

Vince Cullen Makes His Pitch as Warden of S.Q.

San Quentin News editors Michael R. Harris and David Marsh sat down recently with San Quentin Warden Vincent Cullen (A). Cullen took over from Robert K. Wong on January 1 after serving one year as San Quentin's Chief Deputy Warden (CDW). The transcribed interview is edited for space and clarity.

Does anything stand out from your time as CDW?

It seems like about only six months have gone by, when you think about it, it's been well over a year now... Transitioning and closing of Neumiller [South Block] and the TTA [Triage Treatment Area] over there, and doing it in a very, very, expeditious manner... You know we all did a very good job on that and opened up a successful Central Health Services Building that's fully functioning and firing on all cylinders

Can you talk about the state's budget crisis as it relates to programming cuts here?

I would characterize the one day where we actually lost teachers here, where they were actually laid off and do not have a job, as probably one of the darkest days in my 20 plus years in this department. That was very difficult for me... [We're] still in the process of rolling out the new education models and... we'll see some more of the changes coming about. Loss of voca-

tional programming state wide, I think, is a big hit for the inmate population.

What is left of the "R" in CDCR?

[There] is still an opportunity for inmates to rehabilitate. The number of slots that we originally had may not be the same, but certainly an opportunity is still there, and hopefully we will get those slots back... [Sacramento] focused on looking at and assessing particular vocational programs and trying to form a nexus between the program and a livable wage on the street as sort of a nexus to employment. So when some programs were eliminated those were the programs that, in the department's analysis, were those that did not really have a living wage out in the street or a nexus to employment for an inmate who's paroling. I think we're fortunate here in that because of the large number of volunteer programs we have not been impacted as hard.

We understand the formula, but didn't they consider how particular programs affect inmates in other ways, such as teaching them how to function in society, going to work every day, dealing with instructions?

Warden Cullen throws out a first pitch on Opening Day.

It's a good question. I don't know, because quite frankly it was the Office of Correctional Education that went out and conducted the assessments... The new sort of direction is that with our limited funding...we really

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Photo: Paul Chinn, San Francisco Chronicle

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Photo: Troy Williams

Volunteers stream into the Lower Yard for the seventh annual San Quentin T.R.U.S.T. Health Fair

Question Is Answered: CA Inmates Can't Vote

By JULIANGLENN PADGETT
Journalism Guild Writer

A legal battle is under way over whether prison inmates have the right to vote.

In April a three-judge panel for the 9th Circuit Court of Appeals ruled in *Farrakhan vs. Gregoire* that the Washington State law denying incarcerated felons the right to vote violated the 1965 Voting Rights Act by disenfranchising minority citizens.

"We believe that the 9th Circuit was correct and the right to vote should not be denied to incarcerated felons," said Rebekah Evenson and Donald Specter of the Prison Law Office at San Quentin. "But the fact is the Farrakhan

ruling never applied to California's incarcerated felons because the legal challenge was brought in Washington State only."

Recently the same issues arose in the Massachusetts case *Simmons v. Galvin* in the 1st Circuit Court of Appeals. That court ruled the Voting Rights Act does not apply to nor does it protect felons.

Moreover, the 9th Circuit agreed to rehear the *Farrakhan* case with an expanded panel, "Which means the prior ruling in *Farrakhan* has been de-published -- it's not binding anymore," said Evenson. "California needs to put in a similar challenge...the Massachusetts three-judge panel

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Inmates Pack 7th Annual Health Fair

San Quentin's seventh annual Health Fair brought out approximately 80 health care professionals from throughout the Bay Area, according to Laura Bowman Salzsieder, San Quentin's Community Partnership Manager. On April 30 inmates, event sponsors and staff packed San Quentin's lower yard to attend the event, which was sponsored by San Quentin T.R.U.S.T., National Trust for the Development of African Americans, Center Force, Black Nurses Assoc. and UCSF and Alameda County Public Health Department Urban Male Health Initiative.

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The Ins and Outs Of New Building

By EDDIE GRIFFIN
Journalism Guild Writer

Operations at San Quentin's new Central Health Services Building (CHSB), have been under way for several months now. There are five floors in the new structure, which facilitates different classes of inmates. The main entrance on the third level accommodates general population inmates, among others. It is also where the library is located.

The first level accommodates dental and Receiving and Release (R&R), second level handles psychiatric patients and the fourth level has a crisis unit. The fifth floor is occupied by staff only, both medical and correctional officers. Appointment ducats are issued to the inmates for tests and exams.

Inmates enter at CHSB's main lobby where they check in at the reception desk manned by CDCR staff. Once the inmate is checked in by the desk officer, he is instructed to wait in the lobby. The desk officer asks for the inmates I.D. card and returns it at the completion of the visit.

There is special emphasis on security in the new facility due to the nature of differing classes of inmate patients. Thus, there is a healthy presence of CDCR officers always maintained in the facility.

Certain cases are still referred to outside facilities.

There will be more in upcoming issues of the San Quentin News concerning the efficacy of the new facility as information is made available.

Milestone Credits Start Rolling Out

By DAVID MARSH
News Editor

Milestone credits awarded under the California Department of Corrections and Rehabilitation's (CDCR) new Credit Earning Program have begun to reach expectant inmates here at San Quentin. The credits, which result in time off their sentence for participants in the program, are awarded for participation in, and completion of, a variety of selected educational and vocational courses and the Substance Abuse Program. Those eligible for the credits may earn up to six weeks off their sentence during each 12 month period.

First among S.Q.'s prison population to enjoy the rewards of the program have been those involved

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Cullen Speaks His Mind

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do need to focus on evidence-based programs that do reduce recidivism.

Isn't there also an issue of security, because you want to keep guys busy?

You know one can certainly draw a conclusion that idle inmates are of concern to me, and that is still a concern to me, so again I'm glad I'm not at another institution where the number of idle inmates may have increased.

What can you tell us about the status of the Death Row construction project?

[CDCR Secretary Matthew] Cate visited the institution last week and I took the opportunity to ask him the exact same question. From a budgetary standpoint and from a legislative standpoint the condemned inmate complex is still an approved project here at San Quentin. Certainly these are tough economic times and tough times for the state budget but if I had my way then the project would still be moving forward. I think it's long overdue for this institution for us to construct a new death row, and I think it would be a positive thing for staff and inmates alike... It's possible and I'm hopeful.

Could the election for governor affect that?

You know what, election years there is a possibility for anything to happen so there are no predictors there at all.

What are the prospects for a multi-media center in the old library space?

There are a number of options that are out there in terms of forming a multi media center. I am very much in support of it. With the cuts that we took to our education and vocational programs I would say that the only positive that came out of this was the fact that we do have some space available in the institution... But with space any time in an institution you're always going to have competing interests and we're at the phase right now where we're making assessment of what spaces can be utilized for what purposes. Sort of combined with all this...is the fact that any area which requires some real expensive retrofitting has an approval process well beyond the institution as well. And so fiscal considerations are going to come into play for this but certainly I'm in support of it and I do believe we're going to have a multi-media center here.

Warden Wong restricted the ability of people involved in the Hobbycraft Program to work in their cells. Will that change?

I think that the hobby program that we have here is very fair and equitable to the inmate population... Right now quite frankly I think when you look at what's happening and occurring at other institutions where almost all of them now are down to just an in-cell hobby program, I think we're pretty fortunate here still, so is this something that's high on my list? No. To make it less restrictive, no.

What's the future of the Neumiller Building?

The intent when the receiver constructed the new Central Health Services Building was that Neumiller would be repurposed and have a seismic retrofit and would then be functioning as our programs building. Getting us out of the [Education] modules down here, getting us out of all the little various areas where we've had to kind of pigeonhole our programs. That was at a time, one, when the economy was running very strong, very good, the state of California had money, and two, that a lot of the programs were fully funded in this department. So two things have changed: One is the economy has gone down the tank, the State of California is \$20 billion-plus in the hole for next year... Is this an approved project where they're going to start repurposing next year? No, it's not approved, it's on paper, it's on the schedule of proposed projects, among hundreds and hundreds of other projects from all around the state... So do I believe that we're going to be moving back into Neumiller in the near future? Absolutely not! ... That building is going to sit vacant.

Prison Ministries says it has been unable to donate shoes to the basketball and tennis teams. What was the difficulty?

It made it up to my desk as the chief and I denied it. It wasn't as simple as the donation form said, for just the very specific basketball team. What was put on paper in front

areas in the institution which, is again part of that previous discussion that we had about competing interests in the institution. And that part of their expansion is still on the table and still part of the overall analysis of space. But certainly in terms of operating off-hours or on weekends, where I don't have the custody staff present now, it's not going to happen until I can get the custody staff.

What is the future of Close B transfers here at S.Q.? Is North Block destined to become only a Close B facility?

This institution and several others were actually directed to transfer out a lot of medium custody inmates, Level 2, to dorm prisons. The reason being is that there was a backup statewide of Close B inmates, Level 2, sitting in Level 3 beds which are much more expensive than Level 2. So that's why a lot of the inmates were transferred out of here. In terms of Close B transfers in, it's just going to be part of the normal routine process. We may get some medium guys transferring in, we may get Close B guys transferring in. Now there's a lot of rumors bantering about in terms of inmates that are participating in rehabilitative programs. Currently down in our headquarters the whole concept of medium custody inmates being able to retain here for a period of time to finish out whatever rehab programming they're participating in is being discussed and I'm hopeful



Official Photo
Vincent Cullen, Warden (A)

consistency at the top of the organization. And I know that it's a struggle, not just for the staff, but also for the inmate population when you continually have people changing chairs in the warden's office. At count I've heard six warden's in five years and I think the biggest thing for me is, let's get through the vetting process, let me be at the helm for quite some time so we can bring about that consistency. I think kind of in terms of goals for the prison is that with the changes to education that are forthcoming and the budgetary restriction that we have and kind of the staff morale issues associated with that, that, what I'm trying to bring about is a little bit of hope for the staff and for the inmates in terms of what we can do in the future... Funding is always the first and foremost restriction. Space is your second restriction. ...I'm hopeful that as things get better that we can bring a lot of those teachers back.

You seem to be quite knowledgeable about the system as a whole, where does this voice of experience come from?

I've worked at CMF, which is very heavy medical, very heavy psych mission, to Solano... One of my roles there was as project manager for the proof project but I was also an associate warden over the Level 2 yard... I've also worked in headquarters on two different stints, getting to know how things work, where to go to get answers... So having worked primarily from a business services standpoint and then transitioning to the custody role later on in my career, I think kind of rounds me out pretty well. And that's why I'm able to address much of the facets of an institution from medical to mental health to business services to custody to education...

Is there an effort underway to pare back the number of volunteers who come into the prison?

Absolutely not. I just think that my role is to make sure that the volunteers that are entering into San Quentin are entering in safely, that they are safe while they are here and that they are accountable.

Do you have an open line of communication with the volunteer organizations or do you have someone appointed to making that transition smooth for the outside?

We have Laura Bowman Salzsieder who's our community partnerships manager. But many of these groups that are coming into the institution will often set up meetings with me and I'll meet with them directly and we'll have a face to face conversation much as we're having now.

What role do you see for the San Quentin News in the future?

Clearly the loss of that vocational program was of concern to everyone... My goal is to keep this newspaper going as long as it possibly can... I think it's an effective communication

tool, not just for you guys but also for me as well. If there's some message that I want to get out there, and I know that the newspaper is very well read within the institution, I know that you guys are more than willing to step up and say yeah, let's put an article out there. I also think that I'm not sure if you guys really know that it's actually known around the world now. It gets posted on the internet.

What does the future hold for additional budget cuts here at San Quentin, and for the CDCR as a whole?

I have no idea, by that I mean you will be apprised of changes to the department's budget about the same time I will be just by watching the news. This is, I do believe, probably going to be one of the most contentious budget cycles just because of the large budget gap.

Do you perceive yourself as an "approachable warden," and is that your purpose in appearing out among the general population, such as the baseball opener, the Health Fair and Patten College, among others? When you are out amongst the inmates, should they feel free to approach you with their ideas or problems, and are receptive to their inquiries?

Absolutely. And it's not just being accessible to the inmate population, it's being accessible to the staff as well. Often times some of the fellows want to come and they want to talk about personal issues, about what's going on with them and I get that, and often times it's hard for me to give them an off-the-cuff answer. But I think it's important for me to hear the tenor of what's going on in the institution.

A number of high-profile administration figures have come to the prison of late, notably Sec. Cate, Elizabeth Siggins and even the governor's chief of staff, Susan Kennedy. Is there any significance to those visits?

I just honestly believe that San Quentin... just by its name, its notoriety, is our oldest prison in the state and quite frankly sometimes the proximity lends itself to a lot of visits from a lot of individuals and I encourage it. I encourage it so I actually get an opportunity to talk with some of these people and talk about the good things that are happening inside our institutions... Do I read into the fact that there is some bigger agenda? No absolutely not.

To what would you attribute the low level of violence here at S.Q.?

I think the population here has a philosophy about how to approach doing time and the staff wants to keep the violence down and works on how we can do that... Also, particularly when you're talking about a Level 2 population, and you're talking about North Block in particular, we have a very stable population here as well. We're fortunate to have that.

What's next for S.Q.?

Tough, very tough, tough economic times and I think the biggest thing for me is to focus on morale. This is a positive programming institution and I want to keep that going as best we can. It's a great place to work. If you would've asked me when I graduated from college would I ever be sitting in the chair in this warden's office, in this prison, I... would've thought I was crazy. But for me it's been very, very satisfying and hopefully, like I said, something I can stay with for quite some time because I'm very, very happy to be here!

What's Up With the Gym

By RICHARD RICHARDSON
And
S. HEREDIA
Journalism Guild Writers

Whether we blame it on a court order or the budget crisis, the San Quentin gymnasium that once held over 350 Reception Center inmates because of an overcrowded prison system has now been deactivated.

Is CDCR starting to solve their overcrowding problem or is this an attempt to mask the bigger problem? Former housing clerk Watan Stiner, who used to work with those RC inmates, expressed the opinion that "The gym was like a safety net for the flow of inmates being placed in the general population. It was an area that gave the prison a little wiggle room to figure out where and how to house inmates."

Now that the gymnasium has been closed to housing inmates, is the overcrowding problem starting to subside or is this a temporary situation? The question remains whether CDCR is addressing the real overcrowding problem or are these inmates being reshuffled from one location to the next.

As the summer approaches, many inmates wonder if there will be any recreational activities involving the newly vacant gym. Coach DeNevi, who attended a meeting of officials in February 2010, is under the impression that he will have control of the gymnasium for such activities.

The prison ministry says it is willing to pay for new floors for the gymnasium, but as it stands right now this project doesn't seem promising. Empty bunk beds are still standing in this silent gymnasium... along with memories of an overcrowded prison.

of me was hundreds of pairs of shoes for just general issuance out to the population. I'm not going to sign off on that. Now when you want to talk about some very specialized purposes I will revisit those type of things. But when...it literally said hundreds, two hundred pair, no I'm not going to allow that to come into the institution.

So in another form it might be acceptable?

Certainly!

Patten College wants to expand its operations here. What are your thoughts?

They have requested to expand their operating hours, which I do not have the staff to do. They have also asked to possibly expand into other

that we'll get some sort of resolution on that in the near future.

What is the future of executions here at San Quentin?

It was just recently announced in the media that the department has released our regulations for the lethal injection process. The office of administrative law has 30 working days to approve or disapprove those regulations. I think they were released on May 1, if I recall. So what happens from there, your guess is as good as mine.

What does your professional future hold for you at San Quentin?

I'm hopeful that I can stay here for quite some time... I think probably the biggest thing that I'd like to see is

Why All the Cuts in Rehabilitation

By COLE M. BIENEK
Journalism Guild Writer

PROGRAM HEAD LISTS PRIORITIES

Six months after the California Department of Corrections and Rehabilitation (CDCR) announced plans to cut \$250 million from the educational, vocational, treatment and other rehabilitative programs, the full effects have yet to be felt.

"Unfortunately, we were forced to cut some programs," said the director of the Division of Adult Rehabilitative programs, Cynthia Florez-DeLyon, during an April 16 visit to San Quentin. Current policy calls for extracting a higher level of efficiency from the remaining programs and stabilizing the new educational models.

The new models call for three-hour classroom shifts that cycle more inmates through the programs. Current plans also call for increased reliance on community volunteers, paid inmate tutors and increasing the number of volunteer inmate tutors. According to Florez-DeLyon, the next year will likely involve working around unforeseen bugs and making modifications where necessary.

Florez-DeLyon outlined the state's protocols for cutting vocational programs. Relying on a strict set of criteria purported to reveal the most effective programs, CDCR will look at whether

a program possessed a standardized curriculum, whether it could be completed in 12 months, and whether it would result in a living wage for released prisoners.

In a May, 2001 study by the Washington State Institute on Public Policy (WSIPP), vocational programs were shown to be among the most effective programs at reducing recidivism and costs. Florez-DeLyon acknowledged the potential of vocational programming. "These (programs) were the hardest to cut," she said. Results indicate that slightly more than half of the

state's vocational classes were eliminated.

Department officials recognize the success of San Quentin's programs. "San Quentin uses a model that we would like to replicate in other institutions," said Florez-DeLyon. San Quentin has the highest rate of community involvement. From tutors driving in from Berkeley to help out in various education classes, to the men and women of the Prison University Project, to those who facilitate anger management and Victim Offender Education Groups, San Quentin remains at the vanguard of successful rehabilitative programs.

"There is no other place in the state (prison system) where I can earn a college diploma in a real classroom, and participate in groups that allow me to understand and begin to atone for all the pain and suffering I have caused," said a graying but still vibrant Lifer.

Florez-DeLyon started her career in the California Youth Authority before receiving the nod to oversee the Division of Adult Programs. Her responsibilities include the Office of Correctional Education, Substance Abuse Programs and the Office of Community Partnerships.



Photo: Troy Williams

Warden Cullen attends the Victims' Rights Week ceremony, where for the first time inmates were allowed to participate. The speaker is Jack Dison of Victim Offender Education Group. At

left is Rochelle Edwards, VOEG Program Facilitator, who also spoke at the event. Next to her is Harriet Whitman Lee, a victim's mother. Inmates, from left, Darnell Hill and Richard Lindsey.

Milestone Credits Starting to Roll

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in CASAs testing and Adult Basic Educational (ABE) classes. H Unit literacy instructor C. Ayala is excited about the opportunities for her students. "This will potentially affect a great many of the S.Q. population," said Ayala. "Working out the program details has been a slow process, but the credits are now starting to roll in to my students."

For inmate Rafael Ortiz, participation in an ABE I class has meant a two week reduction in his sentence. "I am very happy to get the credits," said a smiling Ortiz, who added "...and I have more coming!" Ortiz is among a number of inmates interviewed for this article who have received official notification of a reduction in their terms of incarceration. The reductions noted thus far have ranged from one week to a maximum of three and one-half weeks.

A paperwork glitch has slowed the process for those inmates who have participated in the GED program, but according to education Principal Ted Roberts those problems have been solved and inmates in the GED program should soon receive their credits, also.

The Credit Earning Program is the result of last year's compromise between republican Governor Arnold Schwarzenegger and the democratic controlled state legislature to voluntarily reduce the number of inmate's in the state's 33 adult prisons.

Life-term inmates and those sentenced for violent crimes are currently ineligible to receive milestone credits.



Recidivism Falls When Family Visits

An estimated 297,000 California children have a parent in jail or prison, and 60 percent of those parents are held more than 100 miles from their youngsters.

Thanks to a group called Get on the Bus, each year around Mothers Day and Fathers Day, hundreds of children and their caregivers board buses and travel form cities all over the State to visit incarcerated parents.

Studies show that regular visits between children and their incarcerated parents reduces recidivism for the incarcerated parent and improves family reunification following the parent's release.

The non-profit organization offers free transportation for the participants to selected prisons, provides travel bags for the children, comfort care bags for the caregivers, a photo of each child with his or her parent, and meals for the trip (breakfast, snacks on the bus, lunch at the prison, and dinner on the way home) - all at no cost to the children's family.

On the bus trip home, each child receives a teddy bear with a letter from their parent and post-event counseling. This faith-based organization can be found at: www.getonthebus.us.

Whitman vs. Brown

SACRAMENTO -- Republican gubernatorial candidate Meg Whitman proposes to build more prisons to solve the overcrowding corrections system in California. Attorney General Jerry Brown told the Fresno Bee that that these proposals "...reflect an ignorance about how things work in Sacramento..."

Five Inmates Graduate From The Insight Prison Project

By JULIANGLENN PADGETT
Journalism Guild Writer

Five San Quentin men will be graduating from the Insight Prison Project (I.P.P.) after years of peeling back the many layers of their anger. Their soul-searching work has given them the coping skills to understand themselves as sons, brothers, fathers and husbands.

Robert Guillen, Randy Maluenda, Kevin Penn, Richard Poma and John Neblett will get their credentials from the Batterer's Intervention Program. "I've been a part of the violence prevention program since 2006," Maluenda said, "We go to the core root of the psyche to what causes a person to get angry. We call this the Male Role Belief System."

This program sponsors self-help groups at San Quentin such as Katargeo, Victim Offender Education Group, better known as V.O.E.G., yoga and meditation. Robert Guillen a member of the program, began his journey in 1995 when it was called Man Alive. "A person has to be ready to change, especially if you're doing a term to life sentence, because you have to prove your transformation," Guillen said.

Peter Van Dyk started Man Alive. in the 90's for men who had no skills to deal with domestic violence. Penn said, "I have been on this path for the last eight years. Violence prevention for me is living a non-violent life outside the Male Role Belief System. My wife does the same kind of work and we're going to correlate this as a team for both genders."

Neblett explained his own thoughts: "This class is about learning how to be a responsible man on an intrinsic level." The course calls for complete immersion into unraveling implanted emotional triggers that lead to domestic violence.

Poma added, "The first half of the training identifies the different faces of violence, how we're taught as boys and girls to uphold certain unhealthy beliefs." Poma joined Man Alive in 2005 and now looks forward to being a husband and a counselor. "Because of a conversation that I had with my beautiful fiancée Susan, I learned something very profound. I don't have to make someone wrong even if they are wrong, I only have the power to control my own thoughts, my own deeds and my own actions by the choices I choose to make."

Good For Lifers... (But Not Hayward)

By **STEPHEN YAIR LIEBB**
Contributing Writer

The latest Hayward decision by a nine-judge panel of the U.S. Court of Appeals for the Ninth Circuit represents good news for lifers in California, but bad news for Ronald Hayward.

In a decision based on a review of a three-judge panel's decision in favor of Hayward, the court determined that California lifers have a right "to parole in the absence of some evidence of one's future dangerousness."

The nine-judge panel disagreed with the three-judge panel decision two years ago and ruled that there was some evidence of future dangerousness in Hayward's case. The court also held that a certificate of appealability is required to appeal a denial of habeas corpus relief by a District Court.

'SOME EVIDENCE'

The latest decision, issued in April, held that California lifers have the right to parole in the absence of "some evidence" of future dangerousness. The right is created by state law and was defined by the California Supreme Court by *In re Lawrence* [190 P.3d. 535 (Cal. 2008)].

The state Supreme Court held in *Lawrence* that commitment offense does not establish current dangerousness "unless the record also establishes that something in the prisoner's pre- or post-incarceration history, or his or her current demeanor and mental state" logically supports a conclusion of current dangerousness.

The federal appeals court adopted the California Supreme Court's "some evidence" standard and did not decide "whether the California parole scheme establishes a predicate for imposing it as a matter of federal constitutional law." The Ninth Circuit noted that, "Even if Hayward were correct that he had a federal constitutional right to 'some evidence,' it would make no difference, since he had the right to parole in the absence of 'some evidence' of future dangerousness under state law."

Out-of-State Inmate Count

According to CDCR figures, as of April 2010, 8,261 prisoners are in out-of-state facilities, with 4,076 in Arizona, 2,579 in Mississippi, and 1,606 in Oklahoma.

A 2009 state audit reported that California compensates these out-of-state facilities approximately \$30,000 per year to house each prisoner. Although California currently doles out about \$248 million annually on this program, the audit determined that the cost of housing prisoners out-of-state is \$3,200 less per prisoner than the amount spent to house a prisoner in a comparable CDCR institution.

The Ninth Circuit found that then-Gov. Gray Davis acted properly in 2003 overturning a parole board decision finding Hayward suitable for parole because of the nature of his commitment offense and a psychological report that stated Hayward would pose a "low" to "moderate" risk of danger if released, "as opposed to 'no' or merely 'low' risk." The nine federal judges affirmed the U.S. District Court decision that had denied Hayward's petition for writ of habeas corpus.

The Ninth Circuit also held that a certificate of appealability (COA) is required to appeal a decision of a District Court denying a petition for a writ of habeas corpus. The court noted that the standard for obtaining a COA is lenient and that this requirement will only screen out frivolous petitions. When an inmate files a notice of appeal, the court considers it as a request for a COA and issues one unless the case is frivolous.

STILL HAVE CLAIMS

The Hayward decision means that lifers challenging denial of parole by the parole board or governor still have claims that are reviewable by the federal courts. The federal courts will apply the "some evidence" standard as defined by *Lawrence*. The resolution of the issues in Hayward in favor of lifers is significant. The California attorney general made a strong argument against applying the "some evidence" standard of *Superintendent v. Hill* 472 U.S. 445 (1985) to review decisions denying parole.

Writing in the *Berkeley Journal of Criminal Law* [14 Berkeley J. Crim L. 251], Blaire Russell observed, "The only entity that can satisfyingly answer whether federal courts should apply *Hill* in the parole context for federal due process purposes in the U.S. Supreme Court, because under AEDPA (Anti-terrorism Effective Death Penalty Act), only the U.S. Supreme Court can establish 'clearly established federal law.'"

HUNDREDS OF APPEALS

The Hayward decision gives lifers the benefit of the *Lawrence* "some evidence" standard while not applying any federal "some evidence" requirement to denial of parole. The Hayward decision means that hundreds of petitions and appeal dealing with parole will move through the federal courts.

Russell observed, "*Lawrence* and Hayward were both model prisoners who had served almost three decades in prison. The real test will be how the Board, the Governor, California courts, and federal habeas courts apply the current dangerousness approach to the many lifers who have served more average prison terms."

The decision is *Hayward v. Marshall* No. 06-55392, April 22, 2010.



Jeff Brooks gets his vision checked by one of the army of volunteers at the T.R.U.S.T. Health Fair

Photo: Troy Williams

Seventh Annual Health Fair Attracts Large, Thankful Crowd

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T.R.U.S.T. is an acronym for Teaching Responsibilities Utilizing Sociological Training. The noon presentation speakers were Warden (A) Vincent Cullen; Noel Valdivia, President of T.R.U.S.T.; Deacon Earl Jacobs of Healthy Oakland Urban Male Health Center and Mike Gibson, a juvenile justice specialist. The crowd was also given insightful information by spoken word artist Timothy Reeves.

BUILDING BRIDGES

"The mission of San Quentin Trust is to motivate, educate, prepare and assist men in prison for release to their communities," said Valdivia, "This program actively and responsibly builds bridges from inside San Quentin to the outside communities, which is crucial to facilitate successful re-socialization of our graduates back into their communities. Michael Shaw and Doctor Arnold Chavez of the Urban Male Health Initiative sponsored and provided technical support for the program. Shaw said that he has family incarcerated in Flint, Michigan and that California is woefully lacking in any efficient form of true rehabilitation. He said this state should want to do a better job of training incarcerated men and women with viable trades to ensure public safety. "A large portion of the men who go to prison and return to our communities don't need police," Shaw said. "We need our black men to be released into our communities to take care of their families to be role models".

ESSENTIAL ELEMENT

This fair brought with it many wellness providers including chiropractors, hearing and eye testing nurses, anger management specialists, yoga teachers, counselors in parenting and fatherhood, and dental educators. "Trust is an essential element for rebuilding our communities," said Darnell Hill, the Vice Chairman of T.R.U.S.T. "Because we're doing the time we are the individuals who possess the tools our com-

munities are in dire need of. We were the problems but now we're the solutions," a beneficiary of the Health Fair said. "That while we are living here we have no control of our basic meals," said Malik Harris, but the doctors and the nurses taught me that I could have control over my own health even in this environment. They gave me information on how to keep my cholesterol balanced and how to keep my blood pressure in check. I really appreciated all of their advice."

Throughout the day individuals that were interviewed said repeatedly that they were amazed at the large turnout and the concerned interest and care of the outside professionals that came in to San Quentin to do all of this for the inmates.

IMPRESSIVE TURNOUT

Michael Harris, outside coordinator and member of the executive body of T.R.U.S.T. offered these thoughts: "We're all excited about how many people came out and supported and participated in this Health Fair, from the outside community volunteers to the administration and most importantly San Quentin's general population, both North Block and H-Unit. This was a great

opportunity for us to share and network by engaging the community in this manner based on our sociological training."

GET DISCONNECTED

Asked how re-socialization affects successful re-entry, Harris replied, "Good question. Based on my experience of being incarcerated for over 22 years I have observed a certain type of detachment that takes place when a person does not have an opportunity to engage the outside community for large spaces of time. In some cases people become more disconnected and display even greater anti-social behavior. Any time the two worlds can meet, where the outside community and the prison community come together for a mutual celebration of human concern, the odds of public safety are elevated."

As the event came to a close men kept lining up to get their eyes checked or their spines adjusted. "Most men who come to prison have never gone to a chiropractor on the streets or had their blood pressure checked before their incarceration," said Dr. Chavez. "I like knowing that I can be a part of something bigger than I am and help people feel a little better at least for a day."

A Question Is Answered: CA Inmates Cannot Vote

Continued from Page 1

does not have the power to overrule another three-judge panel."

"When the 9th Circuit hears it again, they could do so by a randomly selected 11-judge panel," Specter commented.

In a memorandum the California secretary of state's elections office says "There has been no court finding or ruling that a similar situation applies in California and the law has not been altered, either by statute or by court order, to allow any California residents who are in prison or on parole for conviction of a felony to register to vote."

The inmates in Farrakhan asked for a Certificate of Appeal-

ability and for Solicitor General Elena Kagan to write a brief on whether the felon disenfranchisement claim is valid. Evenson said the solicitor general's view often is very persuasive for the U.S. Supreme Court in deciding whether to consider an appeal.

"There is no deadline to submit this brief," Evenson said. "The solicitor general could submit it earlier, but I doubt it will be on the Supreme Court's docket until 2011."

President Obama has since nominated Kagan for a seat on the U.S. Supreme Court.

Those Missing Film Crews

BY DAVID MARSH
News Editor

San Quentin State Prison is arguably the most famous prison in the world and an irresistible magnet to far more than the inmates who arrive by bus in a never-ending stream.

The list of suitors is indeed impressive. For ABC, it was the lure of filming a crime drama episode of "Criminal Minds" behind the walls of what is undoubtedly the West Coast's oldest and most infamous prison. ESPN was drawn to the tennis court and its reputation for vibrant competition between players that come from both inside and outside the prison walls.

For the Discovery Channel, it was an opportunity to donate cameras and state-of-the-art editing stations to the struggling S.Q. film school, then film six episodes documenting the learning process as the inmates were trained to learn with them.

The cable TV Tennis Channel sits impatiently atop a growing waiting list, eager for their chance to enter this crumbling prison by-the-bay to film a documentary around this same tennis court and its players.

It's not as though San Quentin has been short on outside celebrities. Passing through the ancient gates during the past year have been the likes of PBS news magazine correspondent Spencer Michels, mayor and would-be-

governor Gavin Newsom, one-time presidential advisor and community activist Van Jones, local Assemblyman Jared Huffman, author and physician Patch Adams, former boxer and one-time S.Q. inmate Paul Nave and Johnny Cash impersonator David Stone.

JOHNNY CASH

Each has passed through the prison's storied gates in little more than the past calendar year.

And, of course, that is not to include the echoes of a previous generation of prison-bound performers; such as the likes of Johnny Cash, Mary Wells, James Brown, Carl Perkins, Norton Buffalo and so many, many more.

But the flood of film crews has slowed to a trickle now as the effects are felt of a year-long moratorium on documentary film crews behind the walls of the state's 32 major prisons.

Administration officials say that the California Department of Corrections and Rehabilitation is feeling the effects of layoffs, budget cuts and furlough days and no longer has the personnel, time or resources to write, read and review the myriad documents, proposals and contracts necessary to making some of these things happen.

The Tennis Channel stood ready to give a little in order to get a little. Company executives agreed to resurface the prison's aging and worn tennis court,

saving the state approximately \$5,000 to \$7,000 dollars at a time when money is hard to come by. In return they asked for the right to film a one-hour tennis documentary on the prison's tennis team.

UNIQUE PROGRAM

The state's response: call back in August when the moratorium is set to expire.

For Los Angeles Times feature writer Kurt Streeter and his Pulitzer prize winning photographer, the attraction was the prison's unique sports program and its mentor, Coach Don DeNevi. San Francisco Chronicle sports columnist Scott Ostler and his photographer were here to write about Opening Day of baseball season for the San Quentin Giants.

Whoever and however it is that media or entertainment figures wish to journey behind the walls of S.Q., the path for approval almost invariably leads to Prison Public Information Officer Lt. Sam Robinson.

WRITTEN PROPOSAL

Gregarious, out-going and ever-smiling, Lt. Robinson seems a natural for the position which he has held for the past two and one-half years. An effective communicator, Robinson enjoys dealing with the public.

All requests from the media to visit the prison, usually about two per week, are routed to Robinson's office, and the first step is generally a written proposal. The proposal must include all the details of the proposed visit, such as who (how many), when, how many dates will be required, how much time, etc..

After Robinson has determined that all of the requirements have been met, the proposal is forwarded to the warden for his consideration. In normal times, with no moratorium in place, each prison's warden is free to determine just who he will allow inside of his prison, and for what purpose.

NO COMPARISON

When asked to assess the differences in media attention to San Quentin versus any of the state's other prisons, Robinson responded with a laugh, "There is no comparison at all. Probably 90 percent of the proposals from the media are here at S.Q. The media are always trying to capture a story about life here at San Quentin." Robinson pointed out that the news media are not subject to the moratorium on documentary filming.

Not all of the requests are for mainstream projects, according to Robinson. There was a person who wanted to do an American Idol, San Quentin style, who even submitted a list of notable people in the entertainment business who were behind the project.

A Promising New Way to Find Justice

BY COLE M. BIENEK
Journalism Guild Writer

A group of some 50 prisoners joined a mixed selection of visitors in the Catholic Chapel recently to participate in a restorative justice workshop and an introduction to Circle Processes. The prisoners ranged from first-time participants to skilled veteran "Circle-Keepers" who participate in twice-monthly meetings of the Interfaith Round Table.

"Circle process is about sharing and solving conflicts as a community," says Sujatha, a visiting Circle Keeper, and facilitator of the April 24 workshop. "Everyone has a voice and in the circle, everyone is allowed to speak and be heard."

Father Kirk, sponsor of the Interfaith Round Table, spoke in depth about restorative justice. "With restoration at the heart of the system, victims' needs are centrally addressed." This is in contrast to the current retributive model that uses victims as a tool to obtain guilty verdicts, Fr. Kirk pointed out.

Restorative justice models have been implemented in other parts of the world. New Zealand in the 1980s had one of the worst juvenile offense records in the world, and it was rising.

After implementing restorative, circle processes, New Zealand is now closing some of its adult institutions. "They are running out of people to put in prison," said Sujath. Locally, facilities such as the San Bruno Juvenile Detention Center have used restorative models with admirable results.

Throughout the day long workshop the feeling of interfaith cooperation was reinforced through the sharing of prayers. Members of six different faith groups shared prayers in the spirit of community and commonality.

"It was a truly liberating experience," said one H-Unit inmate. "For awhile, we weren't a bunch of people in blue and people from the streets, we were all the same, and it felt great."



Cynthia Ong, Angela Sevin and members of The Green Life

Photo: Troy Williams

S.Q. Celebrates Earth Day

By MICHAEL R. HARRIS and
JULIANGLENN PADGETT
Journalism Guild Writers

The Green Life, an environmental and sustainable living, food and energy awareness group at San Quentin, hosted Nikki Henderson at its first Earth Day in April and later brought in eco-activist Cynthia Ong of LEAP (Land Empowerment Animals People). Henderson is the new Executive Director of the People's Grocery, a unique food store/outlet whose philosophy is to enrich both the health and the economy for West Oakland residents.

Henderson says, "Nutritious food doesn't have to break your budget, which is why we've designed a payment plan that allows you to buy wholesome foods at a reasonable price. We live in a time where children and young adults are morbidly obese or they're suffering massive heart attacks. This is not natural and we at People's Grocery want to change that with heart healthy foods. To do this the food at People's Grocery is organically grown by a team of eco-conscious farmers."

Henderson says the food epidemic has taken America hostage. Agbiotech companies like Monsanto are creating patented biotech foods such as



Nikki Henderson of People's Grocery

Photo: Troy Williams



Cynthia Ong speaks to The Green Life

Photo: Troy Williams

rice, tomatoes and vegetables grown from seeds that are genetically altered to produce higher yields. She also cautioned her audience that if the label on the package has more than three syllables, do not buy it. "When I was a young girl our grandmothers would be in their gardens growing fresh vegetables that the family could eat that very night," Henderson said. "People's Grocery brings family back to the table."

When Cynthia Ong enters a room heads turn and people listen. Her every move demonstrates her passion to save Sabah, the 13th state of the Federation of Malaysia.

Currently Ong and her group, LEAP, are protesting the construction of a huge coal plant in an environmentally sensitive area. All of LEAP's efforts are to stop the 300 MW coal-fired power plant from going online. After hearing Ong speak the men of San Quentin in an organic fashion accepted her offer to help by writing letters to Prime Minister Razak in support of Ong's mission.

See Leapspirals.org for more info on Miss Ong.



The Opening Day officiating crew, from left: Nick Bauer, CCWF Associate Warden Greg Schoonard, Will Williams and Alton "Coach" McSween

S.Q. Giants Open With A Tough Loss

BY JEFF BROOKS
Journalism Guild Writer

The San Quentin Giants squared up in their traditional Opening Day game against the Oaks/Cubs and on a day filled with pageantry, the Giants came away with their first Opening Day loss since their re-inception in 1994.

On Saturday, April 17, the day began for the Giants when the team gathered for their individual and team photos. Assistant Coach Mike Deeble passed out new S.Q. embroidered baseball hats that were donated by West Coast Sporting Goods, and the team gathered for their photos on the San Quentin Field of Dreams.

The day's introductions began with the Color Guard from the Vietnam Veterans Group of S.Q. marching in from right field to present the colors. Inmate Drew Schroller sang the National Anthem.

Inmate Chris "Stretch" Rich, who is recovering from an off-season knee surgery, and who has for years been the starting day pitcher for the Giants, was encouraged by his fellow players to throw out a first pitch.

TWO FIRST PITCHES

"It was nice that the players recognized it was not the same without me pitching on Opening Day," said Rich. "Throwing out the Opening Day ball before the Warden was an honor." Warden Vincent S. Cullen then took the mound and threw out the ceremonial Opening Day pitch, a low ball that squirted between the catcher's legs.

"This is the fun part of the job," said Cullen, who played in Little League when he was a boy. "It has been 28 years since I played slow pitch softball," he said. When asked how he thought he would do throwing out the Opening Day pitch, he said, "There were multiple people who have helped me out ahead of time by throwing with me, and I did warm up today because I didn't want to go out there cold," he said.

San Quentin is one of the few prisons in the state with a hardball baseball team, and it is one of only a few in the entire nation that plays baseball games against outside teams.

GLAD TO BE HERE

All the team equipment has been donated by the San Francisco Giants clubhouse manager Mike Murphy. There was even a movie made about the team called "The Bad Boys of Summer."

While large Canadian geese milled about, Elliot Smith, Manager of the Oaks/Cubs said, "I am very glad to be here, every year I play here I feel lucky."

San Quentin prison officials who make the baseball program possible were on hand: Coach Don DeNevi, Principal Ted Roberts, Vice Principal Frank Kellum, Community Partnership Manager Laura Bowman Salzsieder, Administrative Assistant, Lieutenant Rudy Luna, and Public Information Officer Sam Robinson. All were given baseballs signed by the Giants to show thanks for their support of the program.

The media was on hand, represented by San Francisco's KQED radio (88.5 fm), KALW (91.7 fm), SF Chronicle's sports writer, Scott Ostler, and numerous photographers. "I really appreciate the game of baseball," said Ostler. "I have a real love for the game. I remember when I was younger and putting on the stirrup socks and the feelings I had."

AN EARLY LEAD

After a short pep talk by Coach Kevin Loughlin, the Giants took the field. Matt White took the mound, striking out the first two batters and getting the third batter to pop-out on a wicked knuckle-curve to finish the top of the first inning.

The Giants took an early 1-0 lead off starter Ricky Castillo, who was throwing good heat for the Oaks/Cubs. The Oaks/Cubs came back in the second inning to tie it up. The Giants added one run in the third inning when third baseman, Kevin Driscoll led off the inning with a double and shortstop Mario Ellis hit a double to score Driscoll.

The Oaks/Cubs answered with three runs in the fourth inning for a 4-2 lead, but the Giants answered in the bottom of the fifth inning when Kevin Henry hit a three run homer to take the lead 5-4.

The game seesawed back and forth until a pitching change was made by Giants Manager, Kent Philpott. In the top of the sixth the Oaks/Cubs tacked on six runs, adding one more run in the eighth and five more in the ninth.

Going into the bottom of the ninth inning and losing by a score of 16-5, the Giants rallied, scoring two quick runs, when last year's season MVP, Redd Casey, hit a three run homer run, bringing the final score to 16-10.

After the game both teams congratulated one another and exchanged high-fives, then they met on the pitching mound where inmate Dave Baker thanked the Oaks/Cubs for coming in, and then he led the teams in a short prayer.

The SQ Giants season runs to August 28, and they will play approximately 25 games. As we go to press, the S.Q. Giants record is 4-4.

Searching for a Soccer Coach... Anybody Have a Candidate?

BY WILLIAM CORDOBA
&
JORGE HEREDIA
Journalism Guild Writers

As the soccer World Cup (the biggest sporting event in the world) gets ready to kick off on June 11 in South Africa, soccer fever is rampant all over the globe.

Meanwhile, here in San Quentin soccer players would like to resume the soccer program that has been on recess, so to speak, since April of 2008 when the volunteer coach resigned for personal reasons.

An attempt to find a new volunteer coach was made through the Internet and with the help of a few prison employees and the Recreation Coordinator, but the attempt was fruitless. It seems like no one is interested in taking the task without a financial incentive.

Inmate Pascacio, a member of the prison's soccer team, said that someone in the outside community wants to donate soccer equipment to the prison but won't do it until a volunteer coach takes control of the team. And those who like soccer ask that a better effort be made to reactivate San Quentin's soccer program.

Prior to April of 2008 the prison's soccer team played against teams from the Bay Area on weekends. Also, there was equipment for all players and there were two time slots to play soccer during the week. There is no such thing now.

We spoke with the Recreation Coordinator about soccer in San Quentin. His attitude appeared to be that of someone who wants to better this situation. Still, he didn't tell us anything different from what we had gathered from other sources for this story.

To tell the truth, since April of 2008, soccer has not been getting the same amount of attention from the Recreation Department than other sports practiced in San Quentin. Perhaps it's because soccer is not such a popular sport in the U.S. or because the majority of those who practice it here are foreign nationals. Who knows? But if in fact, there is a

degree of indifference towards soccer, we pray that it be left behind and that we move on to find a solution to this problem.

After all, regardless of who may practice this sport behind these walls, soccer is a positive way of recreation that unites many cultures. That's the main reason it is the number one sport in the world

Juguemos Futbol

POR W. CORDOBA
Y
J. HEREDIA
Escritores de Journalism
Guild

A medida que se aproxima el inicio del mundial de fútbol en junio 11 en Sudáfrica, la fiebre futbolística se propaga por todo el planeta.

Mientras tanto aquí en San Quintín los jugadores de fútbol siguen pidiendo que se reanude el programa de fútbol, cual fue suspendido en abril del 2008, tras el renuncio del entrenador voluntario debido a razones de origen personal.

Al parecer se ha intentado obtener los servicios de un nuevo entrenador voluntario a través de la Internet, con la ayuda de varios empleados de la prisión, y con la intervención del coordinador de recreación del penal, pero dicho intento no ha dado frutos. Nadie esta interesado en entrenar el equipo sin que se le ofrezca un incentivo económico.

Stephen Pascacio, quien ha sido miembro del equipo por cinco años, dijo que el conoce a alguien en las afueras de la prisión que quiere donar implementos para el equipo pero que no lo hará hasta que el equipo tenga entrenador. Y los amantes del fútbol piden que se haga un mejor esfuerzo para revivir el programa de fútbol en San Quintín.

Antes de abril del 2008, nuestro equipo jugaba partidos contra

equipos del área de la Bahía los fines de semana, también teníamos implementos para todos los miembros del equipo, y teníamos dos horarios para jugar y entrenar a la semana Hoy tales cosas no existen.

Nosotros hablamos con el coordinador de recreación acerca del fútbol en San Quintín. Su actitud parece ser la actitud de una persona quien quiere mejorar esta situación. No obstante, él no nos dijo nada diferente de lo que nos han dicho otras personas referente a este tema.

La verdad es que desde abril del 2008 el fútbol no recibe la misma atención que se le da a otros deportes en esta prisión. Tal vez porque el fútbol no es un deporte popular en este país, o porque la mayoría de los que lo practican aquí son extranjeros. ¿Quien sabrá? No sabemos. Pero si en realidad existe algún grado de indiferencia hacia este deporte en San Quintín, rogamos que lo dejemos atrás y que nos dirijamos en dirección a la solución de este problem Después de todo, no debe de importar quienes practican el fútbol tras las paredes de esta prisión. Lo que debe de importar es que el fútbol es una forma sana de recreación que une a muchas culturas. Esa es una de las razones que el fútbol es el deporte numero uno del mundo.

SPORTS



Bilal Chatman swings for the fences

Photo: Paul Chinn, San Francisco Chronicle

Wanted: More Men for Sports

Spring sports have arrived and the facility by the Bay offers a variety of your favorite competitive athletic events. So sign up now for baseball, basketball, tennis, soccer, football, horseshoes, ping pong, volleyball or long distance running. This is a notice to all of you who want to participate in the upcoming games. This also includes those who want to walk to better their health. So put the spreads away, save your PIA money, get in shape, get out there and have fun. Because playing sports builds character and strengthens the mind and the body. And for those of you who are better spectators, please come out and support your favorite event.



Chris Marshall congratulates Redd Casey

Photo: Paul Chinn, San Francisco Chronicle



The V.V.G.S.Q. Color Guard

Photo: Paul Chinn, San Francisco Chronicle



The San Quentin Giants in a photo line-up

Photo: Sam Robinson

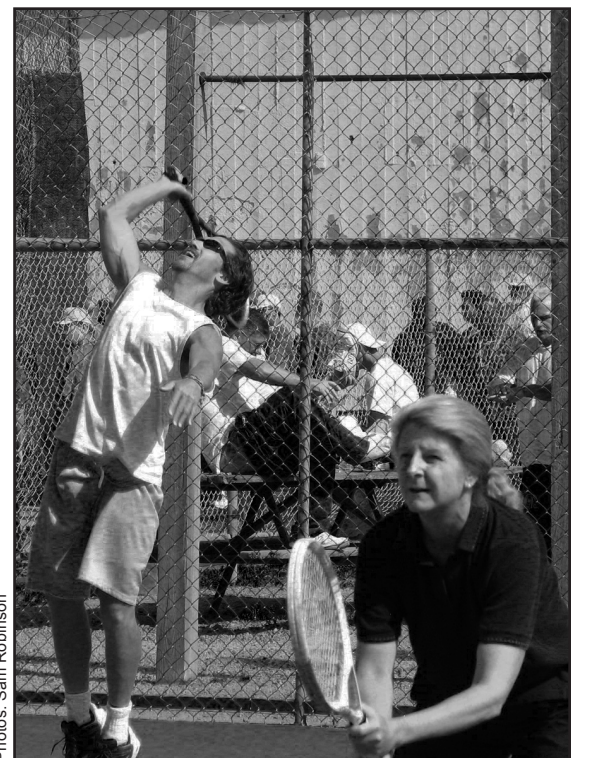


Maybe two points... and maybe not

Photo: Sam Robinson



Mario Ellis makes a sharp move



Chris Schuhmacher and Leslie Lava

Photos: Sam Robinson

Voices From The Row

By L. SAMUEL CAPERS
Contributing Writer

Part 2 of a 2-Part interview with
Ms. Aida, former Death Row
teacher.

As you are aware, many convicts come from rough backgrounds – the hood, barrio, etc. Do you understand us because you, too, overcame such conditions, growing up as a child?

I did not come from a rough background. But my family was very giving and helpful to those in need. We were taught that a compassionate heart is worth so much. That our happiness and joy depend on to what degree we are willing to help.

Many of us grew up being told that we did not have a chance because of our environment, skin color, financial status, etc. You, on the other hand, give us hope and the encouragement that we are not used to getting. What is the percentage, do you think, of those who completed their schooling in San Quentin that have moved on to bigger and better things?

I would say that maybe 10 percent.

In the eyes of society that may not be much, but to those of us here that 10 percent is a huge accomplishment. How many of your former students have paroled, been discharged, and are now living productive lives in society?

I have had the pleasure of seeing many of my students who

have paroled out in the world living productive lives. Several of them have thriving musical careers. I would say around 15 percent.

Who will be taking your place on the East Block?

I will do my best to pass the baton to a person that is sincerely interested in the program continuing.

Although you will be moving on your name will never be forgotten. It will be a bittersweet day for us here on The Row. Lastly, for those who are having second thoughts about finishing school, do you have any encouraging words and/or advice for them?

I think any completion of a program we start is good food for the soul. As we are showing the universe that our intention was solid from the beginning. Also, we gain power and strength when we follow through with ourselves, only to accomplish what is next in our lives that we would like to attain. Self-confidence and patience are gained when we complete an education program.

Thank you Aida for the words of encouragement and wisdom. You are truly a diamond in the rough. It would be nice to have more teachers as well as staff like Aida to lift up the lowly in spirit and give them a chance to get it right, this time around...

Two More Go Free

By JULIANGLENN
PADGETT
Journalism Guild Writer

Leonard Paul Rubio had seen his share of the prison by the Bay since he began his life term for second-degree murder. In April, amidst legal wrangling with the governor, Rubio paroled after spending 23 years behind San Quentin's walls.

"This whole process has been an education for me. I was 18 years old when I came in. I went from being four days away from studying engineering at the University of California at Davis to the California Department of Corrections and Rehabilitation," he said.

ASSOCIATE OF ARTS

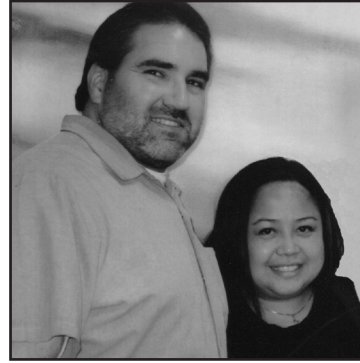
In 1988, Rubio was convicted of the fatal shooting of his girlfriend, Heather Dunn, a Benicia High School student.

"I was going through so much that I had bottled up a lot of things. Had I taken the time to get the help I needed, a precious life would not have been taken," he commented.

The 41-year-old Rubio had spent 20 of his 23 years in vocational programs and had earned his Associate of Arts degree.

"I know that education will continue opening doors for me, but I'm still going to miss the men here because we've fought the same battles with the court system and the governor, while at the same time helping each other get through this prison experience," he said.

The Board of Prison terms had found Rubio suitable for parole twice. The first time the decision was reversed on review because



Leonard Rubio and Aouie

the victim's family had not received notification of the hearing.

The second time was last year. The governor reversed the board's decision by applying information that two courts had ruled could no longer be used.

Gov. Schwarzenegger applied Penal Code Section 3058.6 to deny Rubio's parole recommendations. But the Superior Court of Solano County vacated Schwarzenegger's recommenda-

tions and ordered Rubio's release on parole.

"This process goes against the current law" Rubio said. "The Lawrence decisions have made the law very clear, yet the board and the governor continue to disregard it. The broken ideology that California's policy makers have that people in prison cannot change for the better is poisoning this state. And it contributes greatly to three things: the breakdown of an inmate's family unit, prison overcrowding and California's out-of-control billion dollar deficit."

"Now that I am going to be paying taxes," said Rubio with thoughtful reflection. "I need to speak up because I don't want to pay for people to be in prison when they have done their time and have taken the programs like I did, because those people should be released."

Harrison 'Stone' Finally Rolls Home

By PHOEN 'SANE' YOU
and STEPHEN YAIR LIEBB
Journalism Guild Writers

Seventeen-year-old Harrison "Stone" Seuga, aspiring to join a Los Angeles street gang, obeyed a gang leader and fired a sub-machine gun into a steel door. The bullets pierced the door and struck three victims on the other side. One victim died and Seuga was sentenced to a term of 17 years to life.

On a tranquil Thursday morning, April 8, 2010, Harrison Seuga was paroled from San Quentin Prison. Seuga's transformation from a juvenile without guidance or direction to an educated young man is a testament to his character, faith and strong Pacific Island heritage.

Harrison was born in Samoa and his family moved to Hawaii, and later to Carson, California where at age 12 he began associating with gangs and selling drugs. Stints in the California Youth Authority did not dissuade him from his criminal behavior, which culminated in a life sentence for murder.

Harrison began his sentence at Pelican Bay, a violent prison with little or no opportunity for him to change. He eventually transferred to a Level III facility where he was mistakenly identified as Hispanic and charged as a participant in a racial riot.

BACK TO PELICAN BAY

He was transferred back to Pelican Bay.

To spare his family worry, he lied and said he had requested to return to Pelican Bay. On a visit, he saw his mother's tears and felt her sorrow. Later, lying on his bunk, he vowed he no longer would cause his family or any other family pain. He made an unswerving commitment to change.

During the past ten years at San Quentin, Harrison received an A.A. degree from Patten Col-

lege. Harrison was a graduate and facilitator of I.M.P.A.C.T. and T.R.U.S.T. and a certified substance abuse counselor. His passion for helping adolescents avoid the path he took made him an effective member of S.Q.U.I.R.E.S., a San Quentin group that mentors at risk youth. A fellow S.Q.U.I.R.E.S. member, Felix Lucero, said, "Stone had a way of connecting with young men that surpassed social status, demographics or culture. He could relate to teenage issues like image and self-esteem that exist in all levels of society."

TOP TEN FINISHER

Harrison was an all-around athlete. He was a member of the San Quentin Giants and played for flag football and volleyball teams. Weeks before his parole, he was a top ten finisher in a three-mile race sponsored by the San Quentin Thousand Mile Club.

Harrison's intellectual curiosity and love for knowledge was evident to anyone who took college classes with him. He hopes to continue his education and work toward a doctorate.

Phoenu You remembers Harrison as someone who "did not talk about doing the right thing but showed it by his walk and example. I came here from a prison with a different culture and attitude, he inspired me to get my education and begin working to improve myself."

Stephen Liebb remembers Harrison as "someone who, when he received his first parole date and had it taken [away] by the Governor, bore the disappointment with great dignity. Harrison had a quiet strength and great warmth. I am honored to have him as a friend and brother."

Now living in OPTIONS, a half-way house in Oakland, Harrison plans to work with at risk youth. He said, "When I can speak, I will. When I can affect or influence change, I will."

Look Who Made It:

Wes Stevens



Wes Stevens at home

By Joy Richardson, a private
citizen interested in lifer success
stories.

After 25 years, Wes walked out the gates on April 4, 2006. Within the first three weeks he had three job offers and accepted a position as a welder. He has been working at that same job since then.

Wes met his life partner the following October. He says they were a perfect fit from day one. On Valentine's Day 2008, they signed their domestic partner papers and were married on June 18 of that year. They live in a small town not far from Folsom.

Wes says that one of the things that stood out about being on parole happened about three years

ago. He was supposed to attend a parolee outpatient clinic as a condition of parole but his parole officer told him not to worry about it. One day he got a call from a new parole officer who told him that he had violated the terms of his parole and he heeded to turn himself in. They took a look at his file and discovered that he hadn't refused to go, that he was told not to worry about it. Wes spent about a week in county jail waiting for them to get things straight, then walked out for the last time.

What was the most difficult thing about getting out?

The world was very different. I discovered that you can't just step right back into society. It takes time. It took me about two years to feel really comfortable out here.

What do you enjoy doing in your spare time?

I enjoy spending time with my two daughters, aged 24 and 14. I go to as many of my 14 year old's softball, basketball and volleyball games as possible. I also attend her back to school nights. My partner and I enjoy taking

day trips on our motorcycles. We enjoy going on toy runs too.

Does any particular ride stick out in your mind?

Once when we were on a motorcycle run, we rode past a prison. I remember going through a whole range of emotions in the span of a few minutes. There we were, 14 or so bikers riding past the prison and I had tears rolling down my face.

Are there any goals you have that you are looking forward to accomplishing?

Once I am off parole and I can leave California, I would like to visit Hawaii. I would also like to go back to Indiana to say goodbye to family that passed away while I was inside. I was able to accomplish one of those goals recently. My mother passed away while I was in and her ashes had been scattered off Monterey. My partner and I took a trip to Monterey to say goodbye.

Wes has 12 more visits to his parole officer and then he will truly be a free man.

MY JOURNEY TO AD SEG

By DAVID MARSH
News Editor

AS I SEE IT

About one a month is usually my limit for Op/Ed pieces, and for this issue of our paper I had previously written my As I See It column on the subject of my kids and going home to face them, which I will be doing soon. But it was an easy call to know that I could not possibly be true to my job as a reporter and to the readers of this paper if I did not write about my recent unforgettable journey to Administrative Segregation (Ad Seg) here at San Quentin. Carson Section, to be precise. For the uninformed, Ad Seg is The Hole in these parts.

And truly it is with a heavy heart that I sit to write this candid, but necessary, piece. For I

can only imagine the fallout that will come my way as a result. But I stand behind the truth and veracity of all that I write and publish, and this piece will carry my name.

THE EARLIER ARTICLE

Most longtime readers of our newspaper will remember the issue of January 2009 when the San Quentin News published a story about the conditions that could be found in The Hole. The story was based upon interviews with four inmates, each of whom had recently endured a stretch in

Ad Seg. The article was by Journalism Guild writer Jeff Brooks.

Jeff wrote about the plumbing in the cells that didn't work and the lights that failed to come on. As I recollect, some of the interviewees had to eat with their fingers for a while and contend with the filth in cells that appeared not to have been cleaned for quite some time. There was more, as I remember, much, much more! And none of it pretty.

We at the San Quentin News verified the accuracy of Brook's story to our trained standards of journalistic integrity. In short, we were quite satisfied that we got it

right. And so we ran the story in our January '09 edition. And a storm followed.

As I previously mentioned, I recently spent three glorious weeks in Carson Section for something which I knew absolutely nothing about (but that's fodder for a story of a different nature entirely).

I haven't swapped notes with Brooks to ascertain whether I, in fact, shared at different times the same cell as one of his interviewees. But in my cell the plumbing and the lights both worked. And the cell was reasonably clean.

READERS CAN JUDGE

But before we get too deeply into the kudos for these relatively minor upgrades made during the year since we ran Brook's story in our paper, let the reader judge for himself how much progress has been made toward bringing San Quentin's modern day equivalent version of the "dungeon" up to a minimum acceptable standard.

I slept the first night without benefit of a blanket or sheets. (I was taken into custody at the newsroom of the San Quentin News). The tier officers couldn't figure out how I had arrived at the unit without my bedroll from H Unit, and said that, unfortunately, there were no blankets provided for them to give out to new arrivals. So for the first night, I did without.

Same story with a spoon or eating utensil. And the same explanation from the tier officers: "None to give." So the first few meals were eaten with my fingers. Others I have talked to have fared far worse and were forced to do without for much longer.

ESSENTIAL ITEMS

Make no mistake about how many times I made the request for these essential items to each of the officers who worked the tier. And to their credit, I believe their explanation that these items were not available to give. And therein lies the ongoing problem in the Administrative Segregation units in San Quentin.

But the problem runs deeper. Much deeper. For when an inmate finds himself subjected to Ad Seg for the first time, it can truly be overwhelming. Never at any time during a period of incarceration is a prisoner's access to a Title 15 regulations manual ever going to seem more important than it might during a SHU term.



David Marsh

How else can a novice begin to understand what his rights are or how to effectively challenge a perceived rule violation?

In spite of my repeated requests for a copy of the Title 15, a writing utensil and a 602 appeals form, I never received a Title 15 during my three-week stay, and only after five days was I given something with which to write. The 602 form appeared after only eight days and numerous requests. A Bible took a bit more than two weeks to obtain.

Never during the three weeks that I was there was I given any of my personal property. And opportunities for exercise during the three weeks were limited to two short trips to a small cage outside for about an hour and one half each

WHAT'S AVAILABLE.

Those are the facts as I know them to be from my recent, first-hand experience. Do I hold the tier officers responsible for the essential things I wasn't given in a reasonably prompt manner? No, I really don't think so. I believe they provide to inmates what is made available for them to dispense.

The anger that may be directed at me for writing on this topic will be exceeded only by my own anger that I was subjected to such deplorable conditions. I am not the messenger, but only the messenger. The reason for this column is an attempt to improve these substandard conditions that still are the rule of the day in Ad Seg one year after our original story. This, alas, is far from a perfect world in which we live.

Many of my peers are betting this story will never be allowed to make its way onto the pages of our newspaper. Me, I'm an optimist, and I am confident that in spite of all, that it will. And perhaps that, itself, is a true sign of just how far the conditions in prison; in THIS prison, have come. For we do, after all, have a newspaper. And I'm betting that this piece will be in there.

Budget Cuts Hit Chaplain Programs

By GREG COLLEY
Journalism Guild Writer

Despite that "R" for Rehabilitation in CDCR's name, budget pressures have meant cutbacks in vocational, educational, self-help and similar programs often recognized as the most efficacious dollars spent in the California corrections budget. Political reality can, and frequently does, result in bad public policy. In such instances, we can only make the best of a bad situation. Faith and spiritual activities may become another case in point. In these programs the budget shoe has not yet dropped, but certainly could. Are we prepared for this?

GROUP INMATE APPEAL

As of early December (a full eight months later), no replacement priest had been hired despite repeated discussions with CSP Solano's Community Partnership Manager through the Religious Affairs Council. Nor had any volunteers been allowed into the institution. At that time a groupinmate appeal—containing over 100 signatures from Facility IV alone—was prepared for submission in hopes that some form of relief might be forthcoming by Christmas. The stalemate was seen as particular grievous because in Catholic practice critical sacraments, such as consecration of the host and reconciliation, can only be administered by a priest. Placement of ordained ministers must be approved by the local diocese.

SLOWED TO A CRAWL

Communicating outside a prison is always difficult for inmates, but communicating with volunteers and the local diocese were only two of the problems faced by the Solano group. CDCR hiring processes can be slowed to a crawl when institutional will is lacking, and security procedures can be used to preclude volunteers from entering an institution if careful preparations are

OPINION

not made (although dispensation from security shift commanders is possible). Merely finding volunteers can be a problem. In the case of the Solano inmates, at least two potential candidates were forced to withdraw due to delays.

Clearly, when religious programs and budget realities collide, program value may not be the driving criteria. It is cold comfort that this is consistent with the treatment of other programs that have been shown to reduce violence and recidivism, and thereby CDCR's direct costs.

RAISE THE ISSUE

Inmates at San Quentin and throughout CDCR must raise this issue with their chaplaincy

staff representative and actively participate in the creation of contingency plans. Likewise, they should enlist family members and outside participants to provide both grass roots political pressure and organizational help for alternatives, as these take time to implement.

In short, take action, as this is the best way to ensure the continuity of worship activities. And all, in the manner of each faith, should pray for strength and guidance in the face of these adversities. To paraphrase one Christian saint, "Pray as if everything depended on God, but work as if everything depended on you." Your rehabilitation is much too important to be left solely in the hands of the rehabilitation "experts."

3-Strikers Propose Group

Three Strikers in San Quentin's North Block held a strategy meeting in anticipation of expected changes throughout the California Department of Corrections and Rehabilitation.

A spokesperson for the group indicated that he is preparing a "Leisure Time Activity Group" (L-TAG) proposal for Three Strikers and is submitting it to San Quentin's administration. This will allow the prisoners to meet and organize regularly in a

designated place with a sponsor from the prison's staff for support services.

The spokesperson advocated taking advantage of the unique programs at San Quentin, and encouraged all Three Strikers to enroll into self-help programs and/or educational programs that will improve their social skills, because "it is only a matter of time before we will have to appear before the board."

Both Sides of the Fence

By W. CORDOBA
Journalism Guild Writer

Fences are made of different heights and materials, for different purposes. There are picket fences, back yard fences, construction site fences, park fences and electric fences, just to name list five. In the once prosperous state of California, however, the two most notorious types of fences are those erected to keep people out of the country and to keep people in prison.

Because of California's draconian sentencing laws, those who are sent to prison and those who cross our borders illegally end up

having one thing in common: they get to the other side of the fence for a long stay. In the case of those who are sent to prison, though, the length of their stay is often in proportion with their offense, especially of those who are sentenced to life under the Three Strikes law.

This is my second time here at San Quentin (I was here from 1999 to 2001, then transferred out). I've heard of the impact of the Three Strikes sentencing law, but this time around I'm seeing it and feeling it, as I've run into so many convicts who have been struck out (some of them I've seen go home a few times from here and from other prisons). And

although I know these men are not angels—neither am I—I believe it's unfair for anyone to spend the rest of his life in prison for an offense for which he otherwise would have been sentenced to a couple of years.

So where is the problem, and what's the solution? I think that if we change and have better control of our behavior, especially when we get out of prison, legislators will have less reason to get carried away and enact exaggerated sentencing laws that, as we've seen, don't pay off. I'm no scholar but, as I see it, the roots of the problem and the roots of its solution are on both sides of the fence.

Hobby Shop - Duffy's Answer to Violence

By COLE M. BIENEK
Journalism Guild Writer

In a dusty, busy room, men sit behind utilitarian workbenches, some carefully applying finishing touches to beautifully hand-made wooden jewelry boxes, some tooling raw strap leather into intricate belts; still others sit before large canvasses depicting panoramic landscapes or meticulously rendered portraits.

At first sight, one may believe the room to be part of a crafts guild, or a community arts center. And, in one sense, it is both. Then you look a bit deeper, pay closer attention to the men themselves. Most are older, not a great shock—it does take a lifetime to master some of the skills these men possess. They are all dressed the same, blue chambray shirts and blue denim pants dominate. Some have fading tattoos adorning every inch of exposed skin, excluding only their faces—except for teardrops beneath a questioning eye, or words scrawled on a thick, strong neck.

NOT LIKE A PRISON

The men around the room are intent on their work, concentration etched into their expressions. You would never guess that this was the hobby shop at one of America's most famous prisons—San Quentin. After passing through the front door, beneath sharply serious coils of concertina and bands of rusted barbed wire, you no longer feel as though you are standing in a prison, much less one with as much brutal history as San Quentin. The men will engage visitors in polite conversation, always anxious to show their work, and extol the importance of having such a sanctuary behind the stone walls.

Despite the severity of the situation, visitors to San Quentin often have to remind themselves where they are, exactly. Sitting on some of the most expensive real estate around, the prison by the bay boasts the highest level of community involvement in the state, if not the nation. This creates an atmosphere unlike any other prison. The men living double bunked in the tiny, six-by-ten foot cells of San Quentin's North Block have the opportunity to participate in perhaps the only rehabilitative, therapeutic environment to be found in California's struggling prison system.

THE BAD OLD DAYS

History repeats itself in the microcosm of California Corrections. In 1939, America teetered on the brink of world war and San Quentin was one of the nation's most violent, corrupt prisons. Corporal punishment was the rule of the day and as further penalty, prison guards chained men in the lightless, dank, unfurnished "dungeon." They delivered food to the inmates in

buckets, and there were no available programs beyond the opportunity to attend chapel services.

Gangs of ruthless convicts ran the prison yards with a measure of brutality not likely ever to be seen again. The prison guards exacted retribution 19th century style, wielding clubs, lashes, straps and hoses to beat the ordinary convicts; the "bosses" were left alone. San Quentin was so corrupt throughout the 1930s that a band of prisoners even managed to make a sizeable sum printing counterfeit bills in the photoengraving shop.

"The hobby program gives a man something to look forward to."

—INMATE HOBBYIST

In walks Clinton Truman Duffy. A small man, bespectacled and mild, his size and demeanor belying an iron will and compassionate sense of justice years ahead of its time. Within months of assuming the Warden's office, Duffy fired the captain of the guards, eliminated the convict overlords and began feeding the men on trays in a new chow hall. Much to the chagrin of the guards, Duffy was known to walk around the yard, unarmed and without escort.

Warden Duffy allowed the use of radios in the cells, established the Hobby Program and made San Quentin the first institution to permit Alcoholics Anonymous

meetings. Throughout his nearly 12-year tenure, Warden Duffy never abandoned his belief that San Quentin could rehabilitate as well as punish.

Administrators and prisoners alike recognize the value of activities that occupies leisure time and provides a balanced incentive/deterrent for positive behavior. "The [Hobby] program gives inmates something to lose, which helps modify their thinking in critical situations," notes a prison psychologist.

'I'M BASICALLY DEAD'

Not surprisingly, the prisoners themselves recognize this. "A man with nothing to lose has no hope. A man without hope is liable to do anything," states one lifer. "I've been in the pen[itentiary] for over thirty years and I can't count the amount of times I've heard a man in the hobby program say no to something that would have risked his ability to hobby. It's like the family visiting; the hobby program gives a man something to look forward to."

Mitch Smiley, a Lifer who has participated in the Hobby Program since 1984, wonders what he would do with his time without the Hobby Program. "The [hobby] program is the most important part of my daily life," he says, "Without it, I'm basically dead to the world."

NEXT ISSUE, PART 2: A step back but hope for the future.

Back in the Day

Selected Stories From Back
Issues Of The San Quentin News

MAY 23, 1980 – After a year of remodeling, the **new \$125,000 S.Q. band-room**, including sound studios and a classroom stage area, is scheduled to open June 2.

MAY 23, 1980 – Two black inmates suffered stab wounds on the tiers of A-Section in what is suspected as a racial incident. One con was stabbed four times and had a facial laceration, and the other was stabbed on the right arm. Four suspects were taken into custody, three whites and one Mexican-American. Two prison made knives were found.

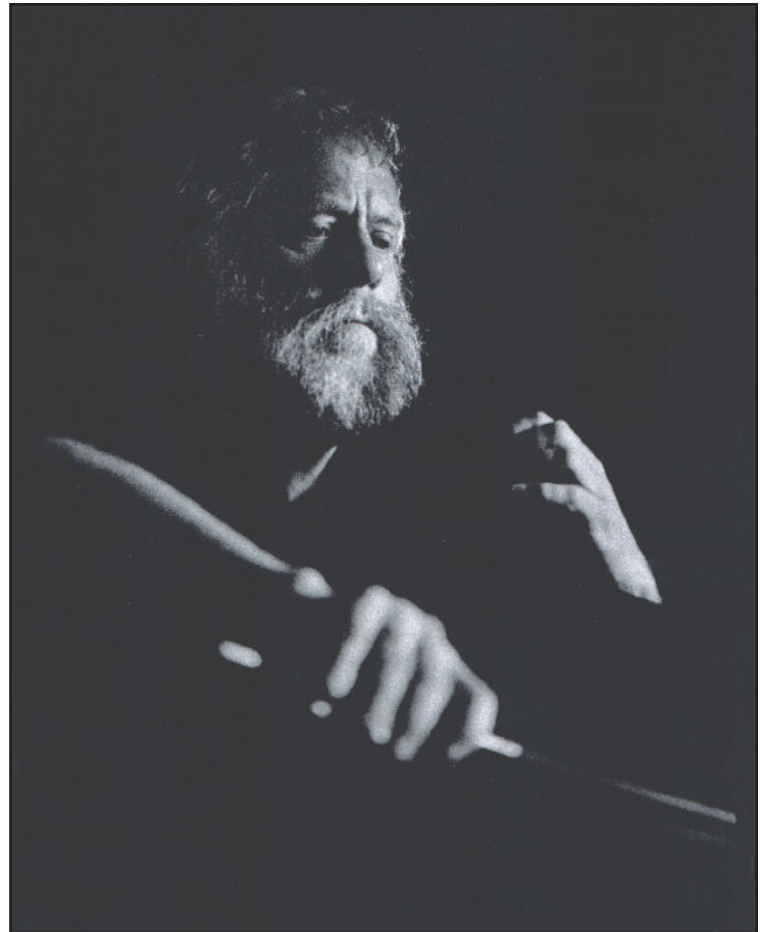
MAY 23, 1980 – Due to the current lockdown, the annual **Memorial Day show** and fight card that were scheduled for May 23 have been cancelled. The fight card will be rescheduled for a later date. The May 16 issue of the S.Q. News was cancelled also.

MAY 23, 1980 – John Abbot, 25, William Broderick, 27, and Durward Shire, 64, were assaulted during the morning of May 13

in what prison officials are calling a racially motivated attack. **Abbot suffered four stab wounds** and was left in stable condition, the other two were treated for stab wounds and released back to their cells. Three prison-made knives were found at the scene and one suspect was taken into custody.

MAY 23, 1980 – Mothers and fathers traveled as far as 600 miles in order to spend Mother's Day with their convict sons on the prison's annual **Family Day Event**. Approximately 100 convicts attended the event, which included breakfast in the north dining hall.

JUNE 13, 1980 – A class in "Dream Work" will be offered, tentatively starting July 14. The classes for 12 interested inmates will meet once a week for one and a half hours. Members will learn techniques to **improve dream recall** and understanding, and how to explore their inner potential for growth.



Bass Player Richard "Dobbs" Hartshorne in concert

Photo: Pacific Sun

S.Q. Captive Audience For Captivating Cellist

By GREG CAHILL
Contributing Writer

He ain't Johnny Cash—not by a long shot. No country twang. No pout. No man in black. Instead, Richard "Dobbs" Hartshorne totes a double bass and packs a parcel of J.S. Bach.

But like the country legend, who built his reputation playing for prisoners, Hartshorne, as he likes to be known, can captivate a captive audience at a state pen, as he did recently for inmates at San Quentin State Prison, playing the Baroque composer's calming Six Solo Suites for Unaccompanied Cello transcribed for double bass.

OUTCAST CITIZENS

Since 2004, this internationally respected string player and peace activist, along with pianist Tali Margolis, has been sharing highbrow culture with some of society's most outcast citizens.

With state funding cuts mounting in prison education programs, Hartshorne is on the tail end of a whistlestop tour, bringing classical music to prisons, juvie halls and drug-abuse programs around the state.

He's now reached one-third of the state correctional facilities in California.

This week Hartshorne makes an appearance for both local in-

mates and, as part of a local fundraiser for his organization, some of Marin's more well-heeled and law-abiding residents.

On March 27, [he performed] for incarcerated youths at the Marin Juvenile Justice Center in San Rafael, and on March 29, at the Henry Ohlhoff House, a residential substance-abuse treatment facility in Novato.

In addition to Bach fugues and cello sonatas, the accomplished storyteller and classical musician offers insight about composers and their works, telling them about Russian composer Dmitri Shostakovich's persecution at the hands of authorities of the repressive Soviet state and other tales.

The Prison Concert Project has proved rewarding for the musician and inmates alike. "Mainly, what I try to do is give them permission to do anything they want and not feel like they're required to understand something or get some specific thing from the music," Hartshorne recently told the San Rafael-based Strings magazine. "Anything that they get is good."

SUMMER CAMPS

"I throw a lot of stuff out there just to help them."

The innovative prison project is funded, in part, by a grant from the National Endowment for the Arts.

The project is just one of the double bassist's many Bach with Verse programs that merge music and social justice issues. As a founding member of the New Hampshire-based Apple Hill Chamber Players, he has co-hosted summer camps for young Israeli and Palestinian string players, performed in the Middle East and Central America, and sent sheet music and musical instruments to students in Afghanistan.

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CORRECTIONS

On page 6 of the January

- April issue, in the story

"With A Little Help From

Our Friends", Kali Lador's

and Jen Lyons's names

were misspelled. The

San Quentin News

regrets the errors.

POETRY

I'VE BEEN THERE
Henry Montgomery

Where trees grow inward
Hiding their fruit from squirrels & crows
Where afro's symbol men of old
Panthers & kings sported crowns & rings
Worn by black queens
Goddesses not bitches
Our men hero's not snitches
Of modern times
Or nigga's that rhyme
Without reason or story line
I've been there...
Where rain dropped hails of blood
Through glass windows
As mom tipped toed
Round boyfriends
Broken and spiritually croppled
Stuck in drunken stupors
While A.T.F. storm troopers
Raided our homes
As crack heads foamed at the mouth
I've been there...
Where refrigerators left

ajar
Screamed screams of Ethiopians

While sista's tie the tubes of their sista's fallopian
Damaged & hopeless dreams of bearing life
I've been where shadows walk in fear of light
Exposing their shames of past deeds
Done intentionally on the souls of innocence
I've been where clouds refuse to part the skies
For dreamers to sneak peeks of destinies sold for a price
I've been where drug lords caught in street wars
Packed their bullet wounds with ice
Cold & shaking afraid yet waiting
On the outcome of tomorrow's
Guilt ridden memories
This is where I've been! This is where I am!
And this place no one wants to go!

The Giants Angel
By John Neblett

We had an angel in our dugout for a season,
No doubt, the good Lord had a reason,
But to all the men in San Quentin
This God given and lovely vision
Was always a major distraction,
Do we watch the game or gape at Allison?
Men from all over San Quentin,
C.O.'s, counselors, and maintenance,
Visiting players and even

the umpires,
Always she caught their eyes and attention!
Hardly did they ever imagine,
Never could they ever envision,
Seeing deep inside this old dark prison,
Our angel, the beautiful Allison.
Our angel we've had for three seasons,
We pray that she stay for these reasons,
Seasons come and they go,
for baseball is eternal,
And so is our love for Allison.

In Indian Country

By DANIEL TREVINO
Journalism Guild Writer

In Native teachings the Wolf is considered a Sacred Totem and Symbol for many tribes and individuals throughout North America. The Wolf is idealized for his prowess, endurance and cunning. By observing the Wolf, Native tribes learned forethought before decision and the importance of family, loyalty and unity. For Native people the Wolf is considered a teacher, a leader, a parent and a guide. So to have the Wolf as a Spirit Guide means that you embody the best qualities of the Wolf. You think before you act, family and tribe are first and foremost in your mind. Those that are Wolf Clan are considered the teachers of the tribe. They are the ones who will help the children of the earth in understanding the Great Mystery and how to live life to the fullest. Wolf medicine helps us look for teachings no matter where we might find ourselves at.

Hunger Strikers Protest The Three Strikes Law

By JEFF BROOKS
Journalism Guild Writer

Inmates at San Quentin State Prison joined inmates of the Correctional Training Facility in Soledad in participating in a three-day hunger strike to protest the enactment of California's Three Strikes law. Volunteering in a peaceful hunger strike, inmates joined together on March 7, 8 and 9, the anniversary dates of the signing of the law, to bring awareness to the 16th anniversary.

In 1994 Governor Pete Wilson signed what has become known as California's "Three Strikes and You're Out," law. The law, touted as one of the nation's toughest, has led to the sentencing of inmates to terms of 25-years-to-life for convictions of non-violent/non-serious felonies.

"There are lots of reasons why I participated in this hunger strike," said C. L., an inmate at San Quentin. "I believe those of us who are incarcerated under this unjust law need to come together and show our solidarity. This hunger strike is probably crazy, but it needs to be used as a catalyst so the people of California can become aware that this bad law is costing them millions of dollars. The money that is being wasted to keep petty offenders in prison for 25-years-to-life could be better utilized to fund all the schools in California from K-12. No other states use the Three Strikes law like California does, and

that alone ought to tell you how bad this law is. It's ridiculous how much this three strikes law is costing California and I believe taxpayers need to know it."

It costs \$53,000 annually to incarcerate each person--\$40 million altogether, said Terry Thornton, spokeswoman for the California Department of Corrections and Rehabilitation, in January.

Many of these three-strikers are now in their 40s and 50s, costing the state even more for medical care than the rest of the younger prison population, and the costs are expected to rise steadily as these inmates require even more care as they get older.

"We needed to come together to let society know that a guy who committed a petty theft should not have to do more time than a murderer," said D. K., another inmate at San Quentin. "The original intent of this law was to keep violent offenders locked up for longer periods, but now that you have thousands of petty felony offenders doing 25-years-to-life, it's time for this law to be amended. There are guys who had possession of \$10 worth of drugs and they are doing life sentences. It's insane. We did this hunger strike to bring awareness and to bring about changes to this law. Society should question itself when a person commits a non-violent/non-serious felony and they have to do more time than someone convicted of murder."

News Briefs

WARSAW, 4-10-10 - An airplane crash took the lives of the Polish president, his wife and dozens of the country's political, military and religious leaders. Investigators are blaming **human error for the crash** in western Russia that occurred in dense fog.

MOGADISHU, SOMALIA, 4-14-10 - The sounds of music will grace the airwaves no more as hard-line Islamist militants have banned it from the airwaves. Music now joins bras, movies and musical ring tones also **labeled as un-Islamic** by the militants.

PARIS, 4-20-10 - Grounded European airlines continued to lose more than \$300 million per day as volcanic ash continued to spew for the fifth day from a volcano beneath Iceland.

HEMET, CA, 4-21-10 - After a series of attacks against the local police dept., including the burning of three police SUVs, federal and local authorities struck back with the **arrest of 16 people**. 35 homes were raided, and police say most of those arrested were white supremacists.

NEW YORK, 4-21-10 - Academy Award winning actor Michael Douglas watched while a New York judge sentenced his son, Cameron, 31, to **five years**

in federal prison for dealing methamphetamines. The younger Douglas was also ordered to forfeit \$300,000 by U.S. District Judge Richard Berman.

TEXAS, 4-23-10 - A former juvenile prison administrator was convicted of **sexually abusing a teen inmate** more than five years ago. Ray Brookins could face up to 20 years in prison when he is sentenced.

BAY POINT, SAN FRANCISCO, 4-23-10 - A parolee from San Quentin Prison **strangled his estranged girlfriend** before leading police on a car chase three days later which ended when officers shot and killed Gary Costa, 37. Costa approached officers with a knife and refused orders to stop before he was shot.

CHINO, 4-23-10 - Officials are blaming the placement of dangerous inmates in a dormitory setting in a reception center as the **primary cause of the rioting**

that left more than 200 prisoners injured last year. The information was contained in an independent report released by the inspector general.

ARIZONA, 4-24-10 - Republican Governor Jim Brewer has signed into law the **most restrictive immigration bill** in the country. The new law, to take effect in 90 days, will require police to question anyone who appears to be in the country illegally. Legal migrants will be required to carry at all times paperwork proving their legal status.

SALT LAKE CITY, UTAH, 4-24-10 - Convicted murderer Ronnie Gardner has selected **death by firing squad** for his scheduled June 18 execution. Gardner, condemned for the killing of an attorney during a failed escape 25 years ago, chose the firing squad over lethal injection.

Sudoku By ANTHONY LYONS

5		2				8		9
			5	9	1			
7		9				6		1
	7		3		8		2	
	2			1			8	
	9		2		4		7	
2		1				7		5
			7	4	5			
3		7				4		8

Last Issue's Sudoku Solution

9	1	6	7	8	2	5	3	4
4	3	7	1	5	9	6	2	8
8	2	5	3	6	4	1	7	9
6	5	9	4	7	8	2	1	3
1	7	8	2	9	3	4	5	6
2	4	3	5	1	6	8	9	7
5	8	4	9	2	7	3	6	1
7	6	1	8	3	5	9	4	2
3	9	2	6	4	1	7	8	5

Want a Raise? Oops, Not in the Cards

By DAVID MARSH
News Editor

Inmates who labor for little or no wages can expect no relief from the federal court, according to a recent ruling that held prisons can pay anything at all, or even nothing, for inmate labor.

The ruling by the Ninth U.S. Circuit Court of Appeals came in a case filed by noted attorney and tax protestor J. Tony Serra, who was seeking significantly higher wages for his prison-enforced labor when he served several tax related stints in federal prison camps. His suit had sought higher pay for all of California's federal prisoners under a

United Nations standard that says that inmates should be paid a fair wage.

The San Francisco-based Ninth Circuit panel, in a 3-0 ruling, noted that the U.S. Constitution's 13th Amendment, which outlawed slavery and involuntary servitude, made an exception for imprisoned criminals.

"Prisoners do not have a legal entitlement to payment for their work," said the court ruling.

Serra, 74, had sought at least the federal minimum wage of \$7.25 for his job watering plants for five hours each day at the federal prison camp in Lompoc (Santa Barbara County), Californi

His lawsuit cited a standard adopted by the United Nations in 1955 which declared that prisoners should receive "equitable remuneration" for their labor.

The court ruled that the standard is not binding upon the United States and is not enforceable in court.

Among Serra's more notable clients during a storied 50-year legal career are Black Panther leader Huey Newton, who Serra successfully defended on murder charges.

Serra, a self-described lifelong tax protestor who served federal time in 1974 for a Vietnam War-related tax protest, plead guilty in 2005 to his third tax-related conviction.

He pledged to obey the law, noting that his fight against the system is much harder from inside a prison.

S.Q. Inmates Raise Funds For Haiti

BY TROY WILLIAMS
Journalism Guild Writer

A variety of inmate art work donated by men at San Quentin State Prison was sold at auction in order to raise money for earthquake survivors in Haiti. The benefit named Quentin United for Aid Kindness and Empathy for Haiti or "Q.U.A.K.E. for Haiti" raised more than \$2650.

The benefit was hosted by Suzi Jestadt and held at the First United Methodist Church of San Rafael. Jestadt said that it was important for her to support the positive endeavors of the men of San Quentin and reported that one guest thanked her for, "opening up my eyes." Guests from as far away as South Africa attended the benefit. A guest, whose South African name translates as Patience, brought five original pages of Cole Bienek's comic book entitled Chronicles of Truth. A 96-year-old lady placed the successful bid on John Sklut's life-like painting of a bird.

San Quentin's aid to Haiti follows the 7.0 magnitude earthquake that impacted the lives of millions of people. The purpose of the benefit was not only to raise money in order to aid the people of Haiti in their time of need, but to sustain awareness of the crisis they continue to face.

Wikipedia is quoted as saying that "As of 12 February 2010, an estimated three million people were affected by the quake; the Haitian Government reports that between 217,000 and 230,000 people have died, an estimated 300,000 injured, and an estimated 1,000,000 homeless. The death toll is expected to rise."

After the Men's Advisory Committee circulated trust withdrawal slips and the Day Of Peace Committee donated most of its reserve funds, men who had no money to

give began asking, "What can we do?" Initially we were limited to trust withdrawal slips and institutional fundraisers, art work and hobby crafts. But we decided to think outside the box.

The men involved in the San Quentin Film Project not only contributed to the inside organization of the benefit but created a song and music video entitled "This Is For Haiti." The goal of the producers is to have the sound track downloaded and 100% of the proceeds designated to an organization working on the ground to provide direct relief and services for the Haitian people.

EXPRESSED CONCERNS

Early on, TV networks, major papers and radio stations reported how thousands of tons of desperately needed food, water and medical supplies were not reaching the people. Some organizations are said to charge an exorbitant amount of administrative fees. So naturally many of the men who participated in the Q.U.A.K.E for Haiti benefit expressed concerns. The sentiment of the men of San Quentin was and is, "If we are going to give up our heart, sweat and time, we want to make sure that it reaches the people. And we want to make sure the world does NOT forget about Haiti."

For men who make on the average of 20 cents per hour for their labor, \$2650 dollars is a lot of money. But let's take a look at what has already been and could be accomplished. This benefit connected the talents of otherwise forgotten men with a compassionate community for a worthy cause. This project has built a bridge between the inside and outside communities as items were donated for auction by outside musician Michael Franti, filmmaker Kerry Yo Nakagawa, graphic artist Michael Schwab, mixed martial artist Cung Li and a computer graphics company named Zoltron. Music was performed at the event by renowned guitarist Jose Neto.

Noted Crusader Passes On

By PAUL JORDAN
Contributing Writer

Dr. John Irwin passed away at his home in San Francisco on January 3 at the age of 80. A memorial service was held in The Garden Chapel on February 19 to honor his memory and celebrate an accomplished life of a true pioneer and frontline soldier in the struggle for justice.

For those of us fortunate to know and work with Dr. Irwin, he will always serve as an example of what can be achieved by an "ex-con." John Irwin did not hide from his past; instead he embraced it while using his status as a convicted felon to carve out his own niche in academia, teaching for 27 years at San Francisco State University after earning degrees at UCLA and UC Berkeley. In criminology circles Dr. Irwin is referred to as the Godfather of Convict Criminology in a field of academia consisting exclusively of ex-cons.

I personally became familiar with Dr. Irwin in the late 1990s through my parents' work on prison reform. When I first heard of this person who was a former prisoner that had accomplished so much I became inspired to pursue a path of education. I was very fortunate to land at San Quentin where I had the opportunity to earn a college degree, and also meet John Irwin.

The educational opportunities that were afforded him as a prisoner were no longer available to prisoners. With the elimination of Pell Grant funding for prisoners in 1994, post-secondary education in prisons essentially came to a halt. Another issue that troubled John was the plight of lifers; that is, indeterminately sentenced prisoners being incarcerated arbitrarily past their eligible release dates for up to decades. This issue was so important to John that his final published work was a book titled "Lifers."

John was not only interested in helping prisoners. My work with him revolved around educating the public, who John considered the true victims of our current criminal justice system. John would coordinate with university colleagues to bring in classes of students studying criminal justice, criminology, law students, and just about anyone he could get in.

A group of us prisoners would talk with the students. These meetings were not random casu-



Dr. John Irwin Photo courtesy of PUP

al discussions; they were highly organized by John with each prisoner having a role and points to hit on. If we were not on our game John would let us know. Dr. Irwin recognized the importance

of communicating to students why their tuition kept getting raised each year while services were being cut. John hammered to us the cause and affect of California's draconian criminal justice policies and then had us pass along these truths.

Along with John's advocacy work, he was a family man with a wife, two daughters and a son. He would often share details of his life, vacations he would take, places he had been and activities he enjoyed. I shared with John a love of surfing and would frequently take pleasure in the stories he told of big waves and tropical beaches. So as John takes that last long paddle out it becomes our duty to pick up the torch he carried.

San Quentin News

Current and past copies of the San Quentin News are posted online at:

http://www.cdcr.ca.gov/Visitors/San_Quentin_News/SQ-San_Quentin_News.html

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Veterans Affairs

By F. LEMUS

V.V.G.S.Q. Vice Chairman

The Vietnam Veterans Group of San Quentin (V.V.G.S.Q.) helps college-bound students finance their college education.

On June 12 the V.V.G.S.Q. will host its 24th Annual Scholarship Awards Ceremony in the Visiting Room. The Scholastic Scholarship of \$1,500 and the Mary Manley Inspirational Scholarship may also be awarded for an exceptionally inspiring essay

The V.V.G.S.Q. sends scholarship applications to 255 high schools in the San Francisco Bay Area that wish to participate in the scholarship awards. V.V.G.S.Q. raises the scholarship funds by conducting a food sale targeting the San Quentin general population. They have been doing this successfully for the past 24 years.

BEHIND THE SCENES

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