,541	5.0%
2019	5,607	120,696	126,303	-1.7%	49,187	3.5%
2020	5,468	118,850	124,318	-1.6%	49,749	1.1%
2021	5,364	117,312	122,676	-1.3%	49,360	-0.8%
2022	5,235	115,989	121,224	-1.2%	49,221	-0.3%

Source: California Department of Corrections and Rehabilitation. Spring 2018, Population Projections.

O'Malley

Continued from Page 1

One example is Doug Butler, a former Oakland police officer who was convicted of murder and served 20 years in prison. He works with O'Malley's office and other organizations to help others whose lives have been impacted by the criminal justice system.

"It's a very intense program," said O'Malley. "Mr. Butler interviews (justice-involved people), but what we really want to know is if they're ready for the program."

"I do believe there are a lot of programs that understand the value of those who

have lived experience," said O'Malley. She said people like Butler can identify legitimate groups that work for those who are turning their lives around.

"Prepare yourself to be paroled," Butler told the audience of about a half-dozen men. "We'll provide you with the training."

What O'Malley's office does differently is direct interaction by aligning individuals with programs like DIL. "In Alameda County, if they get known to us, they're going to get linked in," she said. "It doesn't matter where they come from."

The meeting included O'Malley, some of her staff, *SQ News* staff, and about a half-dozen students from the

University of California at Berkeley along with their professor, William Drummond. They discussed other social issues such as the impact language has on those who are justice-involved.

"How do you build in a program that deals with addiction?" asked Drummond.

"We work with the community," said O'Malley. "We try to identify the issues they may be having." At that point, programs like DIL can pair individuals with those who have the same "lived experience" and are "justice involved."

O'Malley did, however, caution that she has a primary duty beyond helping those who have been convicted of crimes. "I have to be very

aware because we also have victims," she said.

"The governor has put a lot of money into 'Realignment' (Assembly Bill 109) and reentry funds," said O'Malley. She said grant money and Realignment money can be used to support programs like DIL.

"We can put together what it takes," said O'Malley. "Hopefulness is a lot of what we're trying to do. The more I talk about this the more I see the wider opportunity."

"I'm happy to do all this stuff," O'Malley said about her willingness to collaborate with those who are incarcerated. Her reason: to put an end to "Death by hopelessness."

Around the nation, there are organizations that advo-

cate to stop using what some believe to be belittling language that describes people with criminal records. "Justice involved" are those who are incarcerated or formerly incarcerated, but the term can sometimes be interpreted to mean people who work within the criminal justice system.

At no time during the discussion did O'Malley use the words inmate, prisoner, offender, felon, parolee, formerly incarcerated or any of what some call disparaging words used to describe those who have been convicted of a crime.

O'Malley joined the district attorney's office in 1984. She has been the chief law enforcement officer in Al-

ameda County since her appointment by the Board of Supervisors in September 2009, according to the county's website. She was elected to the position in November 2010, 2014 and 2018.

The District Attorney's Office jurisdiction covers more than 800 square miles and operates out of nine offices, according to the DA's website. Its mission is to "review and prosecute criminal violations of the laws, to protect consumers and the environment and to support and protect victims of crime within the County on behalf of the people of the State of California." It has a staff of more than 150 attorneys.

—By Kevin D. Sawyer

JURY

Continued from Page 1

"Doing more research and finding out a felony conviction, no matter how old it was, prevented you from serving on a jury—that seemed asinine,"

said Woods. "Even those who had their felony convictions reduced to misdemeanors still couldn't serve as jurors."

State Sen. Nancy Skinner (D-Berkeley) co-authored SB310's current version and finally succeeded in getting it passed this year.

"There's no way SB310 would have been possible without Senator Skinner's hard work and commitment," said Woods. "She carried the bill to the finish line."

"I thought it was going to take a lot longer, honestly."

During the multi-year journey to get the bill passed, Woods testified twice before state lawmakers in Sacramento—at a Senate Public Safety Committee and an Assembly Appropriations Committee.

CSU Long Beach Professor of Law James Binall, J.D., L.L.M., Ph.D., testified alongside Woods at the Assembly.

"He is formerly incarcerated, has been convicted of a felony and is one of the foremost scholars on this issue throughout the nation," said Woods.

Chief Deputy Public Defender for Solano County Oscar Bobrow also testified before the Senate about the positive impact SB 310 could make.

Furthermore, the Alameda County Public Defenders' Office submitted their own letter of support and strategized

responses against SB310's inevitable opposition.

"We're not done with the work. There are still other issues we need to address."

As the legislative team leader for the Alameda office, Deputy Public Defender Peter VanOosling worked behind the scenes to coordinate all the relevant information. "His work was critical," said Woods.

Just this July, Woods penned an Op/Ed article for the *San Francisco Chronicle*, "A jury of your peers? Not for Black men in California."

"That got a lot of attention," he beamed. "That was good."

"I can't tell you how often I've sat at the defense table with a young African American client who was excited to prove his innocence, only to see his enthusiasm replaced

with hopelessness and dread once he saw the jury," Woods wrote in the Op/Ed.

"It's difficult to tell a young man that he shouldn't feel defeated when faced with the fact that not a single person who will be deciding his future looks like him."

Enthused by the potential improvement of future jury trial fairness, Woods wanted to make sure everyone involved in SB310's passing got credit for the team effort.

"Our post-bar clerk, Kendra Clark, created a 50-state survey of laws regarding people with felony convictions serving on juries," he said. "This document has been relied on throughout this process—including by legislators in Sacramento."

Woods also mentioned Assembly Member Rob Bonta (D-Oakland, Alameda, San Leandro) as a prominent advocate of SB310. About Bonta and Skinner, he said, "They're both good on criminal justice reform."

Sex offenders under Penal Code 290 still do not qualify for jury service. And,

the former felons that are eligible must be completely free from any kind of post-conviction community supervision.

"We're not done with the work," said Woods. "There are still other issues we need to address."

Woods explained how, right now, lists of potential jurors are pulled solely from voter registration and California driver's license identification card information.

"We need to expand the list we get our jurors from," he said.

Woods hopes to explore expanding the jury pool database to include tax-filers and utility bill consumers. He also wants to see legislation that addresses adequate financial compensation for jury service, rather than the current system where most jurors feel they are sacrificing wages.

Besides the ACLU of California, other sponsors of SB310 included All of Us or None, A New Way of Life, and the California Public Defenders Association.



Photo by FirstWatch

Alameda's Chief Public Defender Brendon Woods in SQ Newsroom

Conditions unsafe for the incarcerated in some southern prisons

By Harry C. Goodall Jr.
Journalism Guild Writer

Many prisons in the South lack air conditioning and this creates life-threatening conditions in heat spells, the *Prison Policy Initiative* reports.

"The lack of air conditioning in Southern prisons creates unsafe -- even lethal -- conditions," the report stated. "Prolonged exposure to extreme heat can cause dehydration and heat stroke, both of which can be fatal."

Some courts have ruled that prison standards on incarcerating people in extreme cold or heat violates prisoners' constitutional 8th Amendment rights. Those states include Arizona, Mississippi and Wisconsin.

Ninety-five percent of households in the South have air conditioning, but almost none of southern state prisons do.

Heat related illnesses can be exacerbated by certain prescribed medications. These are but not limited to Zoloft, Cymbalta, Prozac, and Lexapro, (do not stop taking any medication without your doctors permission). There are also certain medical conditions that can lead to heat related illnesses such as diabetes, and obesity. Heat has a greater effect on those that are older. This demographic has an increased risk of cardiovascular, and respiratory illnesses.

taining materials such as concrete and re-bar. This can contribute to higher temperatures inside prison cells.

A fan could possibly make a difference in regulating heat, but a fan in a Texas prison commissary costs \$20, an astronomical fee when prisoners in Texas are not paid for their labor.

"It routinely feels as if one's sitting in a convection oven being slowly cooked alive," said Benny Hernandez, a Texas prisoner. "There is no respite from the agony that the heat in Texas prisons inflicts."

Prison Policy Initiative believes air conditioning should be a human right and not an amenity or privilege. When it's withheld, it can subject people to conditions that can constitute cruel and unusual punishment. In some cases, death sentences, according to the article.

"The lack of air conditioning in Southern prisons creates unsafe -- even lethal -- conditions"

"People outside of prison who experience extreme heat have the options that prisoners lack -- they can take a cool shower, drink water, move into the shade, or go to a place that is air conditioned," quoted *Prison Legal News* in a 2018 article. "For prisoners, those options are generally unavailable."

"Everyone understands that if you leave a child in a car on a hot day, there's a serious risk this child could be injured or die," said ACLU Director David Fathi to The Intercept. "And that's exactly what we're doing when we leave a prisoner locked in cells when the heat and humidity climb beyond a certain level."

Most prisons are constructed from heat re-

Multiple exonerations follow deputy's arrest

By Anthony Manuel
Carvalho
Staff Writer

A recently fired Florida sheriff's deputy was arrested for planting false evidence in cars he had pulled over.

Some 120 convicted persons were exonerated once the actions of Zachary Wester were discovered.

"There's no question that Wester's crimes were deliberate and that his actions put innocent people in jail," said Chris Williams of the Florida Department of Law Enforcement (FDLE).

An example of the damage these specific false arrests have done to individuals include the case of Benjamin Bowling.

Wester arrested Bowling in October 2017 and charged him with possession of methamphetamine. This false charge implied he violated a condition of his release after a DUI conviction. Florida's

child welfare agency had recently awarded Bowling custody of his daughter. He lost custodial rights to his daughter based on the phony arrest.

In another case, investigators said Wester planted a used syringe with traces of methamphetamine in Joshua Emanuel's car. According to investigative reports, Emanuel told investigators Wester was smirking and telling him he was going to jail until a Florida Highway Patrol officer stopped while Wester was searching Emanuel's car.

The trooper realized Emanuel was a distant relative, whose mother was employed by two local prominent attorneys and whose father was employed in the federal prison system. Wester's behavior dramatically shifted, and he changed the police report to state the syringe may have belonged to someone else.

The FDLE commenced its investigation last August at

the sheriff's office request. Wester was fired approximately 30 days later.

FDLE filed charges against Wester that included felony charges of racketeering, official misconduct, fabricating evidence, possession of a controlled substance and false imprisonment.

Wester also faces misdemeanor charges of perjury, possession of a controlled substance, and possession of drug paraphernalia.

The investigative police reports define the sheriff's criminal behavior identifying he "routinely pulled over drivers for minor traffic infractions, planted drugs and then arrested them on made-up drug charges, including Bowling who lost his daughter over the arrest" reported the *Associated Press* on July 10.

Wakulla County Jail and court records show Wester was booked July 10 and was being held without bail.

Feds consider releasing prisoners

By Amir Shabazz
Journalism Guild Writer

The Justice Department and Attorney General William Barr are working together to release non-violent criminals following decades in prison, according to Michael Balsamo of *The Associated Press*.

The Trump administration signed a new bi-partisan law last year called the First Step Act. The Act allows federal courts to release prisoners who are serving time for non-violent felonies.

Mr. Barr recently visited a medium custody facility in North Carolina, where he met with the facility's staff and prisoners while inspecting the premises. He liked what he saw.

"I'm impressed with how it's going," Barr said of the First Step Act's implementation. "While there are a few things I probably would have done differently, I generally

support the thrust of the First Step Act."

Barr's tough-on-crime policies seem to be loosening-up. Like many politicians and people throughout the country, Barr feels that prisoners who served maximum time for non-violent crimes should be considered for release.

One such prisoner, Leroy Nolan, was arrested for drugs in the 1990's. Now 67-years-old, he has served more than 20 years of his sentence and meets the criteria for parole.

Nolan works in a prison factory making T-shirts, backpacks and other goods for government agencies or non-profits.

"I made the mistake of getting into drugs," Nolan told Barr and Senators Tim Scott and Lindsey Graham, who accompanied him on the tour. "You all are good role models."

One of the major stumbling blocks for First Step's success is providing enough

vocational, educational, technology programs to help prisoners find work upon release. Early release advocates are pushing the Trump Administration to allocate more funding to them.

Inimai Chettiar, legislative and policy director for the Justice Action Network, said she worries that Congress could stall funding for the types of rehabilitative programming that induce early release.

"We have concerns it might not be implemented appropriately," she said about the First Step Act and currently available programs. "The sentencing provisions are things that are much more clear cut."

"The people who are already put in prison and are trying to get out by participating in programs, those programs also need to be funded too. If there's no funding it is going to severely limit the ability for the federal government to reduce their prison population."

Warren and criminal justice reform

By David Anthony Prado
Journalism Guild Writer

Presidential candidate and Senator Elizabeth Warren (D-Mass.) finally focused her attention and political career on criminal justice reform. Her plan includes combatting crime and improving public safety, according to an *August Vox* article.

Warren's proposal emphasizes establishing a clemency board for early release, investing more on addiction treatment, ending the death penalty, eliminating solitary confinement, allowing prisoners to make phone calls free of charge, improving mental health treatment and increasing police reforms.

She also calls for repealing the 1994 crime law.

Warren's proposed plan joins those of other Democratic presidential candidates who also support criminal justice reform.

The *Vox* article pointed out that the sheer mass of incarcerated people in America surpasses even that of authoritarian regimes such as those in Cuba, Russia, and China.

The article noted however that even if she does win the nomination and later the presidency, criminal justice reform may be an uphill battle for Sen. Warren. Eighty-eight percent of incarcerated persons are under state control rather than federal. In the past, state governments have resisted federal reform incen-

tives, particularly in Republican-controlled cities and states, according to *Vox*.

Furthermore, two multi-billion dollar industries will aggressively oppose her most controversial proposals: a ban on private prisons and allowing prisoners to make free phone calls while they are incarcerated.

Vox questions how much of Warren's plan could get Congressional approval. The article cites the years that it took Congress to pass the "fairly mild criminal justice reform bill" in the First Step Act.

If Warren is also pushing for passage of her many other proposals, *Vox* noted, that may reduce "the possibility that Congress even gets to sweeping criminal justice reform at all."

Federal judge slams prosecutors for mishandling evidence

A federal judge has held prosecutors in contempt for failing to preserve evidence in a case involving recorded conversations between prisoners and attorneys.

Some 110 defendants alleged the recordings violated 6th Amendment protections. Three defendants had their sentences vacated or indictments dismissed, the *ABA Journal* reported in August.

Investigation Judge Julie Robinson of Kansas City, Kan., ruled in favor of the defendants, citing a special master's investigation of recordings made by prisoners' attorney-client phone calls. She said the investigation proved the Attorney General's Office failed to cooperate in preserving evidence.

CONTEMPT

"Under his discretion, management defied the court's order and directives, continued to fail to preserve such that years of documents were potentially lost, and then only produced what they (Attorney's General Office) chose to produce," Robinson ruled.

The judge declined to rule in favor of a per se 6th

Amendment violation of right to counsel for the defendants in the case but cautioned that the individual defendants named in the suit whose calls were recorded at the Leavenworth Detention Center, could raise prosecutorial misconduct claims individually based upon her findings, according to the article.

The center is operated by CoreCivic Inc., formerly the Corrections Corporation of America.

It was estimated that over 1,429 attorney-client calls were received by the U.S. Attorney's Office upon request by the federal prosecutors between 2010 and 2017, according to findings by Judge Robinson.

She noted that when requests were made to the prison for recorded phone calls by federal prosecutors, there was at least a 28 percent chance the calls contained attorney-client privileged information, the article stated.

REMOVAL

Two attorneys for the U.S. Attorney General's Office were released from their official position. The judge found that they had "knowingly and intentionally" listened to re-

corded attorney-client calls in one or more of their cases, the judge noted.

The U.S. Attorney's Office stated that those lawyers were "rogue" attorneys.

The judge also found that the U.S. Attorney's Office "willfully misconstrued" a preservation order, avoiding the preservation of some evidence. The office did not act on the formal litigation hold order until May 2017. Some of the computers' hard drives were wiped clean. These facts were determined by David Cohen, special master in the case.

The article said a former attorney for the U.S. Attorney's office testimony of a lunchtime discussion on record disclosed the following:

"Their conclusion was that phone calls placed by detainees to their lawyers weren't privileged because they were on notice the call was being recorded. The group also concluded that if the lawyers were 'stupid enough' to talk to their clients over the phone, prosecutors had no obligation to disclose the recorded calls."

The case is *United States v. Carter*.

—By Harry C. Goodall Jr.

Ex-felon joins judicial commission

Wrongfully convicted Hakim Crampton recalls his generation was told while growing up that "We were going to be dead or in prison. And we believed it," reported Ashley Graham of *WLNS* in Jackson Michigan.

"By having a seat at the table, it gives a voice to that critical experience, that directly impacted experience that can help shape and reshape the criminal system"

Crampton was in prison for 15 years until he was

granted parole after proving his innocence.

Ten years after his release, Crampton, 46, now sits on Michigan's Indigent Defense Commission becoming the first formerly incarcerated person to sit on a judicial branch commission.

During those 10 years, Crampton worked with schools in his hometown of Jackson and throughout the state of Michigan to establish a program called SLAM, which helped children improve work habits through poetry and lyrics.

Initiating SLAM helped Crampton rebuild his reputation. While earning praise at the state's educational level, he never quit advocating for others who struggled to get out of and remain out of the prison cycle.

As he helped others adjust to free lives, people no-

ted and now he has a new role that may help free a lot more.

"By having a seat at the table, it gives a voice to that critical experience, that directly impacted experience that can help shape and reshape the criminal system," Crampton told Graham.

The newest member of the Indigent Defense Commission will tackle similar topics he has faced during his own experience in the criminal justice system. These goals include addressing the parole system and ending the school-to-prison pipeline.

He considers this "a time in which everyone pretty much, both bipartisan, Democrats and Republicans, realize that our system is failing so many people."

—Anthony Manuel
Carvalho

Norway's approach to incarceration sets new standard

By Amir Shabazz
Journalism Guild Writer

Norway is taking the lead in Europe when it comes to prison reform and rehabilitation, according to Emma Jane Kirby of the *BBC news*.

The country has moved away from just locking people up and throwing away the key, to an approach of cutting

the prison population and finding ways to lower recidivism rates.

"In Norway, the punishment is just to take away someone's liberty. The rights stay. Prisoners can vote; they have access to school, to health care; they have the same rights as any Norwegian citizen because inmates are human beings.

They've done wrong; they must be punished, but they are still human beings," said Are Hoidal, the prison governor of Norway's Halden Prison.

Part of the process of Halden's rehabilitation program is daily exercise. Prisoners work out alongside staff, who participate in the same exercises. It is thera-

peutic for staff and prisoners alike, according to the article.

Bonding and forming a partnership between staff and inmate helps tone down violence, and lets the prisoner get used to doing things that he or she did not do while living a criminal lifestyle, explained Hoidal.

The maximum security prison at Halden was built to ease and minimize prisoners' fears and stress and to put them in natural surroundings. At a cost of 138 million Euros to build, prisoners can enjoy the blueberry woods, silver birch and pine trees surrounding them.

The two-story buildings were built to look more like a college environment than a prison, according to the article.

There are no bars on the windows. Every prisoner has his own cell, which comes with a flat screen TV, a desk, kitchenette with refrigerator and a shower stall and commode.

The prison has state of the art vocational programs, and one can take college

exams in math and physics, and some have received diplomas. Prisoner Fredrik is working towards his master's in graphic design while serving a 15-year sentence for murder.

"If you don't have opportunities, and you are just locked in a cage, you don't become a good citizen." Fredrik told reporter Kirby, as he adjusted the colors on one of the photos on his screen. "Here there are good opportunities; you can have a diploma, and when you come out, you can maybe get a stable job, and that's important."

Another aspect of prison life in Norway that differs from the U.K., is that it takes correctional officers two years to complete their training. In the U.K., it only takes three months. The Norwegian candidates train at a university college specifically for correctional service. Only 175 trainees out of 1,200 become prison officers, according to Hans-Jorgen Brucker who oversees their training.

"We want to stop reoffending, which means of-

ficers need to be well educated," said Brucker. "My students will study law, ethics, criminology, English, reintegration and social work. Then they will have a year training in a prison, and then they will come back to take final exams."

The country moved away from the punitive approach more than 20 years ago. There are no life sentences, and the recidivism rate has dropped dramatically over the years, according to the article.

The prison has "daddy" days for those who pass a safeguard test, and then the prisoners can spend a couple of days with their family in a small cottage on prison grounds.

Hoidal said he can't remember the last time they experienced violence in Halden Prison.

"In Norway, all will be released—there are no life sentences," Hoidal reminded the reporter.

"So we are releasing your neighbor. If we treat inmates like animals in prison, then we will release animals on your street."

Louisiana taking steps to keep families connected

By Harry C. Goodall Jr.
Journalism Guild Writer

A new program is helping Louisiana girls keep in touch with their incarcerated fathers.

"Not being able to see my father has been traumatizing," said Dominique Jones, whose father has been in prison since before she was born. She organized a program that helps girls cope with the strain of life without their incarcerated dads.

"When I was 16, my paternal grandfather passed away, and that was the first time I saw my biological father outside of prison bars -- shackled and chained and escorted by two correctional officers at his dad's funeral," Jones, 36, said in an interview with *The Advocate.com*.

The program is called Daughters Beyond Incarceration (DBI). One of its events was a Father's Day gathering June 15 in New Orleans called a "crawfish boil" for young girls of incarcerated dads. The program relies strictly on fundraising. It currently has 30 members.

DBI was created to advocate for policy changes and

removal of the barriers that make it difficult for daughters to communicate with their fathers, according to the June 16 article.

"I get frustrated and angry," said Sun'Shyné Mathieu, 16. Father's Day is "going to be a real tough day for me. Everybody's going to be posting pictures with their father's gifts and everything, and I have to send my graduation pictures and diploma in an envelope, and that's not right," Mathieu added.

DBI has also teamed up with Navigate Nola, which is a New Orleans based activist group, which made this occasion and photo shot possible. They displayed a photo exhibit of portraits of the members, soon to be displayed at all New Orleans Recreation Development Commission's (NORD) programs and all NORD sites.

Jones pointed out it costs around \$100 to visit her father at the Angola prison. That includes gas, money on the phone for their conversations, and feeding her two children. When you are a single mother this can be particularly stressful, said the article.

"Could you imagine your father being transported to University Hospital or Tulane Hospital and you not know?" asked Jones about the fact that the prison has no notification responsibilities on her father's medical treatment.

DBI is currently working with Southern Poverty Law Center advocating for prison policy changes to create a free phone call system and even become involved with schools' PTAs, according to the article.

Another organization working to highlight some of the stresses girls with incarcerated fathers may face is Navigate Nola, founded by Danielle Wright. Wright said these daughters face anxiety, sadness and fear. These factors can contribute to the girl having problems in school. Wright said she is working to highlight these issues instead of letting the girls be subjected to school discipline.

Jones said she hopes to purchase a home for her organization where girls could have recreational activities like art, yoga and dance. This would help the girls gain a sense of normalcy, she said.

Challenge to Oregon's treatment of trans prisoners may pave way for change

Brady Hall, an incarcerated transwoman in Oregon, petitioned a circuit court to transfer her from male housing to a female facility. She wanted to move from Two Rivers Correctional Institution—a male facility in Umatilla County, Oregon—to a women's prison. In her petition, she also sought medical care to receive gender reassignment surgery, reported the *Oregonian*.

According to attorney Tara Herivel, Hall is a woman in a male prison, which can be extremely dangerous and problematic. "This is an area where, as we're expanding our ideas as a culture of what gender identity is, it's also expanding in the legal arena," Herivel said. "I think it is a very important first step."

In May, Circuit Judge J. Burdette Pratt in Umatilla County ruled in favor of Hall's petition and ordered that she should be housed in either a single cell or in a cell with another transfemale prisoner. The judge agreed that Hall proved the Corrections Department had showcased "deliberate indifference" to her safety by housing her with male prisoners, according to the *Oregonian* article.

The judge also said that correctional officials "must do everything within their ability" to stop prisoners and

correctional officers from verbally or sexually harassing Hall. She was also approved for gender reassignment surgery and is awaiting the procedure.

Hall, however, did not get everything she requested. The judge denied her request to transfer to Coffee Creek Correctional Facility, the only female prison in Oregon. This was partly because the judge felt that she would be safe within her new living arrangement and partly because of her criminal conviction. In 2007, she was charged with sex crimes, which included sexual abuse of girls. Hall can still request a transfer at a later date, according to the article.

Nevertheless, Hall's case may pave the way for incarcerated transgenders around the country to be granted safer housing conditions. Trans prisoners are often forced to live in facilities with the gender they no longer identify themselves with.

"When I first got here I had a couple of inmates that didn't want to live with me because I'm transgender," said S. Gustafson, a transwoman housed at San Quentin State Prison—a traditionally male facility. "It wasn't until I met my current cellmate that things got a little easier."

"I feel that the guards here at SQ treat me with

respect," said Gustafson. "The only hang-up was that it took me several weeks to get my female clothing." She also said that she believes that transgender people should be housed alone or with other transgender individuals.

"I feel the transgender policy can be a little bit better, as far as cell living," said E. Herrera, who prefers the name Sage, adding that she thought that transgender prisoners in a male facility should at least be provided shower curtains for privacy. (San Quentin hung green nylon fabric to block the showers' view from the stairs.)

Herrera said she feels safe at San Quentin.

"I don't feel it would be any easier at a female prison, personally," she said. "For LGBTQ women, it's the same way."

Prisoners housed in CDCR may be asked standard questions by their correctional counselors, such as how they identify (i.e. straight, gay, transgender, etc.).

These questions result from the federal Prison Rape Elimination Act (PREA), enacted to ensure prisoners' housing and safety concerns are met. When asked these questions by counselors, the incarcerated are encouraged to be open and honest.

—By Harry C. Goodall Jr.

What happens when the power goes out in prison?

By Kevin D. Sawyer
Associate Editor

The power went off at San Quentin State Prison, leaving thousands of prisoners and custody staff together in a dark and perilous situation in October.

In the prison's North Block and West Block, about 1,500 men were moving around outside of their cells inside the two five-story buildings when the power outage caught them and about a dozen correctional officers off guard.

Some prisoners were taking showers when they became enveloped in darkness. Initially, everyone waited for the power and lights to be restored in a few seconds as a matter of routine, but it did not happen.

In the prison's H-unit dorms, prisoners reported a ratio of two correctional officers to one hundred prisoners in the dark.

According to the California Code of Regulations, Title 15, Article 4 Disorders and Emergencies, Section 3301, Emergency Operations Plan, "Each warden must have in effect at all times an Emergency Operations Plan, approved by the Emergency Planning and Management Unit, to assist in the preparation for response to and recovery from 'All Hazards' incidents. All hazards incidents are defined as any disrupt institutional operations or programs."

There are no battery powered emergency flood lights activated in the West and North Block housing units because they don't exist, and the backup generator system failed to provide standby power as it was inoperable for more than six hours.

No answer was provided by San Quentin or CDCR public information officers when asked why back-up generators failed.

The correctional officers in West Block had to use small handheld flashlights and one portable floodlight to help guide hundreds of prison-

ers to their cells with limited visibility in pitch black darkness.

As the building grew silent, correctional officers' radio transmissions could be heard: "All officers are instructed to walk in pairs or groups of three or four."

The power went out around 8:30 p.m. and didn't come back on until shortly after 3:00 a.m.

When the power went out, prisoners who required CPAP machines for breathing couldn't use them. Toilets in the cells at San Quentin could not be flushed because they're connected to timers that control the number of flushes per hour. The water in the showers and sinks went cold within minutes.

What appeared to be a dangerous and volatile situation for correctional officers and inmates ended without a major incident or injuries. In the first minutes, some prisoners shouted and made jokes, but as it became apparent the lights were not turning back on, they found their way to their cells on their own as the public address system was de-energized and of no use.

Some prisoners assisted others by taking their portable battery-operated reading lights out on the tiers and to the shower area to help each other see their way safely back to their cells.

"I waited an hour for the generator to kick in," said Lonnie Morris. "I just knew the power was going to kick back in. After an hour, I knew the generator wasn't coming on, so I went to sleep."

The stalled generator response to the power outage came several months after the *Associated Press* report-

ed on a state-commissioned study that said California's 12 oldest prisons are in "need of major repairs or replacements if they are to continue housing a third of the state's inmate population..."

"What the state has done is ignore the need to routinely replace some critical infrastructure for decades," said Don Specter, director of the Prison Law Office, a nonprofit organization that works on lawsuits involving the welfare of prisoners. "Decades of deferred maintenance have led to this."

An unidentified prisoner who was returning from another area of the prison outside could be heard in the cell block saying "the hospital stayed lit." Others speculated that the hospital must have a backup generator that works separately from the rest of the prison's backup power.

"I don't know who lives in those houses out there, but they're all lit up," said a volunteer at San Quentin who did not want to be identified. He said the houses on the right-hand side of the prison entrance all had their lights on. "Even the post office was all lit up." He said he went to pick up his mail there the following day and that the generators at the prison could be heard.

Forty-eight hours after Pacific Gas & Electric cut the power to San Quentin, the prison was still running on generators. Even then the power cut off at least three times but came back on seconds later. At about 8:00 p.m., after the third time, however, the prison did an institution lockup, recalling prisoners back to their cells.



San Quentin State Prison

File photo

Addressing racial bias in the criminal justice system

Removing racial information from police reports could reduce disproportionality

By **Anthony Manuel Carvalho**
Staff Writer

Using technology to remove racial information from police reports before prosecutors decide to file charges should reduce racial disparities in America's justice system, former San

Francisco District Attorney George Gascon says.

Gascon enlisted the aid of Stanford University computer programmers to devise an algorithm that disguises racial identities in the initial review of police reports.

"If we can take racial bias out of our system or reduce

it significantly, we can be a much better nation," Gascon said in an interview with the *San Francisco Chronicle* published June 13.

The "blind charging" tool was devised by Stanford's Computational Policy Lab.

"When I first became district attorney, one concern was to understand how

the criminal justice system impacts people of color disproportionately," Gascon explained. Gascon noted vast racial inequalities as they impact California's criminal justice system and provided statistical data that demonstrates Blacks and Latinos continue to be arrested and criminally charged more frequently than Whites.

A 2016 study by the Public Policy Institute of California showed Latinos made up 41% of arrestees, Whites made up 36% of arrestees and Blacks made up 16% of arrestees. Blacks made up but 6% of the population.

A second study conducted between 2008 and 2014 revealed San Francisco's disparity as a far greater chasm in racial divides than overall state findings. The study showed in San Francisco alone Blacks accounted for 41% of people arrested, but 6% of the population.

The second study was conducted jointly by UC Berkeley and the University of Pennsylvania.

San Francisco's current prosecutorial procedures after arrest are intended to minimize bias of the prosecution's initial investigatory team. They do not examine evidence such as pictures or videos that would reveal a person's race.

"If we can take racial bias out of our system or reduce it significantly, we can be a much better nation"

Upon recommendation to formalize charges, a second independent team of evaluators verify if the evidence is substantial enough to move forward.

Gascon said the new technology could be used around the country.

The artificial intelligent technology will organize police reports and automatically redact the race of

the parties involved. It will also scrub names of all parties involved including police, witnesses and suspects while hiding addresses, locations and neighborhoods that could imply a person's race before it is reviewed by the district attorney's office.

The district attorney said his office will implement the new tool in an estimated 80% of new general intake cases. Cases like homicide, domestic violence and other specialized units will not immediately use it.

The San Francisco Public Defender's Office declined comment "until we can learn more," an unidentified spokeswoman said. Amos Brown of the NAACP's San Francisco branch said, "We don't know anything about this."

Since 2016 the district attorney has also sought to expedite the expungement of over 9,000 marijuana-related cases by partnering with Code for America.

Gascon has announced he will not seek reelection when his term expires at the end of the year.

Report finds high rates of recidivism in prisoners released from SF County jail

By **Alfred King**
Journalism Guild Writer

Approximately 43% of people released from the San Francisco County Jail were rearrested within a three-year period, a new report reveals.

The data collected by the San Francisco District Attorney's Office tracked the recidivism rates of 9,407 people in the county jail, the *San Francisco Chronicle* reported.

Offenders who committed violent crimes, burglaries and other property crimes were even more likely to be rearrested, the data showed.

"Of the 965 people convicted of burglaries, 72% were rearrested and 45% were reconvicted. For the 882 people convicted of assault, 49% were arrested again and 21% were reconvicted. And convicted felony drug pushers were rearrested at a rate of 54%, with 20% of them convicted on a new charge," the *Chronicle* reported Sept. 17.

Data collected followed adults convicted and sentenced for crimes in 2013, 2014 and 2015.

Only 6% of 2,320 drunken drivers were rearrested within the same three-year period.

The goal is transparency, but it's also a tool for policymakers to make better decisions and measure effectiveness, former District Attorney George Gascon told the *Chronicle*.

"This innovative tool is a model for how cities and counties can use data to inform efforts to safely reduce the jail population and address racial and ethnic disparities"

Gascon said the data offers insight into law enforcement, community supervision and clinical strategies helping the justice system officials to use court and custody resources more efficiently.

"Other than public health, public safety is the biggest chunk of any local budget and we spend it without often

knowing whether it will work or not, this could be the beginning of a different conversation," said Gascon.

This data does not include offenders who are sentenced to California prison and was collected in concert with the Sheriff's Department, the California Policy Lab at UC Berkeley and the McArthur Foundation.

San Francisco sends the least number of people to California prisons, with less than 20% of felony convictions resulting in state prison.

"This innovative tool is a model for how cities and counties can use data to inform efforts to safely reduce the jail population and address racial and ethnic disparities in the criminal justice system," said Laurie Garduque, director of criminal justice at the McArthur Foundation.

San Francisco is the first county in the state to collect data on recidivism rates.

This initiative "raises the bar for criminal justice transparency and we hope other jurisdictions follow suit," said Evan White, executive director of the California Policy Lab at UC Berkeley.

Los Angeles DA in hot water for racial disparities in prosecution

By **Michael Jace**
Journalism Guild Writer

The Los Angeles district attorney is facing sharp criticism for her handling of criminal justice issues, including capital punishment.

District Attorney Jackie Lacey's handling of the death penalty is "shameful" and riddled with racial bias, according to a report by the American Civil Liberties Union.

Lacey's tenure is in sharp contrast to San Francisco D.A. George Gascon, who has brought no capital punishment charges. Gascon is a former Los Angeles police officer who has indicated he may run against Lacey in the 2020 election, the *Los Angeles Times* reported June 21.

The ACLU report found that all of the 22 people sentenced to death during Lacey's tenure, which began in 2012, were people of color; 13 Latino, eight Black and one Asian. All 22 were from Los Angeles County.

"Los Angeles County is one of the largest killers in the country when it comes to imposition of the death penalty," said Jeffery Robinson, ACLU deputy legal director.

"The death penalty in America is impossible to separate from America's legacy of racism, violence and lynching," added Robinson.

Lacey has maintained that race is not a factor in her prosecutors' deliberations and defended her office's process in determining who they would ask the state to kill.

"As long as the death penalty remains legal in California, a committee of diverse prosecutors will review these cases using one of the most extensive review processes in the nation and make recommendations based on facts without regard to the race of a defendant or victim," Lacey said in an emailed statement to *The Appeal*.

"The most important aggravating factor in the case is the race of the victim. The second ... is the race of the defendant."

However, data contradicts Lacey's assertions, said Robinson. "The most important aggravating factor in the case is the race of the victim. The second most aggravating factor is the race of the defendant."

Gascon keeps all demographic information about suspects from his prosecutors as they go through their deliberations regarding application of the death penalty, the *Times* reported.

When Lacey was elected district attorney in 2012, she became the first woman and first Black to hold that office. She was embraced by liberal activists as someone they hoped would take a new approach to criminal justice, according to the *Times*.

"She's smart, tremendously effective and clear-eyed and she always puts the mission of advancing justice for all above everything else," said Los Angeles Mayor Eric Garcetti.

Cassandra Stubbs, director of the ACLU Capital Punishment Project, offered a far different assessment, "Unfair and discriminatory," said Stubbs. "That's the legacy of District Attorney Lacey's death penalty in Los Angeles. I think it's important that LA voters hold her to account for that."

Lacey has said she remains supportive of capital punishment, noting that it is still the law in the state, and that voters have backed the penalty. Her office continues to pursue new death penalty cases. She is running for reelection in 2020, according to the *Times*.

A 2016 study by the Public Policy Institute of California showed Latinos made up 41% of arrestees, Whites made up 36% of arrestees and Blacks made up 16% of arrestees. Blacks made up but 6% of the population.

San Diego County Jails experience highest number of inmate deaths

San Diego County Jails reported 140 inmate deaths since 2009, exceeding any other county in the state. That was the same year Sheriff Bill Gore took over.

It averages one inmate death per month for a decade. Causes included dying of natural causes, such as chronic health conditions, drug overdosing, suicide and murder, according to the *San Diego Union-Tribune*.

Gore's command staff say they do everything to identify and treat mentally ill inmates.

The tally included 10 homicides since 2009, the Sept. 20 story said.

The newspaper conducted a six-month investigation that revealed the county jail's mortality rate is the highest in California, with no signs of easing.

Critics claim not enough is being done, like installing fencing to prevent suicidal inmates from jumping or increasing its mental health staff, the story said.

The department has made a few improvements, changing healthcare providers, purchasing new equipment, noted the *Union-Tribune*.

One case involved a young man who repeatedly threatened to commit suicide and had access to a plastic bag and used it to suffocate himself after being found earlier in the day with a noose in his cell.

Another death was a 34-year-old with a serious heart condition given the wrong medication and complained of having problems breathing.

Over the past decade the county has paid out \$19.9 million in legal settlements and attorney fees, reported the article.

"A measure of society is how we treat our most vulnerable; by that measure, San Diego County is failing miserably," said attorney Julia Yoo, who has successfully sued the county on behalf of deceased inmates' families.

Most of the deaths that have occurred have been attributed to natural causes; autopsy reports, however, indicate most of those deaths could have been prevented if inmates were given proper medical care, noted the article.

Records also show that multiple inmates died from treatable conditions like diabetes, pneumonia and stomach ulcers.

"A measure of society is how we treat our most vulnerable; by that measure, San Diego County is failing miserably,"

In comparison, Los Angeles County's jail system is three times larger than San Diego's and had a death count of 158.

In one homicide case a 70-year-old mentally ill man was beaten to death by a larger inmate nicknamed "Evil," who called upon four other inmates to join in the attack. Deputies had recently moved the man from protective custody into the general population despite orders to keep him segregated for his own protection, the story said.

The sheriff has implemented changes to improve the conditions of the jails such as a suicide prevention program, a video-based telepsychiatry program, and enhanced observation housing.

Inmates placed in the enhanced observation section are given tear-proof smocks and blankets and sleep on mats or bunks that have been modified, all with little success, the story reported. By the end of 2015, six more inmates had killed themselves; in 2016, five more, and at least six more since 2017.

Disability Rights California issued a report stating the jail system is in crisis. It said: "There is an extensive public record documenting the tragic loss of lives, systemic failures and inadequacy of oversight. Families of those who have died have filed lawsuits alleging that the county and jail staff acted with deliberate indifference to inmates serious mental health, medical health and related needs."

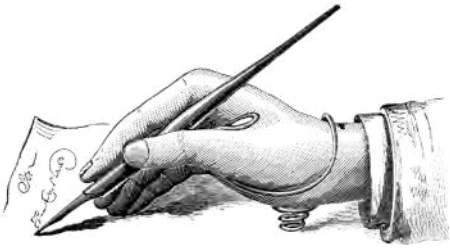
Recommendations have come from outside consultants and the county grand jury.

Attorney Eugene Iredale, who was one of those suing the county, said San Diego's elected officials have short-term thinking when it comes to providing inmate health care.

"The county has been trying to do things on the cheap, instead of hiring good doctors at a good salary with institutional memories, they contract out," said Iredale. "If you look at the settlements and legal cost, they're not getting a bargain; they're buying liability that comes with substandard care."

—By Alfred King

LET THE PEOPLE SPEAK: *Letters to the editor*



My utmost respects are extended in full fashion. Let me get right down to this article. I'll be brief and direct. Hope to make a direct impact in today's network that has been evolving over these decades. I've read a prior article that was written about militarization of CDCR that is today's darkest secret.

I'm sure your paper news media will as your slogan states report on things that will impact the whole population. Yes, it's cool to read about different programs, milestones, so on and so forth. But the real impact is to touch on the other things going on all across the state.

Saul Garcia
Delano Modified Community CF

To San Quentin News

I'm from Seattle, Washington, bound to move out to California upon my release. One bigger problem with correctional system: they don't really correct you as a person their only successful function is to enforce corruption and to worsen you. But [we can] put our thoughts and minds together, combine forces as people to use each other's ways and outside support from honest and caring people who will be dedicated to making our lives better and as good as free people.

Demar Rhome

Washington State Penitentiary

Just released on the market today, a palatial residence located in the heart of Golden California, nestled in the lush almond orchards and fields of alfalfa of beautiful North Kern Valley. The residence features a private security service, gated entry, concierge services, on site medical and dental teams and a fully stocked and stuffed gourmet kitchen. Meals are delivered to your door twice daily with health conscious menu options. This luxury town home features multiple double-planed windows providing gorgeous views of the sun setting over the valley each evening. With a two-story floor plan and a large open-air central area, you will never lack space to accommodate guests or to entertain. With six showers and six bathrooms, getting ready for a night on the town was never easier. The central area features vintage built-in bench seating and burnished stainless steel dining tables for intimate gatherings or grand, formal dining. Access to your own private yard ensures that you will remain in peak physical condition or have space to soak up the warm sunshine as you relax on one of multiple benches around the track. Providing the best in private security, luxury accommodations with every need met, this is the townhome for you. Double staircases provide ample access to the second level, providing unsurpassed views of the surrounding orchards and natural landscape. Escape gridlock and the hassle of searching for parking and trying to find stuff to meet your needs. We have it ALL here on the ground of the North Kern Statey Palace Estates. Visit today and discover you are home. Starting in the low 400s, this is your home. Visit today.

Drew Bueno-Potts

North Kern State Prison



File photo

On a Tuesday afternoon, Frank and I were sitting across from each other in the day room. While people were busy talking or playing cards, we were busy with weighing out life, and how Frank came to be the man he is today. With all the hullabaloo around us, I felt very at ease when he answered the questions for this letter. But he fell back into his old lifestyle due to the pressures of life, on a day-to-day basis. After the first month Frank did a line of crystal meth. Frank felt he was being led by God towards a newness of life. He started attending groups like GOGI, Lifers' Group, NA, and CGA. Frank stated, "We all can change, it is hard but satisfying work." His favorite group is GOGI. This group has opened up his eyes to old behavior, and his life in general. It gives him insight on how to change his thoughts and actions. He now has tools from GOGI like breathing exercises and the five-second light switch. Frank has learned how to turn negative situations into positive ones.

Ryan Goodson

High Desert State Prison

CCWF is in great need of IDAP pushers on all yards. Since the pay rate was seriously lowered, no one wants this job. It is a position that requires screening for exclusions and is a great service to the aging population at CCWF. It is a community service that should be recognized and validated with a pay rate that rewards the incentive to apply, the good behavior required, and in light of exclusions, not to mention one needs to apply for it. I am sure the BPH (Board of Parole Hearings) would think it commendable that an inmate would choose this job assignment.

Is there any way their pay rate can be increased so that inmates want to apply? The vacancies are not being filled because there is no one on the waiting list to fill them. That is simply sad when this can be so easily remedied. The staff at CCWF has been awesome in trying to get applicants, but the pay for this specialized work is a deterrent.

Inmates learn to work with people in general—both inmates and staff—and can gain skills that would help them on release. Please take this under consideration and do what you can for the entire state of California. Thank you for your time and consideration.

Respectfully

Dana Gray
Central California Women's Facility

Hello there,

I don't know who writes your "News Briefs," section or how you find out information for your paper. Let me just say, once again, women are still—and have been—overlooked...still in 2019. The first woman has made history, from Condemned Row, and nobody knows or printed it. Thank goodness you can fix this "overlooked woman" by printing and reporting it. On Friday, July 19, 2019, the first woman got her death sentence overturned at the state level of appeal... (not federal). Dora B. should not be in prison at all. But her life was saved on July 19 by the Riverside County D.A. Dora B. did 22 years on her death sentence. The D. A. chose not to redo her penalty phase—giving Dora B. life.

This should be a wake-up call to all mental health advocates and prosecutors alike: do the right thing. Dora's the sweetest person you'd ever meet. She's not "evil," nor is there an evil bone in her body. She has a child-like innocence about her. All of us women on the Row love and now miss Dora. We all pray for her peace of mind, safety and happiness in her future...LIFE. Dora single-handedly brought us together in friendship, love and kindness on Death Row in Chowchilla (which now houses 22 women). God bless you, Dora.

From all of us,

Name withheld by request
Central California Women's Facility
Death Row

Ed. note: Thanks for making us aware of this story! It hadn't come across our radar. We will be reporting on it fully in Wall City magazine. We do hear your concerns and apologize for overlooking our valued women readers. We are taking steps to be on the lookout for and report more stories related to women. We also look forward to considering any suggestions and submissions from you and any of our readers.

RE:STORE
JUSTICE

ReStore Contributor
By LaTonya Stewart

I am the mother of two sons: Charles Stewart, who we called C.J., and his younger brother Aaron Stewart. I raised them both as a single mom, from when C.J. was nine and Aaron was 6. I worked full-time to keep them in a steady and stable home environment.

On Feb. 29th, 2012, I dropped my younger son Aaron off at his work, not knowing it was the last day I would be able to imagine driving him home again. About 6 o'clock in the morning on March 1st, I accepted a collect call from my son Aaron. He told me he had been arrested for murder.

The next two years were incredibly difficult, having Aaron in jail, waiting for his trial. And to make matters worse, at one point C.J. also found himself in the very same jail, Santa Rita, alongside his brother. Trying to be there for both my sons, finding emotional energy to support each of them, was very difficult.

On Oct. 24th, 2014, after a month-long trial that ended in April, Aaron was sentenced to three life sentences plus 72 years. He was 19 years old: a mama's boy, a football player, a kid with a good heart. By trying to fit in with the in-crowd, trying to be accepted, he ended up out there in the street, and he made a bad decision that changed all of our lives forever.

On February 15, 2015, I received a call from my older son C.J., just saying hi, wanting some general conversation, checking on me. Right before he hung up, my child told me, "Okay, mom, I love you." Later that night, I received a call from some of C.J.'s friends, saying my son had been shot. I rushed to Oakland, hoping that it was a mistake. After arriving at the crime scene, I fell to the ground, and I just cried. I said, "God, why? I already lost one son. Why is this happening to me? Please don't let it be my son."

Waiting at the scene, trying to get any information I could about C.J., I had all these thoughts going through my head, and I felt so empty. I thought, "This is really real. Why would somebody kill my son?" That night, C.J. was 26 years old.

And when it came time for C.J.'s murderer to face justice, despite a previous history of felony convictions, his murder charge was lessened to manslaughter, with a 15 year sentence, due to witnesses' unwillingness to cooperate. I lost all faith in the criminal justice system. My son Aaron, who had no criminal record before his arrest, is left hopeless. And the man who killed my son is left with some hope for life after prison.

Healing from these traumas has not been easy, and I have some good days and some bad days. One powerful experience I have had is in participating in restorative justice circles with survivors and inmates. I only found out about restorative justice after my son Aaron graduated from a class called Restorative Justice at Lancaster. Aaron told the staff to reach out to me because I was a mom on both sides, because Aaron lost his brother, too. And so that's how I got hooked up with Re:Store Justice.

I've witnessed men in restorative justice circles show real remorse and take responsibility for their crimes. And I've been able to offer forgiveness and compassion in exchange. The more I participate, helping to show the impact of crime and of the criminal justice system, the more I feel like I am walking in my purpose and exercising my belief in having faith, even if it's just the size of a tiny mustard seed. Each time I tell my story, it helps me to heal even more. And the process brings everyone together to try and make the system better.

To everyone reading this who has a second chance to go home: make the decisions that will help get you there. Your decision-making will affect you, your family, your friends, the community – it's not just you. Especially for people who are 18-25, if the system allows you a second chance for freedom, take advantage of the programs available, whether it's getting your GED, or starting college (like Aaron is now, currently taking a class at Folsom College at Mule Creek), or participating in programs to help you rehabilitate yourself to be a better person when you're allowed to go back to society.

RE:STORE
SURVIVORS



LaTonya Stewart and sons



File photo

KidCAT facilitator Bev Shelby returns home to Texas

Leaving a legacy of commitment and connection - she will be missed by many

KidCAT Speaks!

By Joe Garcia
Journalism Guild
Chairperson

Bev Shelby walked out of San Quentin State Prison on Oct. 24 with a heart full of emotion and memories.

Before moving back home to Texas, she came to share one last Thursday meeting with her KidCAT family.

"I can't hug you guys. That really pisses me off," Shelby said to all the members around her—some of whom she's known for over seven years while coming into SQ.

"Listening to all of your stories and hearing about how you've overcome some of the worst childhoods, I wonder sometimes, 'How can you even smile?'" Shelby momentarily broke down. "It's been such an honor to share your continued growth, to be a part of the great work you guys do."

"I'm going to hug Will real tight for all of you," she said, referring to new volunteer facilitator Will VanBrackle. He sat across the space where KidCAT traditionally sets up the tables in a square with everyone facing in.

When Shelby arrived that day, the KidCAT guys tried to get her to sit in the middle and be the focal point. "I'm not doing that," she said, sliding a chair alongside Anthony Ammons. "I'm

just one of the guys—one of you."

Despite the collective sadness at seeing Shelby depart, KidCAT Chair Si Dang wanted the group to celebrate her legacy of commitment and cheer her on toward the next chapter of her life.

"The way you came into this prison, Bev—you singlehandedly transformed KidCAT and transformed me with your big heart," said Dang. "They say everything's bigger in Texas, but it can't compare."

Dang likes to keep the KidCAT meetings energetic and warm—part of his mission to emphasize strength in community and family.

As a special treat, Dang enlisted K. Tran to perform a re-envisioning of "You'll Be Back," one of the showstoppers from Shelby's favorite musical, *Hamilton*.

"I wish we could have filmed that and tweeted it to Lin-Manuel [Miranda]," she exclaimed afterwards as the applause erupted. "That was truly a gift."

Vice Chair Kenny Vernon prompted Tommy Ross and Nou Phang Thao to start a beat on the tables, encouraging every KidCAT member to participate in a rap around session.

With some prodding, Shelby started the rap off and struggled to rhyme. "I don't know what to say. You guys are the best—and I do not mean that..." [pause] "...in jest."

Other support groups and classes in SQ's main education building heard the raucous thumping, blundering lyrics and spurts of laughter. Although there were some complaints, the spirit of KidCAT resonated throughout.

After the silly onslaught of rap subsided, the mood grew serious as men spoke to Shelby in farewell.

Alvin Timbol has seen his share of members get found suitable for parole over the years and become returning citizens. "Every time someone from KidCAT leaves here, I have a hard time saying 'Goodbye,'" said the emotional Timbol. "I'd rather just say, 'I'll see you later.'"

VanBrackle remembered his first group meeting just a few months prior. "We did our fire circle and you told me to go ahead and take the reins," he said to Shelby. "I'm very grateful for that. It meant a lot."

Thanh Tran said to her, "That whole institutional barrier between free staff and inmate—I never felt that from you," he looked around. "We never felt that from you."

Dwight Krizman agreed. "From day one, you never



Photo Eddie Herena SQN

Bev Shelby at the KidCAT 2018 banquet

saw me as a guy behind bars," he said. "Your boundless compassion continues to give me hope."

Ross had this to say: "That very first time we worked together, you corrected me and asked me to reframe some of the things I said."

"You know, that did trigger me—I wasn't used to a

woman doing that. I learned a lot from you."

Ammons turned his head to look at Shelby directly. "I'll always appreciate the humor you brought with you into this space," he said. "You helped us connect with our inner child—helped us grow and mature as adults while bringing all that positivity in here."

Shelby teared up again as she said to Ammons, "You'll always be my partner in laughter. I'm always reminded of the times I'd get in trouble in school for that. Thank you for being my partner in here."

Vernon told Shelby, "You're a big part of the man I am today. I appreciate that. My wife appreciates that."

Chase Benoit said, "Our friendship—every time we talk, you're being real and I am, too. That's not always true of friendships."

Thao laughed as he offered Shelby the same advice he'd given recently paroled Ryan Dietz: "Bev, if you're ever in a bar and someone

tries to hand you a 40-ounce—WALK AWAY."

With time running out for her scheduled departure, Shelby looked at all the KidCAT men. "I'm so proud of you guys. This is hard work," she said. "I can't imagine you living in your cells. I just can't imagine that. All of you deserve better than this."

"You cannot judge someone by their worst moment—I learned that from you guys. And I've spread that message to my family and friends."

"You're all going to get out and be great citizens. I truly believe that."

Shelby originally had planned to be back in Texas by early October, but an institutional lockdown at SQ prevented her from saying goodbye to KidCAT in person—so she delayed her plans until she could come inside the prison again.

"I make slow decisions, but I know it's the right thing for me," she explained about her personal debate on leaving California. "But don't worry, guys. I'm not rooting for the Cowboys—ever."

Some states fail to adopt court ruling favoring juvenile LWOPs

By Kerry Rudd
Journalism Guild Writer

Hundreds of prisoners sentenced to life without the possibility of parole as juveniles now find themselves eligible to apply for resentencing, but need help to gain a hearing.

The U. S. Supreme Court held in 2012 that mandatory life without parole for juveniles was unconstitutional in *Miller v. Alabama*. California then passed Senate Bill 9 in 2013 that allows juvenile LWOPs to apply for resentencing.

Before 2012 "there were only five states that banned juvenile sentences of life without the possibility of parole, and that number has since grown to 22 states and D.C.," *ABC News* reported Oct. 21.

Despite the *Miller* decision and California's model for resentencing, some other states have refused to follow suit, the story reported.

Montgomery v. Louisiana hit the docket after Louisiana contested making the *Miller* decision retroactive. The court ruled that juvenile-sentenced LWOPs would receive retroactive relief. Yet the *Montgomery*

decision did not outline how they should get their cases reviewed, according to the news report.

"There was no letter that was received by these individuals in prison, so they had to self-identify, file to get back into court, get lawyers and make their case for resentencing," said Jody Kent Lavy of the Campaign for the Fair Sentencing of Youth.

"I think it just reflects a broad understanding of the fact that kids shouldn't be condemned to die in prison"

Lavy estimates there were about 2,600 juvenile LWOPs prior to the *Miller* ruling. She says only 1,700 have been resentenced.

The Michigan Department of Corrections contains one of the largest populations of juvenile LWOP cases with 181 individuals yet to be resentenced, according to the state records.

Two of these men have been incarcerated for 50 years each. They were 17 years old when their crimes occurred.

One is Clifton Gibson, sentenced to life without parole plus 18 years and 4 months for murder. He was released after 25 years following passage of a state law requiring a review of LWOP juveniles.

Gibson now works full-time at a non-profit agency which provides resources to returned citizens. He's also on pace to receive his bachelor's degree.

"I think everyone is capable of changing who they were," he said.

Advocates of these laws say juveniles have a higher capacity to reform. They argue children aren't psychologically developed enough to understand the societal consequences of their actions.

"There's a trend to move away from these sentences altogether," says Lavy. "I think it just reflects a broad understanding of the fact that kids shouldn't be condemned to die in prison for mistakes they made at a time that they were still developing."

Any inmates interested in receiving the KidCAT curriculum must ask the Community Partnership Manager (CPM) at their facility to contact the CPM at San Quentin. As of February, 2019, KidCAT's curriculum can only be distributed to prisoners through their CPM.

Dear KidCAT Speaks

First and foremost, I pray that every member of KidCAT's spirits and minds are strong and positive — regardless of our situations! My name is Johnny Thomas. I'm a 32-year-old man that's been incarcerated since the age of 18 with multiple life sentences. I'm currently housed at Corcoran State Prison.

I get very depressed at times. Well, I picked up an old *SQNews* off the dayroom table today, just looking for something to read. It was from January 2019. I ended up reading it from front to back.

KidCAT Speaks really jumped out to me. Reading the new Chairman Si Dang's 2019 youth address, it felt like it was speaking straight to me. I reread it, thinking what a blessing and how wonderful it would be to participate in something like KidCAT. And when I came by KidCAT's First Step childhood development curriculum, it got me really excited.

For me, certain self-help groups and support groups are groups that I not only want to be a part of — I need to be a part of. I've been involved in many groups and enjoyed helping others as well as receiving help.

From reading about KidCAT and its overall objective, I know for a fact this is for me. If I can get the facilitator's manual sent to me, I'll be able to get some of the guys on the yard to seriously come together. I'll give 110% and will not let you guys down.

Thanks for all the work you guys do. Just know that the words you guys speak really reach others. We may be in different prisons, but we're all in this together.

Johnny,

KidCAT Speaks truly appreciates your enthusiasm and devotion to service. Keep that up — wherever you are, whatever you're doing.

We are aware of the administrative difficulties surrounding the distribution of our First Step curriculum, and we are working to fix the problems.

Yes, you lack a formal curriculum, but don't let that stop you from gathering other guys around you on the yard or in your building. Engage in conversations about your past, the struggles you've all faced and overcome, the need to offer support to one another and the value of reaching across prison racial barriers to gain acceptance and tolerance.

You hit the nail on the head about "helping others as well as receiving help." That's what the spirit of KidCAT is all about. More than anything, we are a support community and a chosen family.

We will resolve our curriculum problem and create a solution as soon as we can.

Thanks for your interest and support.

The Beat Within

A Publication of Writing and Art from the Inside



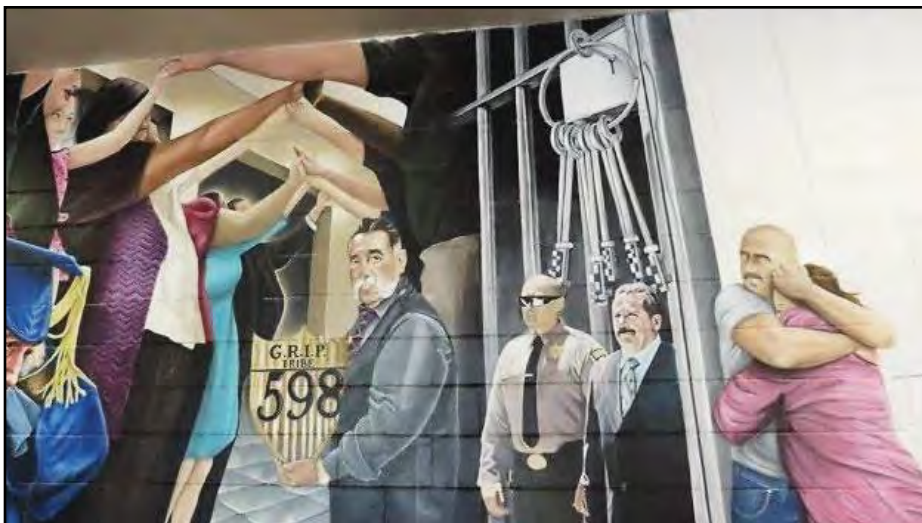
KidCAT and *The Beat Within* hold monthly writing workshops. *The Beat Within* conducts writing workshops in juvenile detention centers throughout the country. KidCAT Speaks will publish one topic each month. Your writing should reflect a positive message that helps the youth make a better decision in life. Your stories will be read by the youth in detention centers. If published, you will receive a free copy of the publication. Your story can make a difference. Tell *The Beat Within* you read about them in KidCAT Speaks!

Words from the wise, quote of the week - "You wanna fly, you got to give up the shhh that weighs you down." — Toni Morrison, (1931 – 2019) was an American novelist, essayist, editor, teacher, and professor. This week's quote comes from her critically acclaimed book, *Song of Solomon* (1977). Now tell us what comes to mind for you when you read this quote? Do you agree or disagree? What are some of the things in your life that may be weighing you down from flying free? "You wanna fly, you got to give up the shhh that weighs you down."

The Beat Within
P.O. Box 34310
San Francisco, CA 94134

KidCAT (Creating Awareness Together) is a group of men who committed their crimes in their teens and were sentenced as adults to life terms. The group's mission is to inspire humanity through education, mentorship and restorative practices. KidCAT Speaks wants to hear from all offenders, educators, and policymakers concerning juvenile justice issues and rehabilitation. Contact us at San Quentin News, Attn: KidCAT Speaks, 1 Main St., San Quentin, CA 94964.

Capturing prison life through art - Avenal artists create historic murals



Avenal mural artists

Courtesy of Avenal

**By R. Ramirez
Contributing Writer**

Historical murals are being created by the men of Avenal State Prison's Facility F yard, capturing the pains and transformations of prison life.

A two-part mural was painted on the Facility F chow hall walls. It aims to tell a compelling story. The paintings begin with incarcerated people working on a chain gang, showcasing one of the first forms of punishment in prison life. The paintings were created to help people visually travel, decade by decade, through what prison was like in those times, according to the artists.

"When I was a child I was surrounded by negative influences inside the household and around the neighborhood," said A. Dupone, one of the artists. "I used art as a way to get away from all the negativity around me. I would put my ear buds on and listen to some music and block everything out."

To this day, Dupone stills puts his ear buds on while

creating his art, even being incarcerated.

All the artists used real photos from other incarcerated people and correctional officers. They even had a photo of the Folsom warden from back in the 1800s. The artists painted a detailed picture of singer Johnny Cash performing "Folsom Blues" for the prisoners back in the '60s. The mural ends by capturing life in the Pelican Bay SHU (Security Housing Unit).

"I enjoyed creating art," said artist R. Hernandez. "I discovered that I had some real art skills back in middle school, but I stopped drawing. It wasn't till I got incarcerated that I started creating art again and regained my drive for it."

The second part of the mural displays different self-help programs available on the Facility F yard. One of them is YAPP, a youth diversion program, where troubled youth come to hear testimony from the men who are incarcerated at ASP. The program give the kids a glimpse of how life in prison is.

There are paintings of the Actors' Gang, Defy and GRIP self-help programs on the wall. These programs prepare people for life after prison.

A third and final piece will be about life after prison. It will consist of people continuing on the right path of rehabilitation. The paintings will display returning people who are working to support themselves and their family. It will also showcase them spending time with family and enjoying the precious moments with people they love.

"I have been drawing since the age of eight," said W. Carrera, artist. "At that time I knew I had a passion for art, and I still enjoy displaying my art to this day."

The entire mural crew consists of R. Hernandez, W. Carrera, D. Devine, S. Kaslove, and A. Dupone and R. Ramirez.

"We were honored and blessed to be able to show our art and talent to Facility F and bring a positive environment to our community," said the mural crew.

Ayers: "if it can be broadcast and printed out there, why can't it be printed in *San Quentin News*?"



Former SQ Warden Robert Ayers, Peggy Ayers, and SQN Adviser Steve McNamara

Photo by FirstWatch

WARDEN

Continued from Page 1

When *SQ News* was publishing in the 1980s, it didn't do much for the prison population, according to Ayers. Upon returning to the prison, he wanted to "get the staff respect back" and do something that would benefit the entire inmate population. He said he wanted to provide a means for people to build other useful skills in another venue.

Ayers said he believed the newspaper needed to be under the education department. "It was a hard sell to the principal at the time," he

said, so he went to the vocational printing instructor, John Wilkerson. "He was on it."

One of Ayers' key objectives was to provide good guidance. He said he wanted to build ethics. "Once you build that, a warden is not needed." He said the advisors to the newspaper are providing role model status to the men who associate with and learn from people who are productive. He said when the men can look to people like that and form their own mind, that goes a long way because "the media is still a pillar of our society."

Warden Ayers invited retired journalist John C. Eagan to spearhead the rebirth of the newspaper. Later, Ayer's

assistant, Lt. Rudy Luna, brought on retired journalists Steve McNamara and Joan Lisetor on board. McNamara was former owner and publisher of the Pacific Sun. Lisetor was an adviser to the newspaper in the 1980s. They all answered the call and are still volunteers with the *SQ News* along with dozens of others.

"This was not a small thing to take on," said Ayers. "I'm not saying all of the resistance (to starting a newspaper in prison) was unfounded."

When the *News* was being revised, Ayers said there was early dialog with the California Department of Corrections and Rehabilitation (CDCR) about what it was going to allow to be printed.

Ayers argued that the men watch television, listen to radio, subscribe to newspapers and magazines so they already had access to information. "What are they going to print that's going to set the world on fire?" he said.

When the newspaper was revived, "We were basically ignored because they (CDCR) didn't know we existed," said McNamara. "Since we've become much more visible, we've reached a good accommodation."

The role CDCR representatives have with *SQ News*:

- Check the factual content of material sourced directly or indirectly from CDCR or relating to the California criminal justice system.
- Check for content that actually or potentially endangers the safety of prisoners, CDCR personnel, the prison system or the public.
- Content deemed questionable is flagged with

observations or suggested changes. Warranted revisions are made by the newspaper staff with the guidance of its professional advisers.

The *SQ News* requested that review of the paper by the CDCR, before publication, to not include re-writes or calls for changes in the newspaper's content selection, writing style, balance, identified opinions or other aspects of journalistic choice. These are the purview of the newspaper staff with the guidance of its professional advisers.

"People all fear what they don't know," said Ayers. "One of the fears of starting a paper is there are those who think it will be an inmate rant rag. But when it's the truth you can't swat that away."

There was never a story he worried about. "As far as I'm concerned, if it can be broadcast and printed out there, why can't it be printed in *SQ News*?" said Ayers. There was, however, a story about administrative segregation that raised concern. Some people didn't want it called "the hole," but he asked what sense does that make because everyone out on the yard calls it "the hole."

Regarding humanizing the men, Ayers said he wanted the men to humanize each other. "Everybody in prison,

whether it's staff or prisoners, tend to buy into the notion that men are inmates."

When Ayers restarted the paper, he wanted people to be proud of it and to "remain open."

"You're doing your job," he said to the *News* staff. "I think you're part of that" (prison reform). "My only recommendation is to be open to growth."

"I still look at it online," said Ayers. "This is certainly not something we were doing 11 years ago, and it won't be the same two years from today."

The staff and advisers all thanked Ayers and applauded his "courageous decision" to restart the newspaper.

"I think a lot of running a prison can be, and usually is, a mine field," said Ayers. "You don't always know where those mines are hidden. You don't want to be the one to step on one and have it blow up." He warned that once you take that big step into the unknown, "Have clarity in your own mind."

Ayers stepped off, and left a legacy that he now shares with his predecessor, Clinton T. Duffy (SQ warden 1940-1952), who established *SQ News* in 1940. If not for Ayers, though, the *News* may have remained dormant for decades longer.

Editor's Note: Today, *SQ News* prints 30,000 newspapers each month and distributes them to all 35 CDCR prisons, four juvenile facilities, university and public libraries, to hundreds of donors that include individuals outside of California. It publishes the quarterly magazine *Wall City*, the newsletter *Inside SQ News* and the website sanquentinnews.com. The state of California does not fund the paper. It is funded by grants from foundations and generous private donations. You can follow us on Twitter: [@SanQuentinNews](https://twitter.com/SanQuentinNews).



Photo by FirstWatch

Ayers greets SQN Advisers Linda Xiques and Joan Lisetor



Photo by FirstWatch

Ex Warden Ayers, Steve McNamara and *San Quentin News* staff outside the SQ media center

Hamilton meets Marin Shakespeare at San Quentin

Renowned acting company finds emotional connection with incarcerated actors



Photo by Javier Jimenez, SQN

Hamilton cast and crew returned to see incarcerated performances

By Joe Garcia
Journalism Guild
Chairperson

Cast and crew members from the Broadway San Francisco production of *Hamilton* reconnected with the San Quentin community at the Oct. 11 Marin Shakespeare performance.

First visiting the historic and innovative prison in June, this time the *Hamilton* gang filled an entire row of the SQ chapel for an original

theater experience inspired by Shakespeare.

"I didn't expect to laugh as much as I did," said Darlyn Castillo, who plays dual roles. "The comedic angle in some of the pieces was really refreshing."

"And it was great to hear the 'public service announcement' from that guy—what was his name? Rauch [Ronell Draper]?—to take that pause from performing for a moment of realism. I felt it. It was real."

Asst. Company Manager Crystal Clayton visibly shed a tear or two during the two-hour collection of short plays.

"Right from the beginning it was very clear how hard they worked to showcase their pieces," she said. "I laughed. I cried."

"I felt so many emotions sitting in the chapel, watching them perform one by one—each so different, yet all filled with so much heart, passion and emotion."

"They should be extremely proud, knowing they are not only creating change amongst themselves, but changing each and every one of us who had the pleasure of watching them."

After the show, the *Hamilton* folks made sure to speak with the SQ acting troupe for as long as time permitted before leaving to perform back in the city that evening.

Lead standby Marja Harmon's warm, broad smile stood out like a spotlight as

she shook hands and congratulated the SQ Shakespeare company.

"Watching the men perform their original pieces was incredibly humbling," said Harmon. "It was a perfect reminder of the healing power of theater and music."

"The vulnerability and creativity that was on display was remarkable. It was a beautiful transference of energy and connection."

Hamilton understudy Rebecca E. Covington has personally seen mass incarceration affect her own family's past. "Coming into San Quentin truly means something each time for me," she said. "It's very healing to interact with you guys."

"I felt so many emotions sitting in the chapel, watching them perform"

The correlation between *Hamilton* and the SQ performance hit home for Castillo. "Everything that was performed today had this great connectiveness that was very fitting to each person," she said. "Not lost in that connection was all the individuality."

"That's the same thing that makes *Hamilton* so meaningful for us as actors—it's

not cookie cutter. We all get to be ourselves."

"And that's what made today so special—that same connection and support. We felt that in there."

Marin Shakespeare Asst. Director Marianne S. told *SQNews* later, "I've seen this actual cast perform. Donald [Webber, Jr.] plays Aaron Burr to the fullest as he turns to the dark side and kills Hamilton."

"I told Ray Ray [Raiveon Wooden] to ask him, 'What's it like to be the villain?' Accessing your dark side and having the audience dislike you—that takes courage."

"It was great to see him engage with Webber and have that conversation."

Wooden's eyes lit up when asked about their interaction. "I put my whole heart into that show," he said later. "It was a real gift for us to have these professional actors in the house watching us."

"He [Webber] told me what a great job I did—that I really channeled all my energy into being the bad guy. To hear him tell me that in person. Wow."

Webber himself appreciated both theater communities getting the chance to mingle. "These guys are real actors. I feel re-inspired for our show tonight," he said. "I heard they're doing *Othello* next. I'd like to come back for that."



Photo by Javier Jimenez, SQN

Raiveon Wooden dragging Philippe Kelly offstage

The surprise of original theater

The flyers and playbills clearly advertised a collection of "parallel plays," yet hardly anyone who attended Marin Shakespeare San Quentin's October showcases knew quite what to expect.

"The performances you will see today invite us to contemplate a crucial choice many of us must make in our lives—the choice to live from fear or love," explained Suraya Keating in her Director's Notes.

The opening act on Oct. 11—Darwin Billingsley's *Father & Son: The Broken Curse*—left no doubt that the audience in the SQ chapel would see the acting troupe bare their souls onstage.

Billingsley portrayed a family's painful journey through the cycles of addiction, trauma, dysfunction and, finally, redemption

and hope. Raiveon Wooden played his son.

"As father and son we come together—to break this curse, forever and ever," chanted Billingsley and Wooden in their final scene, paralleling characters from Shakespeare's *Two Gentlemen from Verona*.

Sam Kouzzah read from his poem, *Prodigal Son*, while Tommy Payne, Kerry Rudd, and Wooden stood in place performing interpretative dance moves as they stared hauntingly out at the spectators.

In *An Angel's Curse*, Jason Griffin revisited the theme of addiction before singing *Nirvana's Come as You Are*.

Garry Grady, in his originally crafted *Good vs. Evil*, examined the human quality of why "it felt so good to be bad."

Rudd read from SQ's No More Tears group agreements before Andrew Wadsworth read an apology letter to his victim, Antonio Young.

High energy and drama ensued next as Philippe Kelly and Wooden riled up the chapel crowd during *Justice*, a play filled with rivalry and vengeance that featured multiple well-choreographed fight scenes.

"Where's Raygeta? Where is he?" Kelly growled as he stalked his way through the aisle ways and pews. He got right into the face of audience members, and they ate it up.

Punches, throw downs, karate kicks to the head—such theatrics kept the crowd fully engaged. Midway through, Kelly even dragged Wooden's limp body entirely out of the chapel in an attempt to dispose of his enemy.

After a grand finale group battle reminiscent of professional wrestling, Kelly and Wooden clutched each other face to face and yelled, "If you smell what Shakespeare is cooking..." a nod to Dwayne "The Rock" Johnson.

Before his play, *Bed Time Story*, Tommy Payne—

with the video help of First Watch's Adamu Chan—produced a short animation film as a complementary preamble to his cautionary tale of wizards, magic and gnomes.

John Ray Ervin, Sr., read his spoken word *Dear Soul* from offstage while Kelly and Wooden returned to stand in somber silence with their backs against one another.

Ervin came to the performance in a wheelchair, refusing to miss his chance to speak his piece about the day he lost his mother, Anamarie. "That day, half of my heart died," he read.

Rudd next performed *Complicated*, a tune he wrote himself. Before starting, he told the audience, "Even though I'm in state prison, I'm gonna have a good time singing it."

Ronell Draper, who most people at SQ know simply as "Rauch," likened his *When Will It Be Enough?* to a public service announcement, rather than a performance.

"This is to showcase what goes on here, so you can understand what you're seeing. The men and women in blue—they're expert therapists," he said. "How many of you are part of my support team? Anyone—please stand up."

Over twenty people, prisoners and outside persons alike, rose to Draper's call. He segued his presentation into equating prison reform to community reform, pointing to Marin Shakespeare's mix of inside and outside participants.

"I'm moved," said Draper to the audience. "You came

here to see us. Imagine that."

Wooden returned again for his short piece, *Love Is Poison*, in which he personified love as a female entity. "Is love poison?" he asked. "It all depends on how you treat her."

"The men and women in blue—they're expert therapists"

The Oct. 11 performance ended on a high note with Belize Villafranco's *Healing Story* and Song. The whole ensemble gathered onstage and spilled into the front pews as Villafranco led them in lively rhythmic dance.

—Joe Garcia



Photo by Javier Jimenez, SQN

Hamilton cast and crew enjoy the SQ Shakespeare atmosphere

Performances spark emotions and raise awareness



Photo by Javier Jimenez, SQN

SQ troupe portray demons and angels in Garry Grady's *Good vs. Evil*

SQ actors draw from life lessons

The Oct. 23 performance of *Marin Shakespeare* at the San Quentin chapel featured another series of original parallel plays—inspired this time by *The Winter's Tale*.

David Gadley started things off by illustrating the inner turmoil caused by overdose and an unavoidable drug test in *Making Better Choices*, before Jason Griffin examined the trauma of childhood abuse in *A Hiding Place*.

"I remember bruised faces, my mother pulling my hair—I remember myself," SQ volunteer Chérie McNaulty said later about the powerful images Griffin's poem evoked

in her as she listened from the audience.

Seeing McNaulty noticeably shaken by his performance, Griffin immediately went to sit by her side in the pews after his reading.

"He was concerned about my emotions, but I told him that's all part of the healing," she said.

Derby Brown and Raiveon Wooden joined forces for *Vital vs. The Gruesome 3*, which dealt with the frustrations that lead to mental crises and suicidal thoughts.

"Hey Mr. Suicide, why would you get those kids to take their own lives?" Brown voiced.

Then Belize Villafranco inspired everyone to get up and move around with his *Healing Song*. Audience members stood, clapped in rhythm and soon formed a conga line, weaving back and

forth from the stage and into the pews.

Kerry Rudd next brought the crowd back to a contemplative mood with his play, *Stay Greedy... or Make Amends?* It told the story of a robbery crew that eventually returns the stolen loot to its owner.

Chris Thomas sang *Remembering How To Breathe* and enlisted Billingsley to pantomime a physical interpretation center stage. Then Billingsley performed his own *Mind Yo Biz 2*, a play about resolving old jealousies.

In his *Freedom of Expression in the Midst of Oppression*, Brown rejoiced through a chorus of "I'm rollin' with Jesus—I'm rollin' with Jesus."

An institutional recall for prisoners in SQ's H-Unit interrupted the show midway at 11:10 am. Performers housed

in those dormitories were required to leave the chapel and report back to the unit.

Despite the unexpected shuffle of performances, Jessie Ayers' *Transitions* hit a home run with its message of prejudice transformed into acceptance. Ayers drew from the observed discomfort some SQ prisoners hold against transwomen prisoners.

"How does a dude one day all of a sudden wake up and decide he's a chick?" said Ayers in character—deriding a group of trans prisoners who simply said "hi" to him.

Suraya Keating and Kate Brickley played speaking roles as part of the trans group. They were joined on stage by SQ's own Adriel Ramirez and Nah.na Reed.

"How do you call yourself a Christian?" Brickley's character responded when Ayers

attempted to cite the Bible as proof against transgenders. "I'm not your bro."

"There's only two rules in my house, honey—if you don't fight it, I won't bite it," Keating's pigtailed trans character chimed in to continue heckling Ayers.

The play shifted scenes to a full year later, when Ayers' character encounters Brickley's at a Christmas banquet. "Don't act like I don't see you all the time on the tier," he tells her, referring to them being housed near each other in the same building.

"You see me... do you know what it means to just hear you say those words?" responds Brickley, starting to cry. "You see me."

They end up shaking hands and wishing each other a Merry Christmas—all to huge rounds of standing applause.

To make up for some of the performers lost to the H-Unit recall, John Ray Ervin, Sr. gave an impromptu reading of original poetry. "This is live theater, y'all," he said.

Richie Morris, who was recently found suitable for parole after 34 years behind bars, had 20 fellow prisoners join him onstage to face the audience.

Each person took the microphone to speak of his convicted offense aloud, along with his sentence and the number of years he'd already served.

"That's 339 years total between us," said Morris. "I want you to wrap your head around that—if you can."

On that note, Morris and Quentin Blue closed the show with their song, *The Last Mile*.

—By Joe Garcia

The healing power of drama therapy

People might think *Marin Shakespeare* at SQ simply provides prisoners the opportunity to display their acting talent—but there's a whole lot more to it.

The program actually bases its core principles around the rehabilitative benefits of drama therapy. Suraya Keating and Marianne S. facilitate the weekly workshops and are both professionally licensed therapists.

"We basically use the tools from theater arts to grow, transform and heal our lives," said Keating. "When we

come together to create a performance, we're giving each other the space to share our authentic selves.

"To be seen and heard openly, we start to reveal our unique strengths, vulnerabilities and wounds."

Each SQ theater cycle consists of first performing a Shakespeare play, and then revisiting some of the same themes through originally written "parallel" pieces. That's where the significant therapeutic work takes place.

"The men get to share their own stories and reach into their own creativity," said Marianne S. "They discover how to express their own truths."

"Then to actually perform this in front of an audience,

they get the chance to directly affect people through their expressions of vulnerability."

Drama therapy graduate students from the California Institute of Integral Studies (CIIS) spend a full cycle working with the SQ troupe. The immersive internship, called a "pre-practicum," provides ample hands-on experience toward their master's.

The last cycle's two grad students, Geno Creese and Daphne Ong, culminated their pre-practicums by performing alongside their incarcerated colleagues Oct. 11.

A professional actor, Ong said she'd reached a point in her career where she felt she needed to reevaluate her future. Drama therapy seemed the natural answer.

"I'd always felt the therapeutic effects of performance art in my own theater experiences," said Ong. "My work at SQ confirmed what I felt. What haven't I learned here?"

"I got to really engage—not just from an academic point of view, but to really see it in action and actively help people."

Creese spent four years in Los Angeles pursuing his dreams of acting, but, just like Ong, he said he knew there was something lacking.

"I didn't just want to be an actor. I wanted to heal and help others heal," said Creese. "I wanted to share my own experience of healing through performance."

"Seeing all the beauty, joy and light within these guys every week, it really renewed



Photo by Javier Jimenez, SQN

Daphne Ong, Geno Creese with John Ray Ervin, Sr.



Photo by Javier Jimenez, SQN

Hamilton cast and crew posing on SQ Plaza

in me the value of community—of a chosen family. It's something I'll carry with me."

Keating first discovered her passion for drama therapy during her own graduate studies in 2005. Like Creese, Ong and many other CIIS students since then, she found a platform to nurture her craft through *Marin Shakespeare*.

"I'm super proud and touched by the courage, the openheartedness and spirit of support amongst our group," said Keating. "For me, or any other facilitator, it's good modeling."

"As we workshop and assume these character roles, it helps us examine what we ourselves struggle with in being human."

Keating splits her *Marin Shakespeare* duties between SQ and also Central Medi-

cal Facility (CMF) at Vacaville—where she said she enjoys working primarily with youths.

After already establishing a career in advertising, theater and film, Marianne S. said she went back to school late in life and reinvented herself.

"I was trying to figure out how I could be more of service, and I saw this beautiful program inside San Quentin," she said. "Working with Suraya, I noticed right away how powerful trust is in this process."

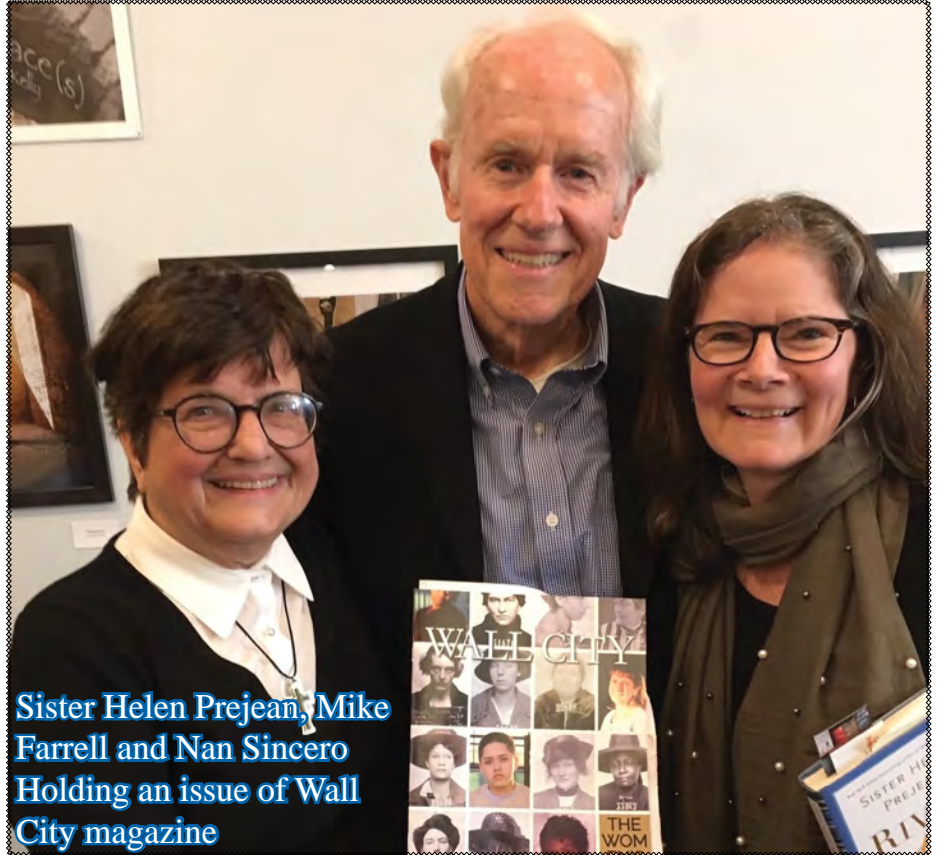
"Men of different races and cultures coming together to put on work done for 400 years. These guys always show up for each other—that's where all the trust comes in."

By Joe Garcia

AROUND THE WORLD



Molly Kittle in Athens, Greece



Sister Helen Prejean, Mike Farrell and Nan Sincero Holding an issue of Wall City magazine



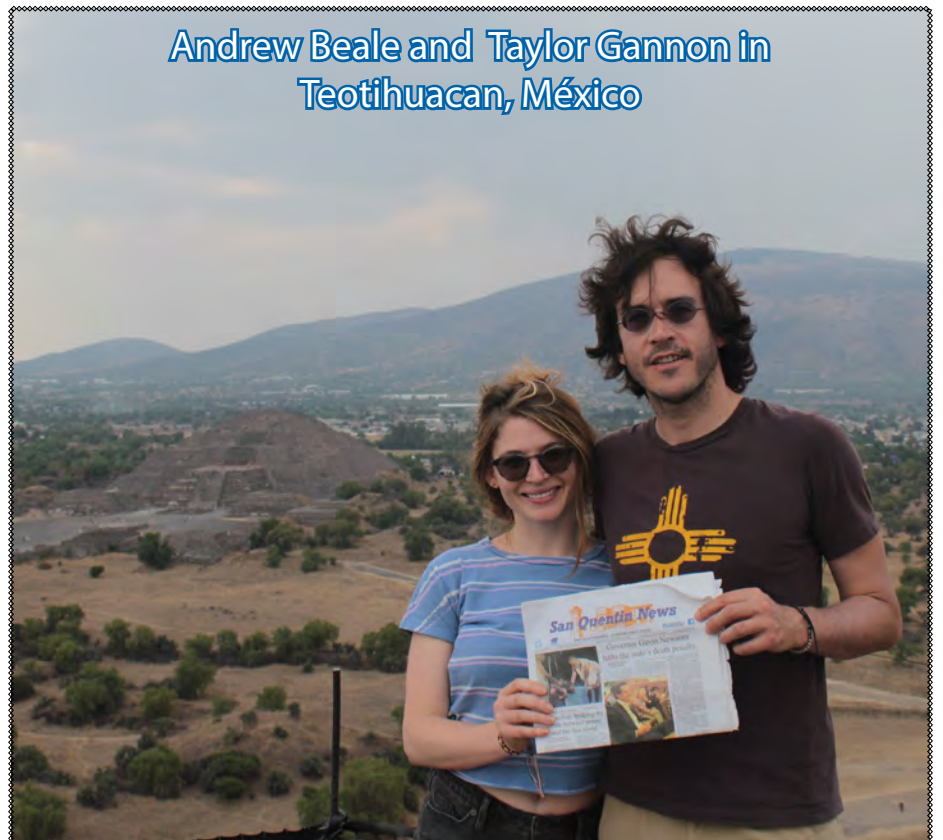
Sam Lewis, Ralph Diaz, Kai and Adnan Khan in Bastoy Prison Island, Norway



Brits Perry Neech and Jessica Spinks in Rafina, Greece



Sue-Jean Sung in Mongolia



Andrew Beale and Taylor Gannon in Teotihuacan, México

Los Bay Outsiders se llevan una apabullante derrota de 7 a 1

Por Carlos Drouaillet
Reportero

Los Earthquakes de San Quentin pusieron una tremenda goliza a los Bay Outsiders en el partido amistoso celebrado el pasado 27 de octubre en la Prisión Estatal de San Quentin.

Desde el inicio del partido, los Earthquakes dominaron el balón y lograron imponerse a su rival a lo largo de los 90 minutos de duración del juego. Los Earthquakes celebraron la victoria con un marcador final de 7-1.

El equipo local comenzó dominando el partido por

medio de Francisco Huizar "Chicali" quien tuvo un par de oportunidades de abrir el marcador temprano. El portero del equipo visitante pidió a sus defensas que controlarían el ataque de los Earthquakes de San Quentin.

A pesar de los fuertes vientos el equipo visitante armó jugadas interesantes,

pero al minuto 13 el mediocampista Taré "Cancún" Beltranchuc le puso un pase a Francisco "Chicali" Huizar, quien al recibirlo, se dio un auto pase burlando al defensa Jordi Ortiz, anotando de zurda el primer gol de la mañana.

Al minuto 15 "Chicali" volvió a burlar la defensiva de Outsiders y anotó el segundo gol de la jornada.

Sintiendo la presión del partido, los Outsiders concedieron un tiro de esquina, el cual cobró el delantero Roland Luna, a los 18 minutos de juego. Luna tiró el balón alto y cerrado en dirección a Juan "Necio" Núñez que de cabeza lo envió a las redes de equipo visitante, para poner el marcador 3-1.

En una jugada sorpresiva, R. Rosenberg de los Outsiders le pasó el balón a G. Pires, que a su vez se lo envió a M. Fisher, quien sin pensarlo mucho, disparó por arriba venciendo al portero Hugo E. López, para poner el marcador 3-1.

Unos minutos después, los Outsiders avanzaron con un tiro a la portería de López, que con un vuelo espectacular desvió el esférico concediendo tiro de esquina.

Todo el equipo de los visitantes subió con la intención de rematar a puerta en el tiro de esquina que Anthony Yoo se preparaba a cobrar.

Yoo envió el tiro elevado hacia el delantero JP Heinrich quien trató fallidamente de anotar un segundo gol.

Aprovechando que el equipo visitante se encontraba muy adelantado, el portero López uso el factor sorpresa, y despejo largo en dirección de Luna que cor-

riendo a gran velocidad se adelantó al balón. El portero de Outsiders estando solo, salió a defender, pero Luna dejó rebotar el balón una vez, lo cabeceó venciendo al adelantado portero anotando el cuarto gol del partido para los locales.

El gol provocó euforia en la porra de San Quentin, que a pesar del aire fuerte continuó apoyando a su equipo.

Durante el intermedio del partido, "Chicali" Huizar dijo, "creo que por el hecho que el equipo está muy unido pude aprovechar las oportunidades por las cuales cayeron los dos goles".

"Me gusta venir aquí, aunque soy la única mujer en el grupo"

Gavin Robinson y Refugio Juárez entrenadores de los Earthquakes de San Quentin hablaron con sus jugadores durante el descanso. Asimismo los entrenadores de los Outsiders Andrew Crawford y Kerry Muller dieron indicaciones de último momento a sus jugadores.

El segundo tiempo comenzó en medio de polvareda y con cambios en los equipos.

A los pocos minutos de iniciado el juego, el delantero Carlos "Venado" Ramírez recibió un pase de "Chicali" y solo lo paró, se lo acomodó y lo incrustó en el marco de los Outsiders poniendo el marcador 5 a 1 a favor de los Earthquakes.

El dominio fue de Earthquakes aunque los Outsiders

no dejaron de insistir buscando sus goles. En cambio a los locales les salió todo bien, pues al minuto 58 de otro pase de "Chicali", el balón le llegó a Rafael Bravo que de media vuelta anotó para el 6 a 1.

Al minuto 67 de nuevo Bravo se llevó la pelota y le dio pase a Luna, quien anotó su segundo gol en el juego poniendo el marcador 7 a 1.

Con la adrenalina todavía elevada, el delantero Kevin Lin hizo dos tiros a la portería de López sin anotar, pues López estuvo en su mejor condición física haciendo atajadas espectaculares; en contraste el portero de los Outsiders no pudo descifrar el ataque de los locales en esta ocasión.

También trataron de meter goles Andrew Crawford, Rohit Ranchandani, y Matt Briceno; pero sus disparos salieron desviados.

Al minuto 90 el árbitro dio el partido por terminado con el marcador favorable para los locales de 7 a 1.

Al terminar el partido los jugadores amigablemente formaron el círculo de despedida, fue cuando el coach y jugador Andrew Crawford dio los anuncios de eventos futuros. También el director técnico Gavin "Jojo" Robinson felicitó a los jugadores locales y visitantes exhortándolos a continuar los programas deportivos en otras prisiones.

La entrenadora Kerry Muller dijo "Me gusta venir aquí, aunque soy la única mujer en el grupo".

Asimismo todos los demás jugadores tomaron la palabra enfatizando en la amistad y alegría que representa esta actividad deportiva. El evento terminó con una oración.

Voluntarios promueven el tenis en San Quentin



Photo by Eddie Herena, SQN

Miembros del equipo de tenis de San Quentin y jugadores voluntarios

Por Pedro Espinal
Reportero

Todos los sábados por la mañana, la cancha de tenis de San Quentin se vigoriza con la presencia de tenistas de ambos sexos que traen y comparten ese deporte con las personas encarceladas,

El tenis se juega en la cancha localizada en el patio principal de recreación y junto con el softball es uno de los deportes que integra mujeres en sus equipos.

Chris Marshall un preso miembro del equipo tenis de San Quentin, dijo que "la presencia femenina en la cancha de tenis lo hace más competitivo".

"Poniendo a un lado el género de sexo, para mí la cosa más importante es que tenistas de afuera vienen a jugar un tenis muy competitivo a esta prisión. Esto demuestra al equipo de jugadores de tenis de San Quentin que ellos son valorizados como seres humanos y no olvidados."

Eddie, otro jugador de tenis voluntario dijo, "en los cinco o seis años que he estado viniendo los jugadores han sido y son muy buenos

y la competencia ha sido una mezcla de juegos ganados y perdidos."

Andrés Gazzini participante de eventos deportivos dijo, "para mí los deportistas voluntarios visitantes nos traen una sensación de libertad, la cual nos contagia."

Sharon es una voluntaria promotora que se esfuerza en invitar a los jugadores interesados afuera.

Sharon empezó a venir a San Quentin en el 2009. Ella dice que su equipo no tiene un nombre. "No jugamos como equipo, más bien el tenis que se juega entre dos personas se les llama individuales. Si juegan cuatro se llama dobles, y cuando juegan un hombre y una mujer de ambos lados de la malla se le llama doble mixto," dijo Sharon.

El tenis individual es mucho más rápido que el que se juega en parejas. Paul quien es apodado "The Wall," dijo "el tenis es un deporte agresivo porque el jugador tiene que estar a la ofensiva y defensiva en cuestión de segundos."

Mandy tiene tres años viniendo a participar en los

juegos de tenis en San Quentin. Ella había estado ausente debido a una operación de hombro que la dejó fuera del juego por un año.

Además de jugar tenis, Mandy es una instructora de fisiculturismo y al preguntarle cómo se siente al venir a jugar a una prisión, respondió, "Cuando vine la primera vez todo se me hacía surreal y me sentí un poco nerviosa pero la gente fue muy amable conmigo y me hicieron sentir cómoda."

Otra de las voluntarias quien tiene un año viniendo a jugar a San Quentin, dijo sentir mucha desconfianza, pero "ahora no siento aprehensión de venir aquí, solo aprehensión de no jugar lo suficientemente bien."

El tenis es un deporte atrayente y competitivo ya que ayuda a mantener el cuerpo en un buen estado físico.

En San Quentin, el tenis es un deporte popular y quienes lo practican esperan que en un futuro más y más deportistas amateur y profesionales visiten las canchas de la prisión y les ayuden a mejorar sus habilidades deportivas.



Photo by Eddie Herena, SQN

Jugadores de SF Outsiders y jugadores de los San Quentin Earthquakes en la Lower Yard

San Francisco sugiere humanizar el lenguaje hacia los presos

Por Juan Espinosa
Diseñador gráfico y
Reportero

La Junta de Supervisores de la Ciudad de San Francisco aprobó recientemente una resolución que pretende humanizar el lenguaje que se utiliza para referirse a las personas que han estado encarceladas y que tienen antecedentes criminales.

La resolución 336-19 reconoce el impacto dañino del lenguaje peyorativo y urge la ciudad a adoptar un lenguaje que anteponga a la persona o al individuo antes que sus antecedentes criminales.

En la justificación de la resolución, los supervisores reconocen que el lenguaje que enfatiza los antecedentes criminales sobre el

individuo 'mina, devalúa y deshumaniza' a las personas, en tanto que palabras como 'prisionero', 'convicto', 'preso', 'delincuente' solo sirven para obstruir y separar gente de la sociedad y hacer que la institucionalización del racismo y la supremacía aparezca como normal.

En este sentido, la resolución propone sustituir el uso de términos como prisionero o preso, por 'personas encarceladas'. Para una persona que salió de prisión y que está en libertad condicional, se propone usar 'una persona que estuvo encarcelada' o 'una persona que está en libertad condicional'.

La resolución propone evitar el uso de términos como 'ofensor', 'traficante de drogas' o 'delincuente juvenil'. En su lugar sugiere usar términos como 'una persona

convicta por un delito grave' 'una persona convicta por traficar drogas', 'un joven con un problema con la justicia'.

La junta de supervisores reconoció que uno de cada cinco californianos tienen antecedentes criminales y el lenguaje es a menudo asociado con estos antecedentes que tienen un efecto negativo en la persona

El debate parece ir más lejos que solamente modificar el lenguaje ya que muchos de los individuos encarcelados opinan que el adjetivo no es importante cuando el sistema judicial sigue enviando personas a la cárcel con sentencias exageradas. Cambiar el lenguaje con que se refieren a ellos no alivia el abuso indiscriminado contra las personas de color.

Otros opinan que es importante porque de esta manera

las personas se pueden sentir más humanos y que es importante que la ciudadanía no se olvide que las personas en prisión todavía tienen una identidad y son seres humanos.

En una encuesta informal a 130 personas encarceladas en San Quentin, las opiniones están divididas: El 45% de los encuestados prefieren ser llamados personas encarceladas mientras que el otro 55% opina que el nombre no les beneficia en nada. "Después de todo es lo que somos, presos", dijo uno de los encuestados quien no quiso ser identificado.

La resolución adoptada por la junta de supervisores enumeró nueve categorías diferentes que serán modificadas, estas son:

1. "Persona formalmente encarcelada", "envuelto con

la justicia", no "criminal" o "ofensor",

2. "Persona en libertad condicional", o "persona bajo supervisión" no "parolee" o "en probación"

3. "Persona encarcelada" no convicto o prisionero.

4. "Persona convicta por drogas", no "traficante de drogas"

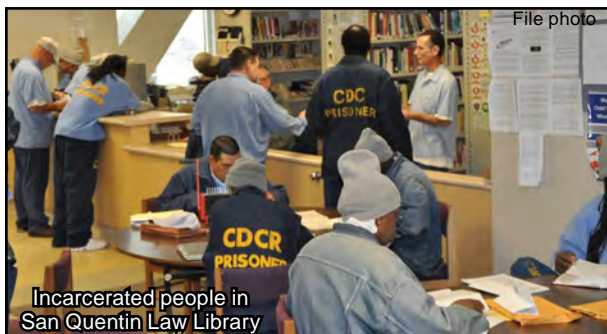
5. "Persona convicta por un delito serio", no "ofensor violento" o "ofensor violento serio"

6. "Persona" o "individuo", no residente que regresa a la comunidad o "extranjero ilegal"

7. "Persona convicta de una ofensa criminal" no "criminal"

8. "Persona joven impactada por el sistema judicial" no "ofensor juvenil" o "delincuente juvenil"

9. "Persona con una historia de uso de sustancias" no "adicto" o "adictos a las drogas".



Incarcerated people in San Quentin Law Library

Nghị Sĩ Bass Dẫn Đầu Sửa Đổi Hiến Pháp

VIETNAMESE

Tác Giả: Harry C. Goodall Jr.

Hội Đoàn Tác Giả Nhà Báo

Tờ báo Los Angeles Sentinel tường thuật là bà nghị sĩ Karen Bass đang dẫn đầu để thành lập một pháp luật mới gọi là chương trình "One-

Stop Reentry", và thay đổi hình luật tư pháp.

"Chúng ta nên có một nơi có thể đưa ra thẻ tùy thân, để đăng ký cho trợ cấp, và liên hệ với dịch vụ y khoa, phương tiện giao thông—một nơi mà người có thể làm lại cuộc đời mau chóng," bà Bass trả lời tại một cuộc họp vào ngày 13 tháng 7 tại Los Angeles về đề tài thay đổi hình luật tư pháp.

Bà Bass thuộc đảng dân chủ của quận Los Angeles, tập trung vào thay đổi hình luật kể từ khi tham gia vào chính trị, theo lời tường thuật của tờ báo Sentinel. Bà ta nói thêm hiện tại bà đang tìm cách sửa đổi luật pháp.

"Rất nhiều chính sách hình luật thật tốt; nó bảo vệ người thân của chúng ta và cộng đồng," bà Bass nói. "Cùng một lúc, rất nhiều luật pháp của

chúng ta không có hiệu nghiệm hoặc là làm hại nhiều hơn làm tốt. Tôi cố gắng hết mình để thay đổi pháp luật này cho nó hợp lý và hiệu quả hơn để được công bằng và bình đẳng."

Thêm vào đó, chúng ta cần đảm bảo rằng những người đã trả nợ cho xã hội xong sẽ tham gia vào một chương trình để làm lại cuộc đời đáng hoàng."

Một trong những người có mặt tại cuộc họp là Susan Burton, người thành lập hội "Tim Một Cuộc Sống Mới (A New Way of Life).

"Tôi rất là cảm ơn bà Bass đã mở ra cuộc họp này, để chúng ta có thể bàn luận về những gì các nữ tù nhân và sự cần thiết của họ khi gia nhập về với xã hội," bà Burton nói với ký giả Jennifer Bihm. "Tôi rất hiểu những gì sẽ xảy ra khi ra tù và không có sự đảm bảo."

Chương trình gia nhập của bà Burton hướng về giúp đỡ các nữ tù nhân khi được về.

"Tôi đi qua 40 tiểu bang và thăm 36 nhà tù. Khi chúng tôi

thảo luận về những việc mà nữ tù nhân cần khi họ được thả về; hoàn toàn, tôi thấy họ đều mong muốn giữ gìn quyền làm phụ huynh," bà Burton nói. "Tôi cũng thấy thêm rất nhiều nữ cựu tù nhân mong muốn tìm được việc làm nhưng họ lo ngại tìm được việc."

Đề tài của việc làm, cư trú và gia nhập là những đề tài được bà Bass nhắc đến.

Thành viên John Harriel của Hội Hòa Nhập thứ hai cho biết, "Tôi không biết tôi là một người thiếu tự tin cho bản thân khi lớn lên. Tôi không biết là mình muốn sống tự do. Và tôi không muốn chính tay mình làm việc đó. Tôi muốn người khác giết tôi. Khi suy nghĩ lại, tôi không có người đàn ông nào diu đất, mang giày và đi làm mỗi ngày. Tôi thấy trước được mình sẽ vào tù khi còn là đứa trẻ bởi vì trong cộng đồng của tôi đi tù là một phần thưởng."

Harriel cũng nói thêm ông ta đã làm lại cuộc đời với sự

giúp đỡ của phần tử trong hội. Ông ta đã thành công tìm được việc làm và hiện tại đã có nhà riêng, và làm người đỡ đầu cho các bạn trẻ theo lời tường thuật của tờ báo.

Một thành viên khác, Stanley Bailey, nói rằng ông ta lúc trước nghiện ngập ma túy và đã ngồi tù 36 năm. Ông nói những tù nhân có tâm trạng bất thường là một vấn đề rất lớn trong tù và họ không nhận được bất cứ sự giúp đỡ nào.

Bà Bass nói thêm, "Tôi tin rằng chúng ta có thể giảm được việc đông dân số trong tù bằng cách hủy bỏ những luật lệ khắt khe cho tiêu án và hãy dành những luật lệ đó cho các nghi phạm với tội án nghiêm trọng và những người đe dọa sự an ninh cho cộng đồng. Chúng ta nên đầu tư vào việc ngăn ngừa tội án và can thiệp vào những hàng xóm và các trẻ em đang gặp nhiều khó khăn."

— Dịch giả-Tú Trần

CÔNG LÝ CHÊNH LỆCH DO THIẾU TÀI CHÁNH

Tác Giả: Anthony Manuel Carvalho

Hội Đoàn Tác Giả Nhà Báo

Ứng cử viên tổng thống Kamala Harris vừa đề trình một đạo luật để giải quyết những lợi thế không công bằng mà công tố viên có trên luật sư công cộng.

Tháng Năm vừa qua, cựu bộ trưởng tư pháp của Cali đã đề xuất một đạo luật "Equal Defense Act" để đảm bảo quyền được bảo vệ trước pháp lý. Đạo luật này sẽ phân phối \$250 triệu tiền trợ cấp của liên bang để khuyến khích mức lương công bằng giữa luật sư công và công tố viên, và giảm bớt số lượng hồ sơ của luật sư công.

Theo dự án cải cách hình luật của ACLU, tối cao pháp viện đã xác định 50 năm trước rằng, "trong hệ thống pháp lý, người bị mang ra tòa mà không có tiền mướn luật sư thì không thể đảm bảo được sự xét xử công bằng trừ trường hợp người đó được cung cấp một luật sư." Hai mươi năm sau lại xác định thêm rằng không phải luật sư nào cũng được, những người đó phải được biện hộ hữu hiệu.

Kanya Bennett và Ezekiel Edwards, cả hai của ACLU, trích dẫn cơ quan luật sư công ở Fresno là một ví dụ rõ ràng về vấn đề hồ sơ chồng chất do thiếu tiền trợ cấp gây ra.

Họ nói rằng theo luật liên bang, số lượng hồ sơ cho luật sư công không quá 400 hồ sơ đại hình và 150 hồ sơ tiểu hình. Hiện tại Fresno đang xử lý ít nhất là 418 đại hình và 1,375 tiểu hình mỗi năm, theo thống kê của ACLU soạn thảo.

Với số lượng hồ sơ đó và 198 ngày tòa làm việc, mỗi luật sư công phải đóng 9 hồ sơ trong 6.5 giờ mỗi ngày.

Tại thành phố Orleans Parish ở tiểu bang Louisiana, ngân quỹ thiếu hụt đã ép buộc luật sư công bỏ những bị cáo nghèo lên danh sách để đợi luật sư khác đại diện.

Hiện tại trong nước đang chỉ tiêu \$250 tỉ cho công lý tội phạm nhưng chỉ phân cấp \$5 tỉ, hoặc 2.5%, để bênh vực bị cáo.

Đạo luật của thượng nghị sĩ Harris chỉ tăng lên 0.125% của tổng số ngân quỹ.

Access to Justice Office, thành lập bởi bộ tư pháp vào năm 2010, là một chương trình nêu lên những vi phạm

của "quyền được luật sư" đã được đảm bảo trong hiến pháp. Phương châm của cơ quan này là "giúp hệ thống công lý đem lại những kết quả công bằng cho mọi người, bất luận sang giàu hay địa vị."

Chương trình này được tài trợ đến 2021, nhưng bị chính quyền của tổng thống Trump đóng cửa.

Pew Research và chính án khu vực New York, Jed Raykoff, ước tính từ 2% đến 8% tù nhân bị kết án sai lầm. Trên toàn nước Mỹ, con số này được ước tính quá 600,000.

ACLU đi đến kết luận này: "Nước Mỹ bỏ tù hơn 2 triệu người. Nếu những người có thu nhập thấp bị dính dáng vào hệ thống pháp lý mà không có sự bênh vực nhiệt tâm, họ sẽ tiếp tục bị bỏ tù nhiều hơn và quyền pháp lý cũng bị tước đoạt. Nếu không có một hệ thống luật sư công hoạt động bình thường, chúng ta không thể giảm bớt con số khổng lồ của những người đang bị giam cầm chờ ra tòa, những kết án sai lầm, hoặc những lạm dụng trong quyền truy tố."

— Dịch giả: Dũng Trần

Cần Sa Trong Tù

Tác Giả: Alfred King
Hội Đoàn Tác Giả Nhà Báo

Sở hữu số lượng nhỏ cần sa trong tù Cali không còn là trọng tội, tòa kháng án của tiểu bang đã phán quyết.

Sự phán quyết của tòa đã dựa vào dự luật 64 (Proposition 64), luật này hợp pháp hóa việc sử dụng cần sa để giải trí trong tiểu bang Cali. "Sở hữu ít hơn 1 oz. trong tù không còn là trọng tội," tòa kháng án 3rd District ở Sacramento đã phán quyết.

Vicky Walters, đại diện cho tù, đã tuyên bố như sau: "Chúng tôi sẽ cân nhắc sự quyết định hướng về sự duy trì sức khỏe và an ninh bên trong các trại giam của chúng tôi."

Tù nhân vẫn bị cấm hút hoặc là tiêu hóa cần sa trong tù, bộ cải huấn của tiểu bang Cali đã nhấn mạnh.

Quyết định của tòa bác bỏ việc kết án 5 tù nhân phạm tội sở hữu cần sa trong tù đưa đến việc họ bị tăng thêm án tù, NPR báo cáo vào tháng 6 ngày 14.

"Nếu anh đang ở tù 2 năm vì tội cướp, nó có vẻ là quá nhiều khi bị cộng thêm 8 năm vì sở hữu ít hơn 1 oz. cần sa," luật sư Dan Olsen đã báo FOX 40 News Sacramento.

Chủ tòa kháng án, thẩm phán Vance W. Raye đã viết 20 trang diễn tả quan điểm của mình. Trong đó có nói rằng văn phòng Attorney

General "Đã đi quá xa" tranh luận rằng việc sở hữu số lượng nhỏ cần sa trong tù là bất hợp pháp, mặc dù sự thay đổi trong luật của tiểu bang Cali. "Sự tranh luận nhằm thắng vào ngôn ngữ đơn giản của luật và lẽ thường."

Văn phòng Attorney General tranh luận trước tòa rằng đạo luật mới là vô lý và sẽ hợp pháp hóa việc sử dụng ma túy trong tù và khuyến khích việc buôn lậu ma túy.

Nhiều người trong cộng đồng pháp luật thù nhận rằng sự phán quyết của tòa đã tạo ra vài sự nhầm lẫn, NPR đã báo cáo.

— Dịch giả-Hiếu Thái

They risk their lives for as little as \$2.90 a day California's prisoners firefighters receive little benefit for their service on the fire lines

More than 3,000 California prisoners help fight the state's wildfires and are paid well below minimum wages.

Prisoners who work on active fires are paid between \$2.90 and \$5.12 a day, and get an additional \$1 an hour during an active emergency, according to *Fortune.com*.

The major incentive prisoners choosing to volunteer to serve their time at one of California's 43 fire camps is the time off their sentence. When legislation was introduced in 2014 to include two—for—one credit to all prisoners in CDCR, it met huge opposition according to a November article by *Fortune.com*.

"The extension of two-for-one credit to all (minimum security facility) prisoners would likely make fire camps even more difficult to fill, as low-level, non-violent inmates would choose to participate in the (Minimum Support Facility) program rather than endure strenuous physical activities and risk injury in the fire camps," said Sen. Kamala Harris (D-Calif.).

The article also stated an affidavit from Vimal Singh, CDCR official, in which he points out extending early release credits would deplete the fire population.

"Prison is a uniquely coercive environment," said

David Fathi, director of the ACLU. "There is very little in prison that is truly voluntary. There is a power differential between prisoners and their captors and employers that creates a significant risk of exploitation and abuse, and we need to be alert to that."

The Conservation Camp Program was established in 1945, and is estimated to save the state of California \$100 million dollars each year, according to *Fortune.com*.

Statistics show that over the past 35 years six prisoner firefighters have died from injuries sustained from fighting a fire. This notion beck-

ons the call as to what price is a prisoner willing to pay for freedom.

"Prisoners should not volunteer to fight dangerous fires, simply because the alternative is being locked in a prison cell," added Fathi.

There were two memos produced regarding prisoner fire fighters pay. In one memo there was a suggestion that the prisoner pay would increase from \$1, which has been the pay rate for the last 40 years, to \$2 an hour. The memo stated that even at this rate it would still save the state over \$24.6 million dollars in lieu of hired firefighters. The memo also cautioned that, "Less inmate fire crews

would result in the reliance of federal, county and private fire crews during periods of high fire activity. These costs per 24 hour shift range from four to eight times higher than the cost of a comparable inmate crew," according to the article.

"Prisoners are largely unprotected by the occupational health and safety laws that protect all other workers from dangerous working conditions," said Fathi. "They're not covered by OSHA, They can't unionize for safer working conditions. When you put all those together it makes a prisoner a uniquely vulnerable workforce compared to everyone else who fights fires or does any other work in this society."

Prisoners when released are unable to put their skills to use. Most firefighting jobs require employees to obtain an Emergency Medical Technician or paramedic license. In California most convicted felons can't obtain this type of license until they have been free from custody for 10 years, according to the article.

When you couple the very high risk a prisoner assumes it has created a decline in the amount of prisoners willing to go to fire camp. A memo obtained by Earther from CALFire and California Department of Corrections

states that, "prisoners working in camps have declined by at least 1,000 people over the past 12 years," the article stated.

CDCR has recently partnered a \$26.6 million dollar firefighter certification and training program in Ventura County. The program will create an 18-month program which provides advance training to former prisoners. The program can enroll 80 parolees but doesn't give EMT licenses upon graduation. CAL FIRE has offered positions to two of the recent graduates.

Reyes introduced a bill in the legislature that would allow former prisoners to join the California Firefighter Joint Venture Apprenticeship program.

"Reyes believes that a criminal conviction should not be a life sentence, but rather that folks that have made a mistake, and demonstrated commitment and efforts to rehabilitation should have the same opportunities as everyone else," said an official working for California Assemblywoman Eloise Reyes.

California Professional Firefighters, a union of more than 30,000 members, has fought against this plan, according to the article.

—By Harry C. Goodall Jr.



Photo by CDCR

Innocent man freed after 43 years in prison

Botched lineups and erroneous forensic evidence played major part in wrongful conviction

By Leonard F. Brown
Journalism Guild Writer

An 81-year-old man once sentenced to death has been freed after 43 years in prison for a crime he did not commit, the *Death Penalty Information Center* reported.

Charles Ray Finch, was released from Greene

Correctional Institution in Maura, North Carolina on May 23, 2019. The release was ordered by federal District Court Judge Terrence Boyle five months after a unanimous decision of the U.S. Court of Appeals for the 4th Circuit found Finch "actually innocent" of murder.

"I knew the miracle was going to happen," Katherine Jones-Bailey said. Speaking about her father's release. "I just didn't know when."

Bailey was 2 years old when her father was convicted of murdering a grocery store clerk during an attempted robbery and sentenced to death in 1976, under North

Carolina's then mandatory death sentence statute, the news release noted.

The North Carolina Supreme Court vacated Finch's death sentence and sentenced him to life in prison in 1977.

In Finch's initial trial, a state forensic witness testified that the victim died from two shotgun wounds, and a shotgun shell was found in Finch's car. A store employee told police that the killer fled the scene wearing a three-quarter length jacket. Finch

was later identified in three different lineups.

In 2013 the state's Chief Medical Examiner testified that the victim had been killed by a pistol, not a shotgun.

Finch's defense team discovered photos that showed Finch was the only person in the three lineups wearing a coat, disputing Chief Deputy Tony Owens' claim that he had put the jacket on another man in the line-up, the story noted.

"That's one of the highlights at the evidentiary hearing," said Jim Coleman, Finch's long-time lawyer and the director of the Duke Wrongful Convictions Clinic. "We were able to expose that Owens had lied about the lineup and he had dressed Ray in a coat and he was the only one wearing a coat in the lineup,"

"We feel an enormous sense of vindication," Coleman said "We have students who work their hearts out on these cases."

Arizona prisoners racking up debt for needed medical procedures

By Salvador Solorio
Journalism Guild Writer

Former prisoners of Arizona are being charged for medical procedures that should have been paid for by the state. Ashley Wilkeyson broke her ankle during a softball game at Perryville Women's Prison while serving her sentence at Goodyear, Ariz. While still imprisoned, Wilkeyson received a bill for \$2907.

Arizona requires prisoners to pay a \$4 copay for the first medical visit, and all further services are contracted and paid for by Corizon Health. Arizona pays Corizon about \$200 million to provide health care services, according to Prison Law Office attorney Rita Lomio during an interview with *National Public Radio* (NPR).

Lomio represents health care issues of men and women in Arizona prisons in class-action lawsuits.

Keith Jones, a representative for a hospital that contracts with Corizon, said the

bills prisoners receive are coming from individual doctors, not the hospital. Jones deflected hospital responsibility by explaining to the *NPR* reporter that Corizon contracts with the hospitals. The hospitals contract with doctors, and doctors contract with billing services.

That makes it difficult to find out exactly where the process is breaking down for Arizona prisoners.

This breakdown has consequences for people trying to rebuild their lives after release. According to Lomio, "Undeserved bad credit due to a state contractor's failure to pay its bills only makes it harder to find housing and gain full employment and to support a family."

Lomio has accumulated more than \$50,000 of inmate medical bills. She has sent multiple letters to Corizon attorneys and has had little success getting bills resolved.

A spokesperson for Corizon told *NPR News* that when the company is noti-

fied of unpaid medical services it resolves them immediately.

"I feel like I'm just banging my head against a brick wall at this point"

Yet Wilkeyson was released from prison a year ago and is still fighting medical bills from her time in prison.

"I feel like I'm just banging my head against a brick wall at this point," she told *NPR* reporter Jimmy Jenkins.

Although she has reached out to person after person within the maze who allegedly could solve her problem, she's gotten nowhere.

"I keep getting the run-around," she said.

"And the collection notices keep coming," noted *NPR's* Jenkins.

Social media depicting prison experiences gaining popularity

The prison experience meets social media. The popularity of *YouTube* prison channels that show viewers a slice of life behind prison walls has exploded. Former inmates, grappling with anxiety and family problems after release, have taken to popular social media networks to share their experiences behind bars, reported *The Washington Post*.

The *YouTube* videos—part horror story, part prison survival guide—teach viewers how to use the bathroom, bathe, defend against sexual assault, negotiate with gang members, make prison-style pizza, and even how to survive a prison riot.

According to the article, the top four prison-themed *YouTube* channels combined have over 2.1 million subscribers and 342 million page views.

"Though the United States is home to thousands of prisons, those facilities, and the stories inside them, remained off-limits to outsiders till the onset of the internet and social media," said Dawn K. Cecil, an associate professor of criminology at the University of Florida.

Increased public interest in prison-themed media coincides with public pushes for criminal justice reform, Cecil said.

YouTube is not the only platform seeing a surge in prison-themed programming.

Netflix recently premiered a six-part documentary about the violent world of Sacramento's County Jail for women, titled "Jailbirds."

San Quentin State Prison inmates produce the award-winning podcast, *Ear Hustle*, which provides an unfiltered glimpse into the harsh realities of prison life, the *Post* reported.

"Though the United States is home to thousands of prisons, those facilities, and the stories inside them, remained off-limits to outsiders"

According to the Prison Policy Initiative, 698 out of every 100,000 Americans live behind bars.

"Everyone in America right now has a family member or a friend or knows someone in prison," said Shaun Attwood, a former drug dealer. Attwood's *YouTube* channel about the brutality of prison life has 175,000 subscribers.

Long-time prisoner Joe Guerrero said his life lacked real direction. He suffered from anxiety and felt his family was falling apart when he began to upload videos about his life on *YouTube*.

At first, no one noticed. Then he uploaded a video on how to make a prison tat-

too gun. The clip went viral and now, 700 videos later, his *YouTube* channel, "After Prison Show," has 1.2 million subscribers. Making the videos is a full-time job, but advertising revenue from the videos provides Guerrero a six-figure salary.

Marcus "Big Herc" Timmons is another *YouTube* star. At 24, the Los Angeles native had drifted through life—until he and two other men decided to rob a bank near Calabasas, Calif.

The robbery netted the trio \$94,000, but they were spotted leaving the robbery in a bright red Lincoln Navigator. They led the police on a high-speed chase up U.S. Highway 101, pursued by police helicopters. They were finally brought to a stop with a spike strip. Timmons spent nearly nine years in federal prison. Now, he shares stories from his time behind bars with his *YouTube* fans.

"Every college in America should have a class that features 'Big Herc,'" said Kevin Boyle, a retired army colonel and former advocate judge, who teaches at American University's School of Public Affairs. "You can go on a prison tour, but to have somebody who is really authentic talk freely about that world is a totally different experience."

College professors like Boyle show the videos in criminal justice and law enforcement classes across the nation.

—By Alfred King

Is "civil death" still warranted in a civilized society?

By Alfred King
Journalism Guild Writer

Rhode Island considers anyone sentenced to life in prison to be "civilly dead," meaning they have no civil rights.

The law dates back some 100 years and stems from ancient English common law. New York has a similar law but does not enforce it, *Mother Jones* reported July 30.

"The Civil Death Act in treating plaintiffs as if they were dead and denying them basic civil, statutory, and common law rights and access to the courts"

Prisoners declared civilly dead cannot sue or raise complaints about abuse or mistreatment suffered while in prison in state court.

Property rights are forfeited as well as rights over their own children. In the eyes of the law they are "deemed to be dead in all respects, as if (their) natural death had taken place at the time of conviction," noted the article.

The article cites the case of Dana Gallop, a Boston gang member accused of murder awaiting trial in a Rhode

Island prison when he was attacked by another inmate with a razor in 2010.

The attack left him with scars across his face, and he attempted to sue, alleging that the correctional staff knew of the planned attack and did nothing to stop it.

The state Supreme Court ruled against him in 2018, saying he was legally dead and could not sue anyone.

Currently there are between 220-240 prisoners in Rhode Island serving life sentences.

In 2007 state legislators passed a bill in the attempt to change the "civil death" legal status. Then Gov. Donald Carcieri vetoed it, writing, "Persons who are sentenced to the remainder of their natural lives in prison are there because they have been found by a jury of their peers to have committed the most serious possible crimes against society, in many cases offenses that have stripped another human being of his or her life."

Other repeal bills have been introduced since 2014, including this year; none have passed.

Attorney Sonja Deyoe represented Cody-Allen Zab and Joshua Davis in lawsuits joined by the ACLU of Rhode Island. Zab, a lifer, was burned in prison when he rubbed up against exposed steam pipes near the phones. Davis was given an insulin injection that was contaminated with blood from other prisoners. Neither prisoner was allowed to sue in state court.

"The state could choose not to feed these individu-

als, deny them medical care, torture them, or do anything short of execute them" and they would "have absolutely no redress available to them from the state court." Deyoe wrote in a lawsuit in June on behalf of Zab.

Lawyers for the state Department of Corrections in response to the Zab suit wrote: "It is not irrational for the legislature to determine that a criminal who set fire to the home of a 95-year-old man and killed him should not be permitted to collect monetary damages from the state for touching a hot pipe."

UC Davis law professor Gabriel Chin wrote in the 2012 issue of the *University Pennsylvania Law Review*, "The court cannot fail to note that the concept of civil death has been condemned by virtually every court and commentator to study it over the last 30 years." A *Harvard Law Review* in 1937 argued it was problematic to treat someone as dead when they would one day be eligible for parole, as many lifers are, and leave prison.

Deyoe, in her lawsuit, alleges the statute violates the 1st, 5th, 7th and 14th Amendments to the U.S. Constitution.

"The Civil Death Act in treating plaintiffs as if they were dead and denying them basic civil, statutory, and common law rights and access to the courts, imposes an excessive and outmoded punishment contrary to evolving standards of decency," Deyoe said.

Americans see drop in violent crimes

By Kerry Rudd
Journalism Guild Writer

The violent crime rate in the U.S. fell 3.9 percent in 2018, according to data released by the FBI. Last year's decline is a continuation of the trend seen across the country since the high-violence era of the early '90s.

"The FBI tracks four categories as violent crimes: murder, rape, robbery and assault. Since 2016, the rates for all of those offenses have decreased, except rape," according to a Sept. 30 story by the *Marshall Project*.

Property crimes like burglary, larceny and vehicle theft also saw decreases.

The statistics are recorded by police departments across the country and compiled annually by the FBI.

The violence in the U.S. spiked in 2015 and 2016.

The increases for those years were mostly due to

an uptick in big city homicides. The violent crime rate increased by 3.3 percent in 2015 and 3.5 percent in 2016 before it dropped.

"Anytime you talk about some metric of crime increasing, there will be politicians who jump from there to 'crime wave,' and it's just not true"

"That's a really good sign that the long term trend towards greater safety is not in fact reversed, and that we're moving past whatever hap-

pened in 2015 and 2016," said Senior Counsel Ames Grawert, of New York University's Brennan Center for Justice. "It's a reminder that two years isn't a trend, and two years doesn't break a trend."

There were some in opposition of criminal justice reform who painted the two year increase as a "new cresting crime wave," according to the *Marshall Project*.

In early 2017 former Attorney General Jeff Sessions said his "best judgment" was that the data signified a "dangerous permanent trend."

"Anytime you talk about some metric of crime increasing, there will be politicians who jump from there to 'crime wave,' and it's just not true," Grawert stated. He added that we have to be able to think two things at the same time: "There's a problem worth confronting but also that crime remains relatively low, and it's not cause for panic."

Snippets

Gandhi believed in the virtues of a *Sativa* diet which consists of foods that are free of chemicals pesticides and artificial coloring.

Rubikcubism is an avant-garde artistic movement in which Rubik's cubes are used as a medium to create art.

In the Inca Empire, knotted cords called *quipu* were used to retain records.

Not only was Suleiman the longest reigning Sultan in the Ottoman Empire, but he was also a distinguished poet and goldsmith.

Catherine de Medici was a believer of astrology and her astrologer Luc Gauvic also predicted the king's death in a joust.

Honey was used as a salve because of its antibiotic properties and high sugar content. It was said to heal dead tissues and ulcer.

CROSSWORD PUZZLE

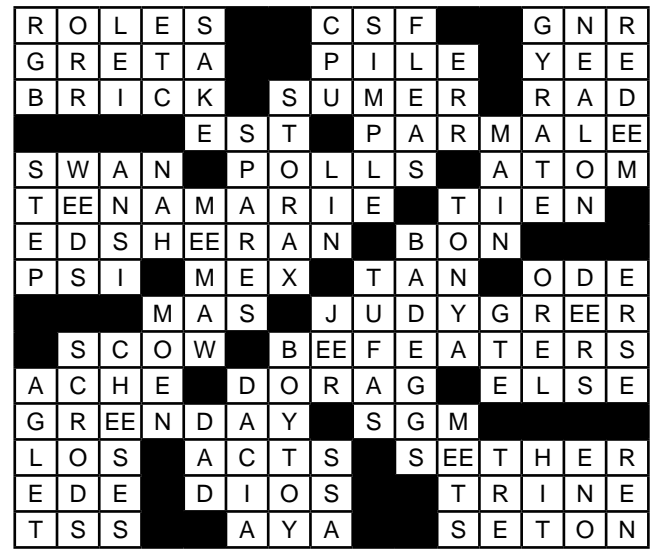
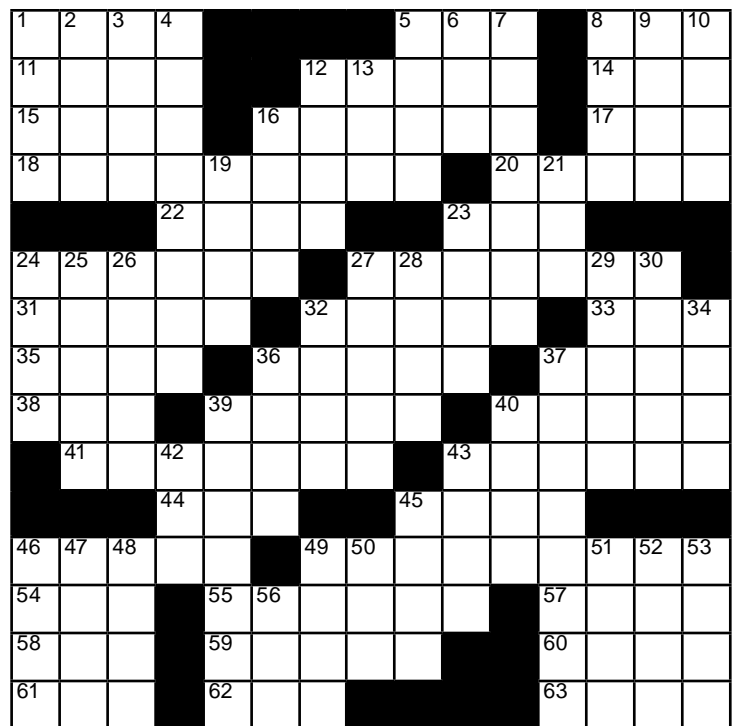
By Jonathan Chiu / Edited by Jan Perry

Across

- Name (Indian)
- Military rank (Abbr.)
- Oil brand
- _____ Betty
- Kitchen utensil
- Ink
- Grinding (Abbr.)
- Horse with _____
- Long fishes
- Translucent
- First course
- Debts (Abbr.)
- Chemo accessory
- TV direction
- Meat lockers
- Be _____
- Sliver
- Okay!
- Drawer
- Welcomes
- Iron Chef Kat
- Cash puller
- Annoyed
- Precedes man, courage, or auction
- People way past their primes
- Martini with an olive
- Help
- Alright
- Fake blood pack
- DC comic book character who has no superpowers
- Travel abbrev.
- Models
- Wine description
- Tyler of *Ad Astra*
- Pledges
- Gemstone
- Music collection (Abbr.)
- Brine
- Diggs of *All American*

Down

- Whacky
- Match
- Settled
- Fabled
- Star of *The Red Line*
- Internet suffix
- _____ fits all
- Toughen
- Rhythmic clapping
- War after-effect
- Precedes chef
- Graphic document suffix
- Class of words
- Din
- Stage
- Perdita of *Magnum P.I.*
- Large New Zealand tree
- Singer Piaf
- Blair of *Cruel Intentions*
- Groups
- Value
- Indian peasant farmers
- Flesh (Gr.)
- Drescher of *The Nanny*
- Kathryn of *Mrs. Fletcher*
- What Ebenezer Scrooge personified
- Mathematical term
- Members of SE Nigeria
- Myers of *Starship Troopers*
- Martial arts dagger
- Cheats
- Touches
- Dump
- Ear cleaner
- Military drones (Abbr.)
- Japanese clog
- Cheerleader's shout
- _____ Nui
- Right
- See 5 Down
- Actor Daniel ___ Kim



Sudoku Corner

			7				2	4
	7		5					
6		2				3		7
8			2		7		3	
3				9				1
	2		3		5			8
4		3				5		2
					2		1	
2	5				9			

				2		6	4	
				3	9		1	7
7								
	9	6	4	1		3		
4	8						9	6
		7		9	6	4	2	
								1
6	4		1	8				
	3	1		6				

Last Issue's Sudoku Solutions

1	8	6	4	5	2	9	7	3
7	2	5	9	6	3	1	8	4
3	9	4	8	1	7	5	6	2
2	4	9	3	7	8	6	1	5
8	6	3	1	2	5	4	9	7
5	7	1	6	9	4	2	3	8
4	1	7	2	3	6	8	5	9
6	3	2	5	8	9	7	4	1
9	5	8	7	4	1	3	2	6

1	8	6	4	5	2	9	7	3
7	2	5	9	6	3	1	8	4
3	9	4	8	1	7	5	6	2
2	4	9	3	7	8	6	1	5
8	6	3	1	2	5	4	9	7
5	7	1	6	9	4	2	3	8
4	1	7	2	3	6	8	5	9
6	3	2	5	8	9	7	4	1
9	5	8	7	4	1	3	2	6

Last month's Brain Teasers answers

What do they have in common?

- They are all types of fish.
- They all have dolls.
- They all have pockets.
- They are all presidential pets.
- They all have tails.
- They are all dancers.
- They all have crowns.
- They all have pins.
- They are all types of fish.
- They all contain ink.
- They are all slang terms form money.
- They are all famous Olivers.
- They are all maide names of First Ladies.
- They are all cars made by Chevrolet.
- They all use brushes.

Presidential Nicknames

- Bill Clinton
- George W. Bush
- Ronald Reagan
- Harry Truman
- Abraham Lincoln
- Dwight Eisenhower
- Calvin Coolidge
- Barack Obama
- Richard Nixon

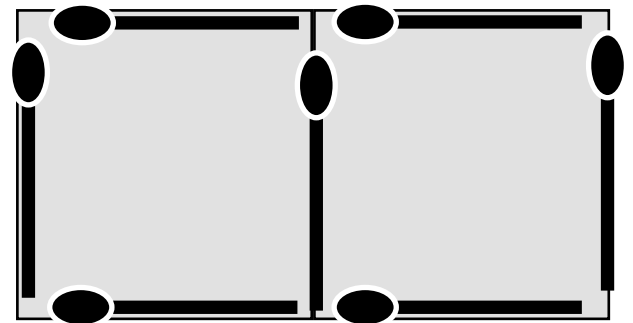
Wacky Wordies

- The bottom line.
- Big spender.
- See eye to eye.
- Up in arms.
- Drive on the left side of the road.
- In between jobs.
- Informantion overload.

BRAIN TEASERS

EXTRA SQUARE

Move four matchsticks to form three squares.



Latin Squares

Complete the grid so that every row and column, and every outlined area, contains the letters A, B, C, D, E, AND F.

B					D
			C		
					E
					F
					A

A man decides to quit smoking after finishing the twenty seven cigarretes he had left. Since it was the man's habit to smoke only two-thirds of a cigarette at a time, he ralizes that he could reroll his butts into new cigarettes. If he smoked only once each day , how many days went by before he finally quit his bad habit?

If you would like to submit a photograph to be placed in SQ News just because, please send it with name(s) and a brief message to go with your photo. Please understand, we will not be able to return your photo so send a copy and address the letter to:

San Quentin News, 1 Main Street, San Quentin, CA 94964

Flying Kites depicts the harsh realities of isolation in prison

A blending of visual manipulation with a literary representation of solitary confinement

BOOK REVIEW

By **Juan Haines**
Senior Editor

Students of the Stanford Graphic Novel Project produced a compelling and well-researched portrayal of the living conditions at Pelican Bay State Prison before 2013, in an effort to show what it's like to live in isolation.

At first glance, *Flying Kites* a Story of the 2013 California Prison Hunger Strike (2019) is about Security Housing Units (SHU) at Pelican Bay. But it is also about so much more. Layered into the plot is a father, Rodrigo, doing everything he can to reconnect with his daughter, Luz. It is through her story that we understand how painful confinement is, both solitary and otherwise.

"Writing letters is the only way I can break up the monotony and loneliness of the day," Rodrigo writes to Luz. Without telling Luz that he plagiarized Jack Henry Abbott's memoir, *The Belly of the Beast*, he adds, "Solitary confinement in prison can alter the ontological makeup of a stone."

Through letters, Luz's feelings for her father deepen. She is disturbed when he writes descriptions of his living conditions. It is difficult for her but she works at integrating her daily life with the nine-hour drive between Oakland and Pelican Bay to visit her father.

The tragedy of Rodrigo's relationship with his daughter derives from his eagerness to communicate—he couldn't find the right words to express the psychological impact that

long-term isolation had on him. When Luz discovers the truth, that her father's words weren't his own, their relationship becomes strained.

In the graphic novel, the students used eight frames on a single page to show Rodrigo living in a cell. The subsequent frames get repetitively and increasingly smaller and crowded until, three pages later, more than 200 frames on a single page show Rodrigo living in his cell. Readers/viewers get a stark feel of Rodrigo's lonely life.

"I spent 12 to 15 hours a day pacing. The rhythm of my feet on the concrete floor was the only thing that calmed me," says Rodrigo as he comes to terms with the fact that he'll be in Pelican Bay indefinitely. He adds, "Ten years later...I appear to have settled down. Yet the

scream inside me has never stopped."

Flying Kites has twists and turns—nothing is smooth and not all the problems of incarceration are solved. The Stanford students went to great lengths to make the story as authentic as possible. They used virtual reality technology to get their own taste of life in solitary confinement. They also read letters from prisoners who were currently in solitary confinement or who had been previously.

There are lessons in *Flying Kites* universal to any reader, such as the power of family connections, accountability, the importance of believing in yourself and finding an authentic voice.

Eleven students, two teaching assistants and three instructors, collaborated on this storytelling project. It's the

brainchild of award winning author Adam Johnson who visited one of San Quentin's creative writing programs last August.

Although the hunger strikes did lead to the end of indefinite SHU terms and greater access to rehabilitative programs for prisoners, isolation in other ways still exists in prisons.

Flying Kites offers readers vivid pictures as well as a poignant understanding of the overall living conditions for incarcerated people.

Appendix C: Interview with Charles Carbone offers extended commentary about what happened to many prisoners after the hunger strike ended. He concludes that systemic problems still exist: one that he cites is the unfairness of punishing prisoners for their association

with so-called troublemakers even if the evidence for those associations is not established.

The United Nations has determined that keeping a person in solitary confinement more than 14 days amounts to torture.



Inaccuracy of court records deprives people of constitutional rights

By **Michael Jace**
Journalism Guild Writer

Many African Americans' court testimony is inaccurately transcribed, according to a recent *Criminal Legal News* story.

A recent study published in the Linguistic Society of America journal, *Language*, found that court reporters frequently misunderstand and misquote speakers of African American English (AAE) during court proceedings, an issue that leads to widespread deprivation of constitutional rights.

"Once something is in the court record via the transcript, it legally becomes what was said, even if it is inaccurate, which brings up

the question of due process and equal protection under the law if some people are less likely to be accurately transcribed than others," said study co-author Jessica Kalbfeld.

Court reporters must prove in a proficiency test at least 95 percent accuracy in Standard American English, including specific legal and medical terminology. The participants in the study didn't do nearly as well with AAE, sometimes referred to as "broken" English.

The best performed at 91.2 percent, the worst at 58.4 percent, with an average of 82.9 percent. But word accuracy is only the beginning. According to the study, court reporters altered the who, what, when, where and force of AAE speakers' words in

31 percent of transcriptions gathered for the study.

The phrase "he don't be in that neighborhood," which should be translated as "he isn't usually in that neighborhood," became "we are going to be in this neighborhood" in the transcription.

"The injustice involved in court reporting is intolerable and an insult to the legal notion of all citizens' receiving equal treatment under the law," said Professor Arthur Spears, a linguist not involved in the study.

The authors of the study suggested that a possible reason for the lack of accuracy in AAE transcriptions is a workplace culture where court reporters often are admonished for asking to have a phrase repeated or clarified.

One court reporter told the study's authors that they frequently do not understand the dialect they are asked to transcribe and that they frame it as a deficiency on the part of the speaker.

The authors proposed that all court reporters should be certified not just on 'standard' English, but on other dialects as well, in particular those they are most likely to encounter.

When court reporters are unable to accurately record spoken phrases because of linguistic variations, they are simply "incapable of performing their basic job duties."

"This is the result of a long historical process that will take enormous effort and goodwill to undo," the study's authors said.



NEWS BRIEFS

Raleigh, North Carolina — The ACLU Statewide Campaign for Smart Justice is moving to end putting incarcerated pregnant women in solitary confinement—some before convicted of any crimes, reports *WNCN CBS17.com*. Records that show in 2018, there were a total of 256 pregnant women behind bars at the North Carolina Correctional Institute for Women in Raleigh.

Alabama — Gov. Kay Ivey signed into law a measure requiring anyone convicted of sex crimes with children younger than 13 to be chemically castrated as a condition of parole, *NBC affiliate KUAM* reports.

New York — New legislation has been introduced to give people still serving time inside the state's prison system the right to vote in all elections, *CBS New York* reports. Only two states, Maine and Vermont, allow prisoners to vote. New York is one of over 20 states that restores voting rights only after the completion of a prison sentence.

USA — The Office for Victims of Crime has released awards totaling more than \$2.3 billion to state victim assistance and compensation programs, funding thousands of local victim assistance pro-

grams across the country and providing millions in compensation to victims of crime.

Florida — *Sunshine State News* reports ongoing problems in the state's prison system. Lawmakers heard statistics showing high rates of violence, contraband being smuggled into state prisons, and high turnover rates among correctional officers.

Olympia, Washington — After a nonviolent food strike by prisoners at Clallam Bay Corrections Center, prison officials transferred three dozen of the men to other facilities, *The Seattle Times* reports. Five of the men who were transferred are suing, claiming that after transfer to the prison in Walla Walla, they and 10 others were put in solitary confinement for no reason.

Tallahassee, Florida — *Courthouse News Service* reports that state officials cannot deny the right to vote to people convicted of a felony because he or she cannot pay restitution or fines, a federal judge ruled. The ruling, however, only applies to the 17 plaintiffs in the case and suggests the state set up a process for people convicted of a felony to prove their inability to pay.

Santa Fe County, New Mexico — Two inmates are accusing the New Mexico Department of Corrections of negligence and violations of

their constitutional rights in a lawsuit, alleging they were subjected to unsanitary and degrading strip searches at a state prison south of Roswell, reports *CorrectionsOne.com*.

New York — Courthouse News Service reports a continuing clash between state lawmakers over the use of solitary confinement. A new bill that sets limits on the use of solitary confinement has wide support in the Democratic-led Legislature but was never brought to the floor for a vote because Gov. Andrew Cuomo had indicated he would veto it, citing retrofitting costs of \$1 billion.

Oklahoma — (*KFOR*) After a historic vote by the state parole board, 527 incarcerated men and women were recommended for commutation of their sentence. Scheduled for release are 469 prisoners, which would be the largest single-day commutation in U.S. history.

Washington, DC — U.S. Senators Gary Peters (D-MI), Lindsey Graham (R-SC) and John Cornyn (R-TX) announced the reintroduction of the National Criminal Justice Commission Act, bipartisan legislation that would task a National Criminal Justice Commission to assess the entire system and propose reforms to address the most pressing issues facing the nation's criminal justice system.

SB 136 goes into effect on Jan. 1, 2020

By **Ashley Chambers**
Ella Baker Center for Human Rights

On Oct. 8, the Repeal Ineffective Sentence Enhancements (RISE) Coalition celebrated Gov. Gavin Newsom's signature on SB 136: The RISE Act. The legislation, authored by Sen. Scott Wiener (D-San Francisco), dismantles a sentence enhancement that adds an extra year to an individual's base sentence for each prior prison or felony jail term they already served.

"Our coalition has been doing work to reduce the state's budget on Corrections for the last 15 years. Draconian sentencing policies, like enhancements for prior convictions, have been key in filling the 33 prisons we have in California, wasting resources and tearing families apart," said Amber-Rose Howard, Statewide Coordinator at Californians United for a Responsible Budget.

Consistent with disparities at every other stage of the criminal legal system, individuals, communities and families of color are disproportionately burdened by the one-year enhancement, proponents of SB 136 state.

"This is about moving toward more justice for incarcerated people and their families and righting the wrongs from California's draconian

sentencing laws that disproportionately impact Black and Brown communities," said Emily Harris, Policy Manager of the Ella Baker Center for Human Rights. "We know that this one-year sentence enhancement does not make our communities safer or deter crime, but tears families apart. Reining in this enhancement will help ease the emotional and economic toll that this has taken on incarcerated Californians and their loved ones."

According to the California Department of Corrections and Rehabilitation (CDCR), there were more than 15,000 counts of the one-year sentence enhancement added to incarcerated individuals' base sentences as of December 2018. This is a conservative estimate, as the CDCR's assessment does not consider felony jail terms served at local county jails. California currently spends more than \$80,000 each year to imprison an individual.

"Every year a parent spends incarcerated causes significant trauma to their child. Children with incarcerated parents are more likely to experience depression, anxiety, poor academic performance, school absenteeism/drop out, poverty, homelessness and physical health problems. We are proud to have the support of Governor Newsom on SB 136, it's divestment from

punishment," said Romarilyn Ralston, Policy Director with the California Coalition for Women Prisoners.

"The majority of incarcerated women have children under the age of 18. Every year a mother spends away from a child has layers of collateral consequences. I am proud to be part of this historic effort and know our incarcerated mothers will be returned to their children sooner rather than later, said Ralston."

The one-year enhancement addressed by SB 136 is but one among a myriad of enhancements available under California law. The new law will not alter an individual's base sentence for their current felony charge or change any of the longer enhancements designed to further punish people.

SB 136 goes into effect on Jan. 1, 2020.

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SB 136 is sponsored by the RISE Coalition, which is comprised of the ACLU of California, California Coalition for Women Prisoners, Californians United for a Responsible Budget, the Coalition for Humane Immigrant Rights, the Drug Policy Alliance, the Ella Baker Center for Human Rights, the Friends Committee on Legislation of California, Legal Services for Prisoners with Children, Pillars of the Community, and Tides Advocacy.

San Quentin's Prison University Project one step closer to full accreditation

Accrediting organization audits PUP classes to assess the university's effectiveness

**By Joe Garcia
Journalism Guild
Chairperson**

Representatives from the Association of Community Colleges and Junior Colleges (ACCJC) spent four days in October visiting and evaluating San Quentin's Prison University Project (PUP).

PUP applied for independent college accreditation in August, and the ACCJC team came to scrutinize whether or not PUP actually fulfills the principles and procedures detailed in its application and institutional self-evaluation report (ISER).

"I don't want to be called the accreditation police," said the ACCJC committee's Team Chair, Dr. Keith Curry, President of Compton College.

"I'm here to make organizations be successful. There are standards we have to review. We are validating questions of governance."

Comprised of faculty from accredited colleges throughout California, the visiting Peer Review Team will process everything they learned and observed in order to generate a 40-60 page report, due within 30 days, for ACCJC consideration.

Curry welcomed students' input, questions and thoughts during two open forums in the SQ chapel on Oct. 21.

In the first forum's hour and a half, more than 20 in-

carcerated students spoke up about their PUP experience.

"My journey to education was a hard one. I wouldn't let anything get in," said Richard D. Lathan, pausing with tears in his eyes to regain his composure.

"It took me 17 times to pass my GED," he continued. "For the longest time, I saw education as only consisting of books. But when I came to PUP, I felt the humanization."

"PUP humanized everything that you see, and today I'm a better person. It's a new world, I know—but I can make it."

Curry expressed his appreciation for all the students' avid responses.

"We've done lots of these forums at schools throughout the state," he explained. "This is the first time people raised their hands and were ready to talk to us right from the start."

Curry also asked the students to speak briefly about a favorite paper they'd written during a PUP class and the research and resources available to them.

Almost every student in attendance described the impact their papers made on their intellectual growth. From the wealth of topics discussed, the ACCJC team gained a clearer picture of the doors PUP continues to open in students' minds.

Tony DeTrinidad spoke about the ordeal he had writing on Marx and Nietzsche.

"It felt like a battle, but it felt good," he said. "My girlfriend—she's real educated, has her master's. It gave me something to battle it out with her when we'd talk."

"It feels good to hear about your research and what you're doing in the classrooms," Curry said to the students. "How you've all been able to articulate that says a lot."

The first student to speak at the second forum, Rafael Cuevas, immediately turned the tables on Curry and the ACCJC panel.

"I came to challenge everybody's thoughts on what education is. Is this a model?" he asked. "See, my experience in prison made me resistant, made me empowered."

"PUP gives me the chance to exercise that power. What does it look like outside in your spaces?"

Laurie Huffman, an ACCJC Peer Review member from Los Medanos College, quickly responded.

"Fabulous question. I'm around a lot of students of color, and one of the things we need to focus on is the equity piece," said Huffman. "Everyone needs to have opportunities at education. Barriers need to be taken away."

"There's a real community college movement going on right now. We're starting to

look at alternative ways of course delivery—nontraditional delivery. Yours is an example."

"But it has to be centered on quality," she said. "There's a tremendous attention to quality at this prison—many things we see here that we wish we could do at other institutions, at community colleges."

Curry appreciated the detour caused by Cuevas' question. "I could philosophize about education all day," he said. "There should be no barriers to success. We all want to see things like free tuition and the kind of support services that enable students to succeed inside and out."

"Our goal is to see the breakup of every single barrier—every single one, so any student can be successful. We have to figure out together what that new structure looks like."

Curry then told the second forum what he'd learned from the first forum earlier in the day. "Listening to everyone talking about their papers, especially their research papers—you had limited resources but still wrote those papers," he said.

"What I got today was a whole new set of possibilities. Don't tell me you can't do it—at SQ they're doing it."

PUP Executive Director Jody Lewen listened to the interactions with her stu-

dent body and brimmed with pride. "It was mic drop after mic drop," she told *SQNews* afterward.

ACCJC's Dr. Howard Irvin, Vice President of Los Angeles Southwest College, visited SQ years ago during a series of administrative justice classes for DeAnza College.

"I love all the history behind San Quentin, but this is my first time seeing the college program here," said Irvin. "This is the only penal institution the ACCJC has ever considered for accreditation."

"It's been very special coming here and seeing the passion, seeing the people that believe in this program."

Irvin explained ACCJC's emphasis on upholding high standards. "The goal of our report is to make sure our standards are being met, that everything is working well," he said. "We're going to say, 'You either meet the standards or you don't—here's a couple of things to help you.'"

"One thing I'll say about PUP—it's not about the X's and O's. It's about the education. I'm very impressed with the humanity and humanness I've seen. Very impressed."

Irvin said that once a school becomes fully accredited, the accreditation is good for six years. Renewal of accreditation requires an updated ISER and new on-site evaluation.

ACCJC conducts training sessions for potential Peer Review Team members and puts together different combinations of evaluators unique to each campus' visit.

"Our report won't reflect just one voice—it's everybody's voice," said Irvin. "This is a very good group with me here at SQ. We all believe in what we're doing."

The four-day evaluation also included meetings and forums outside the prison at the team's hotel in nearby Larkspur. PUP faculty, instructors and alumni attended these events to offer insight into the individualized attention paid to students, the volunteer model of team-taught classes and students' transitions to college environments outside.

"It might not be perfect, but it works out," noted Curry while absorbing the outside voices. "It always works out."

After ACCJC completes the initial draft of their report, PUP will have 30 days to check it for corrections before the final draft is submitted.

The report will recommend one of three options: 1) grant PUP candidacy for accreditation; 2) grant candidacy and initial accreditation; or 3) deny candidacy.

On the last day of their visit, the ACCJC chair gave a brief presentation on what stood out to the team about PUP. Curry said he was only there to deliver their overall thoughts—not to take or answer any questions.

"We recommend the college work on their comprehensive systematic approach, focusing on outcome assessment, constituent roles and a regular evaluation process for effectiveness," stated Curry. "And communicate these things to your students."

"Regularly assess the quality and currency of student outcomes." Curry also addressed concerns about strengthening PUP's budget process in terms of planning, spending and costs. Then he turned to some positive observations.

"We saw a clear dedication to the mission of transformative learning," said Curry. "Your faculty expertise was strong—as well as the level of tutoring and faculty available to your students."

"We want to commend your commitment to excellence and rigor."

Curry then gathered his team to immediately exit the prison.

Irvin was a little more forthcoming on the way out. "There's no question that this is a worthwhile program with a bunch of beautiful people," he said. "Something that stuck with me from the other day was when one guy said, 'I am not my crime.'"

"I like that. It's a really powerful message."

—Alfred King and Nicola Phillips contributed



ACCJC panel members

Photo courtesy of Jody Lewen

Formerly incarcerated women take their life struggles to the stage

**By Harry C. Goodall Jr.
Journalism Guild Writer**

A play about formerly incarcerated women who are struggling to rebuild their lives is a popular production in Illinois.

"The show is about women coming through the prison system, starting with challenges in their life, then coming out, returning home, and looking to transform their life," said Mars Caulton, program facilitator for the Still Point program, which sponsors the production.

"There should be a sense (that) there's something joyous near the end of this," Caulton said of the short play called *The Visiting Room*.

The show is designed to shed new light and provide insight into the lives of formerly incarcerated women. It was performed at Lewis University in Romeoville, Illinois, according to the July 27 *National Catholic Reporter*.

Still Point was established in 1993 by Lisa Wagner-Carollo. Its new chapter is the program at Grace House, which is a voluntary transitional program offered for women in Chicago. The program is sponsored by St. Leonard's Ministries.



Photo courtesy of Still Point

Program facilitator
Mars Caulton

"Just to see that they can accomplish things, set a goal and follow through, I think is very empowering," said Wagner-Carollo.

The goal of Grace House is to allow those who have never been inside a prison to understand that the incarcerated are human. The fact that they've made a mistake in life doesn't define them.

"People have strong emotional responses to that piece because you have someone looking into your eyes, telling you, 'I was just like you. I cared about these things. I had a loving mother. I liked to date,'" said Hector Alvarez, former manager of Still Point.

"But then, of course, to some degree this person is also not like you because their life journey has taken them on a very, very different path... It kind of forces us to realize that some of us are born with privilege, and that means that we don't

have to make certain choices in our lives that could lead to being in prison."

The performances allow the public to connect with formerly incarcerated women. They also allow formerly incarcerated women to re-connect to society.

Performance for Grace House helps formerly incarcerated "to feel they have something helpful to contribute to society, and I think that performing for audiences who have not been in jail feels a little bit like that, like contributing

to the public conversation about incarceration," said Alvarez.

"I can connect with part of your story and now I understand a lot more about how people, everyday people, end up in the prison system," said facilitator Caulton.



Photo courtesy of Still Point

Members of Persephone Project 2

Sports@The Q

2019 Prison Sports Ministries All Star Winning Coach: Hamisi X. "Ski" Spears

In the 2nd annual SQ All Star Basketball Tournament, Coach Spears – who goes by the name "Ski," won the title, defeating last years champion, Coach Caesar.

Ski is a Old School Hip Hop aficionado, having an in-depth knowledge of rap and hip hop from its nascency through the late 90's. His ability to recall the complete lyrics to songs is amazing, as well as having insights into the lives of the individuals of that era.

Ski now has a 2-0 record and sat down for a post game interview with me.

AT: Congratulations coach on getting the wins on Saturday. Did you have a game plan?

Ski: My game plan was it was an all star game. Go into it to have fun and play your roles and positions, lets just have a ball with. I had Thad "The Beast" Flee-ton and Montrell "Jack That Thang Up" Vines, and we just went at it.

AT: You've been at The Q for a lot of games and a lot of tournaments. How did you feel about even being chosen for this particular tournament?

Ski: I was very elated. I guess all that time for the sideline for the Kings, it must've made the league feel good about my participation, so they got at me and I accepted.

AT: What city are you from?

Ski: I'm from Oakland, Ca.

AT: How long have you been involved with sports in general?

Ski: Since I was 17, I dropped out of school and I used to go and coach at Brookfield Rec Center. We played against Allandale Rec Center, Rainbow and Arroyo Park; we played against them. I coached neighborhood legends such as Rudolpho Pitts, Jermaine Henry and Andre Lons – Keisha Coles' cousin - these are some of the guys that I helped not to follow in my footsteps.

AT: What brought you to prison this term?

Ski: At 22, I did a murder-robbery, and the victims name is Simeon Andrades. Each day since then, during this incarceration, I have taken it as a personal goal to uplift him by changing



Photo by Eddie Herena, SQN

Hamisi X. "Ski" Spears, All Star Coach

within. I didn't want to be the same person that committed that horrible act 24 years ago. It'll be 25 years June 6, 2020. I want to honor Mr. Andrades, not do a dis-service to his memory.

AT: That's huge because people need to know that we've changed since being in here. Now, next year, you're going to have to defend your coaching title; will you still be a member of the Prison Sports Ministry program?

Ski: Of course, as long as they'll have me. Look, I'm not so much into the religious aspects, but the Prison Sports Ministry has helped many young men involved in the sports program, and each time they arrive? I get to mentally leave prison for awhile. I haven't spoken to them in-depth, but I appreciate each and every time they come down that hill to be a part of our lives. Ironically, "Donnie Fabulous" (Don Smith) was on my team, so that was huge for me too. AT: Okay, lets get into some sports and rap. Name your top five all time emcees:

SKI: Scarface, Ski & The Mafia (I have to name myself in my top five!), Twenty Sack of P.O.M.E. (Product Of My Environment, from Oakland), KRS-ONE, and the God Emcee – Rakim.

AT: Name your top five all time rap albums:

SKI: By Any Means Necessary – Boogie Down Productions; The Fix – Scarface; Eric B and Rakim's Gold CD; Strictly Business – EPMD; Pay Ya Dues – W.C. & the Madd Circle. Those are albums I can start and just let them play all the way through, no skipping tracks.

AT: Name your all time all star NBA Basketball team:

SKI: PG: Stockton; SG: Jordan; SF: LeBron; PF: Duncan; C: Chamberlain. Off the bench: Zeke, Scott, Bird, Rodman, Mutumbo, Magic and Payton.

AT: You get the closing statement for this interview. I appreciate you sitting with me to let the people know about you.

SKI: I love the basketball program and I cant wait to see whose coming for me next season! Next!

—Aaron Taylor

Flag Football Round Up



Photo by Eddie Herena, SQN

The Chosen Flag Football team, 2015

By Dre'Quinn Johnson, Contributing Writer

**Play Marin-14
All Madden-40 (1-1)**

Play Marin, from the local area, came into The Q with 7 players and added a few of the men from the yard to play with them. Riddle-Terrell threw for four tds to DeShawn Nichols, Johnny Lee, Bryant Underwood and Keiandre Arrington. He also ran for one.

**The Yard Players-20
All Madden-42 (2-1)**

Cornell Swain came in by himself and drafted a team from players who either

didn't make The Q's premiere team, or, chose to sit out try outs and wait to play as fill ins for teams that come down the hill. All Madden dominated the players, getting scored on by defensive mistakes.

**The Chosen-28
All Madden-24 (2-2)**

Andre Jackson and The Chosen made their return to The Q and came away with a win against All Madden in a close game that came down to the last pass getting intercepted 2 yards outside of the end zone.

After the game, Jackson told the closing circle

"It's not about the game or winning, it's about how you win or lose and how you give glory to God in the process."

**Play Marin-20
All Madden-32 (3-2)**

Play Marin made their second trip to The Q and played a better game, however, Riddle-Terrell was hot at the QB position, throwing three touchdowns to WR Johnny Lee.

**Marin Rugby Team-42
All Madden-54 (4-2)**

All Madden had a lead at one point of 20-6 before the Rugby Players kicked into

gear and began doing back pitches and cross field laterals to get back into the game.

WR Johnny Lee started at the QB position and kept the team ahead in the first half with good decisions to pass or run, only giving up 1 interception to 4 passing tds to DeShawn Nichols, Kie'Andre Arrington, Hassan Halfin. In the second half, Riddle-Terrell – returning from a visit straight to the football field and wearing stars and stripes socks – suited up and tossed four more tds (2 to Lee, one to Andrew Watkins and one to equipment manager Michael Pulido) and ran for one.

Sports Trivia Quiz Winner



By Chris Marshall
Contributing Writer

This month's sports trivia quiz is brought to you by Chris "I Got This" Marshall

The only person to get every answer correct over the previous 3 quizzes. Let's see if you can crack his codes...

- | | |
|---------------------|-------------------|
| Babe Ruth | Human Vacuum |
| Lee Travino | The Lion |
| Joe Jackson | Chicharito |
| Abby Wambach | Crazy legs |
| Ron Cey | The Bambino |
| Babe Dietrichson | The Golden Bear |
| Steve Garvey | The Terminator |
| Elroy Hirsch | Penguin |
| Beth Phoenix | Popeye |
| Ted Williams | Amazon |
| Jack Nickalaus | Georgia Peach |
| Brooks Robinson | Smoke |
| Megan Rapinoe | The Lion |
| Pele' | Memo |
| Ty Cobb | Splendid Splinter |
| Zlatan Ibrahimovich | Shoeless |
| Don Garlitz | Smooth as Silk |
| Arnold Aurbach | Ice |
| Alex Morgan | Sippy |
| Jamaal Wilkes | Net Crusher |
| Guierlmo Ochoa | Number 10 |
| Tony Stewart | Merry Mex |
| Javier Hernandez | Bambi |
| John Havlichek | Red |
| Dale Earnhardt | Hondo |

In-Depth: From Eastern Europe, Alexandru Singuru

By Aaron Taylor
Sports Editor

Alex is an Eastern European native of Moldova, and his family migrated to Sacramento when he was ten.

He went to Highlands High School, playing volleyball, tennis, soccer and cross country running – his favorite sport.

At 15, he started playing basketball just to stay in shape, however, he fell in love with the game and has played it ever since.

He's soft spoken but firm in speech, and when you talk to him, you can pick up his European accent.

AT: Whats your native tongue?

AS: Romanian.

AT: Do you still speak it fluently?

AS: Yes.

AT: Speak some Romanian.

AS: *Tu nustii ce spun eu, da poti sa incerci?* (Would you even know what I'm saying?)

AT: No, but since I do speak several languages, I thought I'd throw that out there! (*We both laugh at this*) Okay, you arrive in the U.S. as a kid, playing futbol; was it an advantage in school?

AS: It wasn't an advantage, more of a connection. Not knowing the language, it was easy for me to play futbol, then make friends; it made transitioning to being an American easier.

AT: Did having dribbling skills in futbol make it easier when you started playing basketball?



Photo by First Watch

Alexandru outside the media center at The Q.

AS: Oh yeah, much easier. It was same as futbol, except now I'm dribbling with my hands.

AT: You started for Highlands High with basketball as a freshman coming off the bench for the JV Squad?

AS: Yeah, then the following year, as a sophomore, I went to the varisty, coming off the bench. Then, my junior and senior years, I started. In my junior year, we went to the section finals and lost that game by two points. My senior year, we had a good year, but lost in the second round.

AT: In Cross Country, you had collegiate scouts come check you out?

AS: Yes, I was league mvp in running at Highlands High. Scouts came from William Jessup University (Sacramento), offering me a scholarship.

AT: Okay, you end up here though with five years, qualifying for level two. How have you adjusted to sports at The Q?

AS: Same way as when I arrived in the U.S. I'm connecting with people through basketball.

AT: You get drafted in the fourth round of the CBL (Championship Basketball League) and now leading the league in assists; you've also caught the attention of the SQ Warriors coaching staff. Have you thought about next season and what you want to do?

AS: I mean, I obviously want to play. I don't care if I start, come off the bench, whatever. That's why I joined the CBL. I just wanna play ball. I don't care about the other stuff – I know I'm new, but I play team ball,

and if team ball means I come off the bench, so be it. As long as I have the chance to prove myself and prove to be a good teammate. I have the ball a lot in my hands. I can get indecisive, make a bad decision and my turnovers go up. I should be more selfish, but I don't ball that way, and because of that, my turnovers have been high in the CBL. But, if making a pass highlights my team's ability? I'll take that over my own scoring. Maybe I could be more selfish, but that's not my game.

AT: How has your family adjusted to you being in prison?

AS: It was hard for them and me. Now, they're supportive, telling me to learn from my mistakes. Don't repeat the same thing that got me in here.

AT: Whats the one thing that you've learned about yourself during this past year of incarceration that you didn't know or weren't aware of previously?

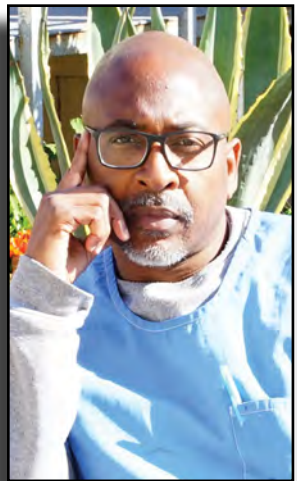
AS: Just the knowledge of others around me, being around guys that's been inside for decades -- not letting one mistake define your future. I'm getting wisdom from all races, all ethnicities, and I'm not limited and refuse to be limited in my thinking. I'm an independent minded person and I think for myself, so wisdom is coming from all angles. I don't want to come back to prison again, ever, so I'm learning how to be successful in the right way while I'm here.

AT: Thank you for sharing with the people some of who you are. Anything you want to say to The Q's population and the broader audience?

AS: Its been a good opportunity to share with the people and be a part of something inside, the CBL and the SQ Warriors next season hopefully. Thanks to my family for being there for me. It's an obstacle but I'm learning, and to my friends and others, don't worry. I'm doing positive work in here so that I don't come back.

SQ News 2019 Sports Writing Team

It takes more than one person to cover all the sporting events that take place weekly at The Q. From celebrities to the weekly volunteers, to the once a year appearances, The Q has events that it takes a team to fully cover. The sports writing team and photographers have their hands filled 52 weeks each year, and SQ News wanted to take the time to honor them. Without the following individuals, the sports couldn't get into the paper. Not pictured: Jonathan Chiu (Photographer), Aaron Mikkelsen (Contributing Writer - Basketball), Salvatore Solorio (Contributing Writer - Tennis), Brendan Newnanforbi (Contributing Writer - Soccer), Paris Williams (Contributing Writer - Tennis) and Aaron "Showtime" Taylor, Sports Editor



Malik Ali
"Wise Thought"
Contributing Writer



"Downtown"
Leonard Brown
Contributing Writer



Tare Beltranchuc
"Cancun"
Contributing Writer



Steve Brooks
"Este`ban"
Contributing Writer



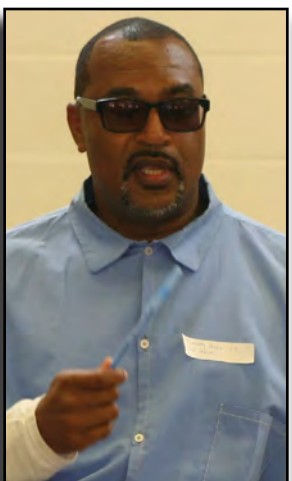
Carlos
"Papi"
Drouaillette



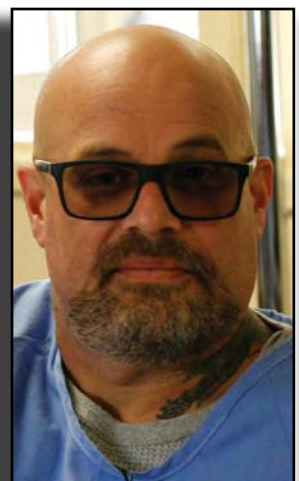
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Javier Jimenez
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Dre'Quinn Johnson
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"MJ"
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Rahsaan Thomas
"Brownsville"
Contributing Writer

The Homecoming Project

Where returning citizens find a warm welcome in the homes of local residents

By Alfred King
Journalism Guild Writer

People with room for a boarder are helping provide housing for some former California prisoners.

The Homecoming Project was launched in 2018 in Alameda County to provide formerly incarcerated people places to live — with plans to expand across the United States.

“For people getting out of prison, the penalty hasn’t ended and reentry is its own obstacle course that everybody has to navigate; and housing is essential to being able to get through that obstacle course,” said Alex Busansky, a former prosecutor and president of Impact Justice told NPR.

“If you don’t have a place to sleep, to shower, to keep your things, it’s very difficult to think about doing anything else.”

The project provided housing for 12 ex-prisoners since August 2018, according to a recent article in *Mother Jones*.

People recently released from long-term custody were

connected with homeowners willing to rent them a room for up to six months. Hosts are paid \$25 a day, with no cost to formerly incarcerated.

Hosts and potential tenants undergo a rigorous screening process. The goal is to create a positive living environment.

Sabina Crocette is now host to her second participant.

Her first, DeLora, 32, served eight years for conspiracy to distribute heroin.

“I just saw her as a dynamic young woman who could come back into the community and be a great resource to others,” Crocette told KPIX. “You have to recognize people’s humanity. People are not the thing they have done. That is not who they are.”

Crocette, a civil rights attorney working with prisoner rights organizations, met her second tenant, London Croudy, before she moved into her townhouse.

Croudy served eight years of a 13-year sentence for conspiracy to distribute heroin.

She was released to a halfway house in Oakland operat-

ed by GEO Group, a for-profit organization.

There she had to share a room with several other people, the food and the beds were the same as when she was in prison, with an hour for recreation.

“Just pretty much a step over incarceration,” she said. “Still walking around with fear.”

Everything changed when she moved in with Crocette. Thinking she might be sleeping on the floor, she saw her own bedroom with a queen-size bed and a dresser dotted with candles. “This peace just came over me,” Croudy said.

The Bay Area is a hard place for people returning from custody to find a place to live with its absurdly overpriced housing, *Mother Jones* noted.

Terah Lawyer, a Homecoming Project program manager, said applicants have told her that they’d be happy to sleep in a box in someone’s backyard. “They will settle for less because they think that they deserve less.”

She knows the challenges first hand. After serving

15 years in prison, she was placed in a residential treatment facility in San Francisco where she had to attend substance abuse classes weekly even though she did not have a substance abuse problem.

In fact, at the time she was a certified drug and alcohol

counselor able to facilitate the groups she had to attend.

Lawyer used this experience to shape the programs at the Homecoming Project to encourage independence while offering support.

Sholly Kehinee, 30, scheduled for parole from San

Quentin in five months, said “I had no place of residency. But I got word of the Homecoming Project and because of them, it’s gonna be possible after seven years.” He hopes it will aid his reunion with his son.

—By Alfred King



Photo by courtesy of Sabrina Crocette

Atty. Sabina Crocette (Host) and London Croudy (Tenant and current Community Organizer with LSPC/AUON).

Ice cream company allies with criminal justice reform



Photo courtesy of Ben & Jerry's

Ben & Jerry’s has announced a new ice cream flavor in support of criminal justice reform, “Justice Remix’d.”

B&J, well known for its social activism, launched a new flavor of chocolate ice cream coupled with gobs of cinnamon bun dough and spicy fudge brownie to “spotlight structural racism in a broken criminal justice system,” reported *The Independent* article.

“Our approach to creating social change is to raise up the work nonprofits are doing on the ground,” said co-founder Ben Cohen. “We bring every resource we have to support them -- our business voice, our connection with fans, our Scoop Shop community and, of course, ice cream. Somehow, it’s easier to talk about difficult issues over a scoop or two.”

B&J has partnered with the Advancement Project to bring forth changes in the criminal justice arena, now working to close The Workhouse jail in St. Louis, the Sept. 4 story said.

Blacks make up 90% of the people held in jail but make up less than 50% of the population in St. Louis, a *HuffPost* story reported. Many cannot afford bail.

“Our country needs to invest in services that build up communities rather than those that tear them down,” Executive Director Judith Browne Dianis of the Advancement Project told *The Independent*.

“That means ending a wealth-based pretrial detention system that locks people up because they are poor, Black or Brown. It means dismantling the school-to-prison pipeline, divesting from criminalizing students

and investing in the creation of high quality education and services. It’s time to reimagine safety and justice,” commented Mike Pomranz in a *Food&Wine* article.

In October 2018 B&J released “Pecan Resist” in protest of Pres. Donald Trump, reported *The Independent*.

A portion of the proceeds from the sale of the new flavor will go to support the Advancement Project work in criminal justice reform, noted the *HuffPost* article.

Ice cream lovers can purchase pints of Justice Remix’d at Ben & Jerry’s Scoop Shops, many grocery stores, and Scoop Trucks deployed to various cities. Free scoops have been passed out in St. Louis and Miami, according to Pomranz.

—By Alfred King

Attorneys' preparedness for parole hearings under review

By Kevin D. Sawyer
Associate Editor

Changes are underway to correct attorney preparedness and performance at parole board hearings for men and women serving life sentences in California, according to a survey by Life Support Alliance (LSA).

LSA reported that more than half of the prisoners who responded to the survey said they “didn’t feel the attorney was prepared to represent them” at their parole board hearing. The reason given was largely because of “the lack of time spent with the client” and reviewing the client’s file.

“We don’t represent this as a conclusive survey, an empirical study of great depth or precise scientific analysis,” LSA stated in its newsletter, *Lifer-Line*, “but it is interesting and definitely shows some trends and areas of concern.”

“Prisoners report that attorneys often meet with them only once prior to the day of the hearing, sometimes only a few days before the hearing, rarely more than the req-

uisite 45 days,” LSA reported. “And those meetings are usually less than 20 minutes, often as brief as 10 minutes.”

During a public comment period at the Board of Parole Hearings (BPH) executive board meeting in September, the conclusion of the survey was reported to the BPH at its executive board.

The informal survey presented issues of concern to prisoners serving life sentences. For example, “73% of those responding to the survey were denied parole at their hearing,” LSA reported. It also reported 26% of hearings resulted in findings of parole suitability, and that 1% of the hearings were stipulations to unsuitability, waivers or continuances.

“A prisoner may request to voluntarily waive his or her life parole consideration hearing for any reason, the California Code of Regulations, Title 15, Div. 2, § 2253. “Requests shall be made in writing to the board and shall state the reason for the request.”

According to the LSA survey, a lot of the state appointed attorneys who represent

prisoners at Board hearings are unprepared and arrive at hearings without required forms and documents mailed to them by their clients. Some attorneys even admit they did not have time to properly prepare or are overburdened with other cases. There are also attorneys “unfamiliar with some of the finer points of parole hearings.” According to LSA, one attorney told a client “I dropped the ball.”

“About a third of the time inmates reported their attorneys, always appointed, recommended they stipulate to unsuitability,” LSA reported, adding that it was troubled by what appears to be an “upswing in this trend,” and that some attorneys advised clients to stipulate “after meeting alone with commissioners.”

LSA did not say, however, that all Board appointed attorneys were ineffective. In fact, “...one state appointed (attorney) got 80% thumbs up rating, spending an average of 90 minutes with her clients,” it was reported.

At least one attorney “told his client to just say what the

panel wanted to hear, regardless of whether or not it was the truth,” according to LSA. “We believe the phrase for that behavior is suborning perjury.”

The survey said some private attorneys were no better: for example some of these attorneys who were not prepared or effective were simply not informed. These were attorneys that LSA said were apparently new to parole hearings. Those attorneys probably came from prisoners’ families hiring a “friendly attorney.”

In response to the poor representation, BPH Executive Director Jennifer Shafer, has drafted a new program for state appointed attorneys to better serve their clients. LSA outlined some of the goals of the new program:

- Strengthen the attorney client relationship
- Modifying time frames
- Increasing compensation (pay) to attorneys

For example, under the new program, once an attorney is “hired” by the BPH, he or she will be required to

meet with the client within 30 days. A second meeting is required about two weeks before the board hearing. Compensation will increase from \$400 to \$750 per client. “And there is a real selection process in the works,” LSA reported, “... not just apply and be lucky at the lottery selection used in past years.”

According to LSA, the BPH will also be working with the Parole and Justice Education Project at Southern California’s Post Conviction Justice Project (PJEP) which “will provide legal training, review and reporting and create what has been termed ‘reasonable expectations of representation.’”

“It bears noting that we do not believe any particular attorney can achieve a grant of suitability for an unprepared inmate, no matter how good the attorney,” LSA stated in its newsletter. “Nor can an inept attorney sink the chances of a well-prepared inmate.”



File photo

2020



Griranger Fjord

Photo by P. Jo

JANUARY

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
			1 <small>New Year's Day</small>	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20 <small>Martin L. King Jr.</small>	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14 <small>Valentine's Day</small>	15
16	17 <small>President's Day</small>	18	19	20	21	22
23	24	25	26	27	28	29

MARCH

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
1	2	3	4	5	6	7
8 <small>Saving</small>	9	10	11	12	13	14
15	16	17	18	19	20 <small>Spring</small>	21
22	23	24	25	26	27	28
29	30	31 <small>Cesar Chavez Day</small>				

APRIL

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
					1	2
3	4	5 <small>Cinco de Mayo</small>	6	7	8	9
10 <small>Mother's Day</small>	11	12	13	14	15	16
17	18	19	20	21	22	23
24	31 <small>Memorial Day</small>	25	26	27	28	29

JUNE

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20 <small>Summer</small>
21 <small>Father's Day</small>	22	23	24	25	26	27
28	29	30				

JULY

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
			1	2	3 <small>Independence</small>	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	30	24	31	25	26	27

SEPTEMBER

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
		1	2	3	4	5
6	7 <small>Labor Day</small>	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22 <small>Autumn</small>	23	24	25	26
27	28	29	30			

OCTOBER

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31 <small>Halloween</small>

NOVEMBER

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
1 <small>Saving</small>	2	3 <small>Election Day</small>	4	5	6	7
8	9	10	11 <small>Veterans Day</small>	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER

Sun	Mon	Tues	Weds	Thurs	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21 <small>Winter</small>	22	23	24	25	26
27	28	29	30	31		