

GRATERFRIENDS

A Publication of The Pennsylvania Prison Society

Promoting a humane, just and constructive correctional system and a rational approach to criminal justice since 1787

Volume 46, Issue 3

www.prisonsociety.org ■ www.facebook.com/PrisonSociety

May/June 2015

CERT Shakedowns: A Dignified Response

by James Smith, CK-3029, SCI Houtzdale

I read the book *Unbroken: A World War II Story of Survival, Resilience, and Redemption*, by Laura Hillenbrand. It's the book about ex-Olympian Louis Zamperini who was held captive by the Japanese. I came across the following paragraph pertaining to dignity that resonated with me, a life-without-parole (LWOP) sentenced prisoner:

This self-respect and sense of self-worth, the innermost armament of the soul, lies at the heart of humanness; to be deprived of it is to be dehumanized, to be cleaved from, and cast below, mankind. Men subject to dehumanizing treatment experience profound wretchedness and loneliness and find that hope is almost impossible to retain. Without dignity, identity is erased. In its absence, men are defined not by themselves, but by their captors and circumstances in which they are forced to live in.

He goes on to say that, under the harsh and abusive treatment of the Japanese, POWs suffered dehumanization to the point where they felt that they were "literally becoming a lesser human being," and explained how "dignity is as essential to human life as water, food, and oxygen" are. And, although in my 20+ years as a life-sentenced (aka slow death penalty) prisoner, I have not suffered as much as Mr. Zamperini had in the hands of his captors, I can relate to what it means to be dehumanized and feel hopeless. I am held captive.

For example, recently a fight broke out in the yard, and five guards were injured. SCI Houtzdale went into a "state of emergency" and we were put under a "full lockdown." With Mother's Day only days away, visiting was suspended. During the entire lockdown, the in-cell feedings consisted only of peanut butter and jelly for breakfast, and for several days we were not permitted to shower. Corrections Emergency Response Teams (CERT) from several prisons were brought into the prison and our housing unit was forced, at 4:00 a.m., to undergo one of

(See CERT Shakedown, continued on page 14)

Throwaway People

by J.D. Frandsen, #27561, Wyoming State Penitentiary

"Psychosis is the final outcome of all that is wrong with a culture." – Jules Henry, 20th century anthropologist

It's three in the morning and I'm lying on my rack when the silence is cut by a loud voice uttering the words, "Onion-Pants." In the bunk above is my cellmate (for this article, we'll call him Sammy). Sammy is a forty-something, paranoid-schizophrenic man serving a life sentence for matricide. Sammy lives on planet Haldol. He's a functioning human, holds down a job, keeps his living space clean, and has deep, overwhelming remorse for his crime. But Sammy's perception of reality is distorted. He's fixated on time travel, shape shifters, and demons. These topics are not alien in the prison environment. Books and manuals on the occult, metaphysics, and the pseudo-sciences are common in "The Prison Nation." But Sammy has had the whisperings of these ideas in his mind his whole life; as a child and throughout the height of his madness in his mid-20s, and now as a man in society's barbed wire file cabinet who talks to himself, forgets to flush the toilet, and eats all my candy. Sammy is still disturbed. We'll get back to "Sam the Man" later.

More than 1,250,000 of the 2,300,000 human beings incarcerated in the United States have been diagnosed

(See Throwaway, continued on page 16)

In this Issue

From the Editors,	Legal Forum..... 9
Spotlight 2	Legislative Highlights. 10
News 3	Featured Column..... 11
Mailroom 4	Literary Corner..... 12
Our Voices 6	Announcements,
Pass the Word..... 7	Bookcase 13
Legal Chat 8	Graterfriends Form 18



From the Editors

Isn't it great to no longer see that big, foreboding, black box to the right of this column, the one that held the warning regarding sending us submissions while the Revictimization Relief Act was in effect? On April 28, U.S. Middle District Chief Judge Christopher C. Conner overturned the law, also known as The Silencing Act. He found that the law, enacted in late 2014, is too broad and too vague, and blatantly violates the free speech protections of the U.S. Constitution. As a plaintiff in one of the cases against this law, we are very happy with the judge's decision in this case, and we hope that anyone who did not submit an article out of fear of being sued under this law will now feel free to send us letters.

On that note, we want to reiterate the importance of following our guidelines when you submit articles for publication in *Graterfriends*. We receive many submissions and cannot print all of them, but some of the letters and articles are unprintable due to the writer not including permission to print and a statement that he or she is the original author. We must have these two statements for legal reasons, and we regret that we have received some stellar submissions that we simply cannot print. Also, be aware that we are unable to return submissions, nor will we post anonymous letters. See the bottom of this page for the details printed in every issue.

We also thank our new funders, Abolitionist Law Center and Pennsylvania Institutional Law Project, who are helping to pay for the production of *Graterfriends*: We are happy that other organizations see the importance of publishing this newsletter that helps inform incarcerated individuals and the larger community about criminal justice issues.



Spotlight

CRIMINAL DEBT: WHAT YOU NEED TO KNOW

by Jamie Gullen, Staff Attorney
Community Legal Services of Philadelphia

Sheila, a client at Community Legal Services, was convicted of an offense in 2011. She served several months in prison, and several years of probation. She finally finished her sentence, and her probation officer told her that she had completed everything she needed to do. Sheila was ready to move forward with her life, and thought that her interaction with the criminal court system was over. Unfortunately, she was wrong.

She began receiving letters from the court telling her that she owed thousands of dollars for court fines and costs, bail judgments, and supervision fees. The county assistance office told her she would no longer get cash assistance to support herself and her three children until she got into a payment plan.

When an individual like Sheila is convicted of any offense in Pennsylvania, a host of court costs are automatically assessed, ranging from fees to support the Judicial Computer Project to the Victim's Compensation Fund. These costs can amount to hundreds of dollars in each case. A criminal sentence may also include additional fines or an order to pay restitution to a victim.

On top of these costs and fines, Sheila was also assessed a "supervision fee." In Philadelphia, this is a \$25 monthly fee while a person is on probation. For long probation sentences like Sheila's, these fees add up to thousands of dollars. Additionally, when Sheila missed a court date because she was in the hospital with her child,

(See Criminal Debt continued on page 17)

GRATERFRIENDS

EXECUTIVE DIRECTOR AND EDITOR-IN-CHIEF:
Ann Schwartzman

DESIGNER and EDITORIAL: Mindy Bogue

EDITORIAL ASSISTANTS:
Emily Cashell, Zahara Hill, Lucy Nonas-Barnes, Kayla Polanco

FOUNDER: Joan Gauker

The Pennsylvania
PRISON SOCIETY
SINCE 1787

245 North Broad Street · Suite 200
Philadelphia, PA 19107

Telephone: 215.564.4775 · Fax: 215.564.7926

www.prisonsociety.org · www.facebook.com/PrisonSociety

Graterfriends is a publication from the Pennsylvania Prison Society. The organization was founded in 1787 and works toward enhancing public safety by providing initiatives that promote a just and humane criminal justice system.

We reserve the right to edit submissions. Original submissions **will not** be returned. We **will not** print anonymous letters. Allegations of misconduct **must** be documented and statistics should be supported by sources.

Letters more than a page in length (200 words) **will not** be published in their entirety in Mailroom or Legal Chat Room, and may be considered for another column. All columns should be no more than 500 words, or two double-spaced pages.

To protect *Graterfriends* from copyright infringement, please attach a letter stating, or note on your submission, that you are the original author of the work submitted for publication; date and sign the declaration.

If you have a question about *Graterfriends*, please contact Mindy Bogue, Communications Manager at 215-564-6005 x112 or mbogue@prisonsociety.org.



PENN STATE HONORS SHARON "PEACHIE" WIGGINS

by Ellen Melchiondo, Prison Society Official Visitor

The Sharon Wiggins Biographical Materials archive at Penn State University (PSU) Eberly Family Special Collections Library at The Paterno Library is as special and unique as Sharon, before and during her incarceration at SCI Muncy. This archive is unique in that it stands alone; it is not part of any particular department. Sharon's archive, highlighting a person who served a life-without parole sentence, is a testament to the importance of higher education for the incarcerated.

PSU provided Sharon with the opportunity to earn an associate degree. They also significantly supported her by employing her as their Student Services Liaison at SCI Muncy, which resulted in an award for Creative Programming from Brigham Young University.

"As a Penn State alum, and mentor to so many, her service as a role model beyond her incarceration is astonishing," said Jackie Esposito, University Archivist and Librarian.

She received the Pennsylvania Prison Society Meritorious Award in 1993, and Inmate of The Year Award in 2009. Sharon participated in the Prison Society's Arts and Humanities Program under the leadership of Mary Dewitt, then director of the program (1990 to 1995).

At an Eastern State Penitentiary exhibit of Mary's portraits of women serving life sentences, I was introduced to "Peachie." I got to know her over the last two years of her life. When she passed away on March 24, 2013, I realized I wanted to preserve her life and legacy, and make available unique academic research resources that will advance criminal justice reform in Pennsylvania by donating letters, papers, photographs, tributes and press that I had acquired from and about Peachie.

Thank you to PSU for making my idea a reality with the new archive.

If you would like to add materials to this archive, please send to:

Jackie Esposito
University Archivist
Penn State University
104 Paterno Library
University Park, PA 16802

IS THE COAL ASH DUMP NEAR SCI FAYETTE AFFECTING PRISONERS, STAFF, AND LABELLE RESIDENTS?

by Mindy Bogue, Managing Editor, and Zahara Hill

The Pennsylvania Department of Corrections (DOC) broke ground on SCI Fayette in 2000, on part of a Coal Refuse Deposit Area owned by Matt Canestrone Contracting (MCC), which currently operates a coal ash dump bordering the prison. Before MCC bought the land, it was a dumping ground for coal waste from a large coal processing plant.

After receiving reports of a high rate of illness at SCI Fayette, the Abolitionist Law Center (ALC), Human Rights Coalition (HRC), and The Center for Coal Justice (CCJ) launched an investigation into the effects of the coal ash dump on the health of the prisoners in 2013, sending preliminary surveys to 75 prisoners at the institution. Their year-long investigation culminated in the report *No Escape: Exposure to Toxic Coal Waste at State Correctional Institution Fayette* in September 2014. The report states that the prison is surrounded by "about 40 million tons of waste, two coal slurry ponds, and millions of cubic yards of coal combustion waste."

According to *No Escape*, the surveyed prisoners suffer from many symptoms and diseases, including chronic sore throats, shortness of breath, headaches, vision problems, cysts, and tumors. Many prisoners were diagnosed with thyroid disorders or cancer after arriving at the prison. Residents of nearby LaBelle reported similar maladies.

Following the release of *No Escape*, DOC Secretary John Wetzel ordered the DOC to cooperate with the state Department of Health in investigating prisoner health at SCI Fayette. Their investigation found no scientific data to support claims of unsafe environmental conditions. In a December 2014 press release, DOC Secretary John Wetzel said, "When concerns were raised, we initiated environmental tests and medical reviews to examine the conditions at the prison. The DOC found no evidence of any unsafe environmental conditions or any related medical issues."

However, there is an ongoing struggle regarding the DOC publicizing the data on which their report was based. Staff from the *Herald Standard* and *Pittsburgh Post-Gazette* filed complaints in December 2014, with some success, as the Office of Open Records ordered the DOC to produce records and communications pertaining to the coal waste and coal ash site, and its potential or actual impact on the environment as well as its link to prisoner and staff health. This decision exempted the DOC from producing records pertaining to staff health and environmental assessments completed prior to the construction of SCI Fayette due to the DOC alleging that it does not possess such records.

In the meantime, the ALC and HRC have started a more comprehensive study; an eight-page survey is being

(See SCI Fayette, continued on page 17)



Mailroom

NGE ACCOMMODATIONS APPROVED

On April 6, 2015, the PADOB Bureau of Treatment Services granted my request for the Nation of Gods and Earths (NGE), commonly called “The Five Percent,” to be officially recognized and wear the universal crowns and flag medallion (when an NGE vendor is found/approved), have civilization classes and observe Honor Days (when an outside NGE representative is located/approved), to congregate to view and listen to NGE- approved audio/visual resources, receive pork-free meals, and receive NGE books. Some other NGE accommodations were denied, so I’m appealing those.

NGE, exercising NGE culture is protected by the Religious Land Use and Institutionalized Persons Act (RLUIPA) and U.S. Constitution amendments I and XIV. (See *Marria v. Broadbuds*, 97 civ. 8297 [NRB]; 2003 U.S. Dist. Lexis 13329.) So, get DOC Policy DC-ADM 819 “Religious Activities” and learn how to request/obtain NGE accommodations at the prison you are in. The foundation is set. Now, build. No more excuses. Peace.

Ricardo “Truth” Noble
BX-9351, SCI Greene

THANKS TO GRATERFRIENDS

I would like to send my love, gratitude, and appreciation for *Graterfriends*. I’m very grateful for the outside and inside voice *Graterfriends* gives the men and women behind these walls. I love *Graterfriends* for lifting my spirits when I’m alone and down. I appreciate *Graterfriends* for providing a way for my comrades to express their thoughts and helping us survive the struggle.

Termaine Saulsbury
GP-3965, SCI Camp Hill

TAKING ADVANTAGE OF OUR FAMILIES

Complaints serve little purpose. Thus, my hope for this letter is that a solution can be found. I have a genuine concern for families across the state, as I think the system is taking advantage of them. Let me explain.

The average inmate wage is about \$0.24 an hour for six hours – roughly \$30 a month. Then the expenses. If one wants a TV, it is over \$250. One would need \$20.83 a month for a year, leaving him with \$9.29 a month. If he uses cable (which is more than half the average wage), he is now in debt \$6.85. Need a pair of boots? Debt in-

creases to \$14.59 a month. Calling home will further one in the red to \$25.19. Did I mention Act 84? The hole jumps to \$31.39 without including basic necessities such as toothpaste, shampoo, etc.

Why is my family paying a levied tax for my crime? Well, wait. It is not a tax because no one is forced to contribute, right? So, by definition, they are not levied a tax. Yet, if the vast majority of the population cannot afford the costs, who is expected to pay, and why? Notably, there hasn’t been a raise in 19 years. (Interestingly, there was a footnote in the notice of the cable price increase that there hasn’t been a price raise since 2006.) The quality of the food has diminished. Ah! But there’s always the Access Packages, which are costlier than the commissary. It’s natural for families to want to treat their loved ones. Also, the quality of the antennae sold are of the lowest grade. Why? If two-thirds of the population uses cable, \$9 million a year is deducted from the accounts of those averaging \$200 a year.

I feel an obligation to make others aware of the situation.

Edward Martin
AM-8405, SCI Mahanoy

A THANK YOU NOTE TO A GOOD FRIEND

For several months now, I have been trying to come up with some sort of “thank you” gift for an older gentleman here at SCI Mercer. It has been no easy task. But, for an old-school “convict” such as Mr. Winfred (Fred) Milner, I can think of no better gift than to write an article about him that will be read by his peers in a newsletter that he strongly supports and thoroughly enjoys.

After arriving here at Mercer, I was given the privilege of being placed on the same block as Mr. Milner. We began to talk about various legal issues, recent news, politics, and the condition of this great country. We quickly became friends, and shared and compared ideas and theories.

After several months, I expressed my interest in enrolling in college for legal education following my release. Mr. Milner was immediately supportive and suggested a couple of schools. He asked why I wanted to wait until I went home if I had all this time to sit in jail with nothing to do and could have a degree by the time that I left. I enrolled in college a couple of weeks later. Mr. Milner has taught me countless “tricks of the trade” that are not taught in schools and various theories on society.

Mr. Milner is the older guy on the block who is willing to help anyone with any problem he is facing. Mr. Milner does not judge, nor does he discriminate. Whether you are facing family problems, relationship problems, legal problems (his favorite), or are just stressed-out and having a bad day and need to lose a game of Uno to make you feel better, he is there. He is always available for intelligent conversation.

What I am trying to thank Mr. Milner for is pressuring

me to do positive things in life. This is my third state number, and until I met Mr. Milner, I had no desire to fix the problems in my life. Fred simply would not allow me to continue on that path. It only goes to show that the DOC and Parole Board and the court system do not rehabilitate convicts, convicts rehabilitate convicts. Thank you for being you, Fred.

Zachary Lee Van Hart
LJ-9445, SCI Mercer

JUST VENTING

Every once in a while I zone out in the middle of whatever is happening, because I heard something or saw something that triggered other dimensions of my emotions. Then, I ask the questions in my head: “How long is long enough? How much older do I have to get? How mature do I have to be? After all, this is supposed to be rehabilitation...right?” I am a lifer. I was convicted at 29 years old. I was not in the right frame of mind at the time, and came from a highly dysfunctional background. I never meant to take the life that I took.

As 10 years slowly went by, my children grew, seasons changed. I grew. I watched well over 2500 suns rise and shoot a beam of light in a cell that could very well eventually be my coffin. I soak in the pains of never making an impression on my children, never see their faces when they think they’ve fallen in love for the first time. As a man, I’ll never climb that mountain, or grow old with the person who I thought was my forever.

There are a lot of us buried alive, just waiting for new avenues to open as far as legal statutes go. A lot of us are worthy for reentry into society. I know I am. I have changed, and formed into a man of too much passion to the point that it’s sad when I’m going into depth about something, I get looked at like I’m losing it.

My last message: Don’t think you can’t be a good person, just because you’re in a bad place.

Zechariah “True” Thompson
HV-3696, SCI Frackville

THIS ISN’T PAROLE

This must be a dream. I was told that I was paroled and I was going to a Community Corrections Center. I was going to work, I was going back to school, going to be closer to my family. This is a dream. If this is a dream, why am I waking up at 6:30 am for morning count. I’m paroled right?

Rosado wake up it’s count time. Wait, I’m not paroled. No you’re not, they say you’re paroled to make them look good. But if you check the computer you’ll see you’re still incarcerated. I was told a lie. My counselor at SCI Albion told me I could go to work so I can work my way back to society closer to my family.

This is a sick dream because I was happier back at SCI Albion in Pennsylvania, but I’m here at Progress Community Corrections Center at a Level Five Community Corrections Center at SCI Greene in Waynesburg, PA. There’s 20 of us in one dorm room with just one shower, one urinal, and one toilet, but it’s not that bad because the dorm under us has two toilets, one urinal, and no showers because they’re broken. They have to share one shower with the dorm directly across from them. We have three meals a day, and if you don’t have any family support, you get six tokens to wash and dry your clothes, four stamped envelopes, two state-issued soaps, three small boxes of detergent and one very small deodorant, all of which are supposed to last a month. There’s no commissary, no supermarket shopping, only vending machines. I can’t afford anything in them so I go to sleep hungry. At SCI Albion, I had food because I worked.

So my brothers in Pennsylvania, if they ask you if you want to go to a Community Correction Center or a CCC at Progress Center, say “No,” because it’s a trap. You will have no freedom and you’ll still be incarcerated.

Gregorio Rosado
Progress Community Corrections Center

STILL NO HELP IN SIGHT

I’ve been on this special needs unit since 2010, I’ve seen the ups and I’ve seen the downs. What I see now is a place that’s at an all-time low for guys with mental health issues. The Department of Justice (DOJ) came through with their suits and freshly polished shoes, shook hands, smiled, and went about their business. Promises were made to improve the mental treatment here at Frackville. They hired more staff, but the treatment remains the same.

Groups are slowly being terminated or forgotten about. Psychology staff are getting into the swing of “creeping past cells” hoping no one stops them so they can leave as soon as possible. Warehoused. That word explains it all. This prison must maintain an active SNU in order to still receive grant money; getting treatment is a whole new bar game.

Also, their own policy (13.8.1, access to mental health procedures manual) clearly states that the regular SNU officers must receive training in a number of areas in order to actively work on this unit, as do the alternate officers who replace the regular officers during days they are not there. Also, they must have training in recent months. Our trained officers who have known us for years, who have the mandated training, have all been moved to different units and replaced with non-trained officers.

Some, not all, of these officers are the reason why SNU inmates constantly go to the hole; they harass us, and when we fight back, we are awarded a misconduct and/or RHU placement. There is no treatment or care in this facility. DOJ who?

Braheim Staten
GJ-2870, SCI Frackville

(See Mailroom, continued on page 14)



AN OPEN LETTER TO THE ADMINISTRATION AT SCI FOREST

by Ralph Noman, GB-2057, SCI Forest

A symposium was held at SCI Forest on Tuesday, January 27, 2015, in order to make an unscheduled announcement of a new strategy to reduce violence here.

Administration gathered those inmates from the general population (GP) whom they felt had outstanding reputations, so that they could disseminate the information gathered from the symposium to the rest of the population.

It is the sentiment of the majority of the participants that the administration missed a genuine opportunity to truly engage the citizens of SCI Forest on this very important matter, which affects all who work and live here. Who better than ask **why** SCI Forest has one of the highest incidents of inmate-on-inmate and inmate-on-staff assaults in the state.

The Department of Corrections (DOC) Mission Statement partially reads: "...to provide opportunities, skills and values..." This cannot be achieved with an us-against-them mentality. It is the belief of many citizens of SCI Forest that the lack of opportunities (e.g. jobs), extremely low wages (which haven't increased in over two decades, and the separation of SCI Forest's citizens from their families and significant others (e.g. children, extended family, wives and girlfriends) contribute to a situation that was bound to explode.

Many of the citizens of SCI Forest who attended the Violence Reduction Strategy (VRS) symposium felt it was nothing more than a dictation and intimidation tactic on the part of the DOC. Policy was made without consulting those most affected by it, the citizens within the community of SCI Forest. Those who were selected from the GP were denied the opportunity to discuss the issues that affects everyone here at Forest.

Until the administration can truly see inmates as citizens in their charge, to provide opportunities, skills, and values necessary to become productive members of society, this VRS will be just another vain attempt to quell a community who lacks genuine opportunities to voice its concerns in order to meet the goals and expectations of the people of Pennsylvania

(See Letter to Administration, continued on page 18)

MASSACHUSETTS DEATH PENALTY

by Timothy J. Muise, #01464-1218, MCI Shirley

Herbert Earl had been in prison for 40 consecutive years when he was stricken with terminal cancer. Mr. Earl was serving a "parole eligible" life sentence for very serious crimes and the Mass. Parole Board had long ago determined him "not suitable for parole." Those playing-God type of decisions are a story for another time. The story here is that Earl was sentenced to death just as sure as when Mass. had an electric chair prior to 1972. The death penalty here is still in full force.

In his later years, Earl came back to the Catholic Church. He sought out the Sacrament of Reconciliation and made his long overdue confession. This was before the cancer diagnosis. After the cancer diagnosis, he was "banished" for being sick to the Skilled Nursing Facility here at the state prison in Shirley. What this means is that he would never again see his prison friends, would never again be allowed to go to church in the prison chapel, and it means that he would be hidden away from view of others where prison officials could do as they may with him; and they sure did.

Herbert's cancer was very aggressive and painful. At first the prison afforded him adequate pain management, but as the disease progressed and Mr. Earl became victim to unbearable pain, the prison told him that he had reached his limit in pain management services. The end result was that Herbert Earl grimaced in pain each and every day for several months. He desperately reached out to prison officials and their response proved as sadistic as I knew it would be; they said they would "write a letter for him." Unbelievable!

During the week of Divine Mercy, I was fortunate enough to get a Catholic priest to come to the prison and hear confessions. He also volunteered, with the Catholic chaplain, to celebrate Holy Mass up in the Skilled Nursing Facility. I was blessed to go along. This is when I saw Herbert Earl, who I used to see each week at church, but had not seen in close to a year while he was locked away in the hospital. When Herbie saw me he did his best, in his low dying voice, to call me to his bedside. He told me he needed to go to the "end of life" unit at Lemuel Shattuck Hospital as his current pain was unbearable and the prison would do nothing. He showed me a letter one of the deputy wardens had written for him and he said, "I don't trust her, Timmy. Can you reach out for me?" A request from a dying man could not be ignored.

On April 8, 2015, I reached out to Deputy Commissioner Thomas Dickhout and asked him to move Herbert Earl to the end of life unit at the DOC's hospital, where his pain could be properly managed. On April 16, the MCI Shirley warden wrote me, stating in part, "I thank you for your concern, as you are aware, inmate Earl is receiving 24-hour medical care." On Friday, April 17 – 24 hours later – Herbert Earl died in his bed in the skilled nursing facility, doubled over in pain, and Rome burned as Nero fiddled...

We need a compassionate release vehicle here in Massachusetts. Please help us bring that to fruition by supporting our efforts.

OPEN LETTER TO GOV. WOLF: PLEASE DO NOT FORGET ABOUT US

by Jesse Keith Blough, HQ-7572, SCI Albion

Governor Tom Wolf, please don't forget about those in prison. Many forget about those in prison; they think that once someone comes to prison, he or she is worthless or less than human. In fact we are all human beings.

The mentally ill prisoner is often incorrectly medicated, harassed, and belittled by staff, some corrections officers, and their fellow prisoners. There is no need to go on...yet, it is tiring to be silenced by prison officials.

Prison is supposed to be corrective and rehabilitative for those in prison, while protecting the public safety. Yet, educational funding is cut from prison budgets first. The educational materials are often outdated, the funds for the business certificate program offered through Northampton Community College was cut. It was \$50, but is now \$100, and many can't afford that. It is a proven fact that an education while in prison reduces the recidivism rate as much as 46 percent.

There are no special education classes offered in prisons. Often, mentally ill and prisoners with learning disabilities are given books and told to "do it," even though the material is far above their grade levels and many prisoners can't even read or write.

(See Don't Forget Us, continued on page 17)

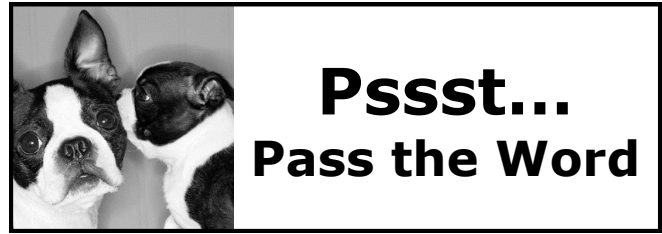
HEARTLESS MEDICAL TREATMENT

by Vernon Maulsby, AY-4429, SCI Graterford

As you will have seen from my other submissions that *Graterfriends* has printed, the one thing you can be sure that I will not do is be silenced. As I have been saying all along, as far back as the next-to-the-last time Wexford had its claws into us, there is nothing compassionate about how we are given medical care. We are a commodity—a safe, easily bilked sector of the population. Since we are prisoners, folks on the outside don't really give a hoot if the medical provider skims a bit on the bills. What is lost on most folks is that a skim is one thing; to deliberately do business in a way that has people dying is another matter. Those in Graterford will recall "Gator." The medical department told him he'd had a stroke, when in fact the poor guy had several tumors in his body. How many more need to die before we get tired of being fed on by these medical bottom feeders?

To be sure, when the heat gets too hot, we replace one medical provider with a "new" one, but the situation never gets better. All we are to these people is a paycheck, regardless of what that means to our health. Folks, this is not some new thing, some simple error; it goes on with every medical provider the DOC chooses to hire.

(See Medical, continued on page 16)



DEATH PENALTY AND LIFE WITHOUT PAROLE

by Termane Saulsbury, GP-3965, SCI Camp Hill

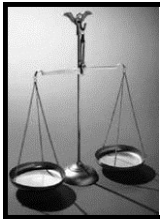
According to State Senator Stewart Greenleaf in 2010, it could cost \$80,000 to \$90,000 a year to keep older inmates incarcerated. It is a reasonable assumption to say that this number has grown by today. The potential of this person living another 20 to 30 years will cost the taxpayer \$1,500,000 to \$1,600,000 for 20 years, which is all taxpayer money.

A lifer who was incarcerated at 20 years and has served 25 years is 40-45 years old today. These numbers do not take into account inflation or the possibility that the inmate may live longer. Now, take these numbers and multiply them by the number of lifers, which at last count is 4,633 and you will get \$11,119,200,000.00 (billion dollars) of taxpayer money.

These lifers are from an older and wiser group than the younger generation, no disrespect to the younger generation of which I am a part. We have talked to at least one older lifer that has acquired a master's degree while incarcerated, and many more who have attained various certificates and job training that would be an asset to society and an addition to the tax rolls. Adding to the tax rolls means not having to raise your taxes! We must point out this matter to Governor Wolf, who gave a speech in Harrisburg on March 3 on the budget proposals and cuts. Well, one thing is certain and two things for sure, three things a fact—when you're talking about taxpayer money and saving taxpayer money, you get people's attention.

These individuals are not pedophiles who have taken the life of a child, nor those who premeditated the murder of anyone. We do need to remember that many of these people were at the wrong place at the wrong time. Many of those incarcerated for life never took the life of anyone.

There should be a case-by-case review, especially in the cases where justice has been served after 25 years. We ask that you lend your voice by writing Governor Wolf, Senator Greenleaf (Majority Chairman), and Senator Daylin Leach (Minority Chairman). So pick up your pens and let's get busy!



Legal Chat

SEEKING SOME INFO ON SECTION 9714: TWO STRIKE LAWS

My dear brothers and sisters, I'm currently incarcerated at SCI Rockview, and I'm trying to obtain any and all information on section 9714, the Two Strike Law. I was sentenced under section 9714, and I would like to know the proper steps for the Commonwealth to proceed with this section.

1. Does the commonwealth need to give written and oral notice?
2. Does the commonwealth have to state on your written guilty plea colloquy and at sentencing hearing that you're being sentenced under section 9714?
3. Does your sentencing order have to state that you were sentenced under 9714?

I'll greatly appreciate any information you have to share with me on this topic. Thank you for your time and help with this matter.

Troy Wilson
LC-6267, SCI Rockview

SPECIAL NEEDS PRISONER AT SCI FRACKVILLE ASKING FOR HELP

I am an inmate who has been housed on the special needs unit (SNU) for inmates with mental illness. I am writing this letter because of the treatment that has been bestowed upon me and my fellow inmates. The DOJ has already made clear how an inmate with mental illness has to be treated, but at this time, this ruling is not being implemented at this facility.

Throughout the day, I am being confined to my cell underneath the RHU. The DOJ stated within the agreement of the lawsuit that there shall be trained officers to be placed on the unit. To this date, the facility has not followed these rules.

Also, the special needs inmates are required 20 hours a week of some kind of activities. This has not been enforced. Instead, we are being placed in very hostile and violent situations with untrained officers and the RHU inmates.

And as SNU inmates we are being housed together with men who have the same or more severe mental illness issues, which has been causing a lot of friction, fight's, sickness — a generally bad environment.

We are being refused the same job opportunities as the regular population, and they are receiving better paying jobs. The SNU prisoners are only afforded block jobs, which have the lowest wages on the pay scale. It states in the Disability Right's Act that I have a right to be interviewed or hired without discrimination because of my disability.

I have also been placed in situations where I could have been harmed due to the neglect from the staff here at Frackville. I have filled a grievance about this situation.

This facility has placed me in grave danger, and instead of helping me get better it has made matters worse. At this time is there anything that I can do to make the facility accountable for their actions?

Alexander Artist
GW-1223, SCI Frackville

RE: CORRUPT CRIMINAL PROSECUTORS

I read the articles two times. It hit home so hard, I shook my head. So many things sound the same as in my case, I also am innocent of the crimes I was convicted of. My case began in March 2005 and I was on bail fighting it until November 2011, when I turned myself in by court order.

I have always said I was innocent and still do today, I am now in federal court 2254. In three months' time, the Federal Defenders Association turned up more than three paid lawyers did in almost 10 years. The DA in Philadelphia during my trial called me a mobster and extortionist, said my co-defendant was my enforcer. She claimed organized crime was involved in the case. Did I get a mistrial? No, I did not. The judge instructed the jury to forget what she said.

The police withheld information, they lied under oath. The shop owner knew I was not the person who was in his store weeks before, but he thought I must have known about it because I was white and I was coming into his place of business. The black man, my co-defendant and very good friend now — I had never met him before seeing him in court one day. He took the stand and said this I was not the white dude that was with him. He should know, he was at the place when everything went down. The DA and the Philadelphia Police Department have been unable to find my booking photos showing my back tattoos, which would prove I did not have a ponytail when arrested. They offered a 9-20 year plea deal at the start of things. I am now at year 10 since this started, with another two years added to my minimum.

The judge's claim that, since Pennsylvania is a Commonwealth state, their hands are tied — even if they know a person is innocent and they are about to send them to prison for years. If that is the case, more laws need to be changed giving power back to the judge's to stop a case before someone they feel is innocent goes to prison. It is not just one law that needs to be looked at, it is no one court that should be looked at. It is the entire structure of the justice system that should be looked at.

Rodney Petty
KG 4439, SCI Chester



ADDITIONAL INFORMATION ON PAROLE FOR LIFERS IN PA

by Omar Askia Ali, AF-0814, SCI Houtzdale

It's been said there are three kinds of people: those who make things happen; those who watch things happen and; those who were never sure what was happening. And I assert PAsentencing.com fits the first criteria. They've done a superb job in spearheading the continued endeavor to bring parole eligibility for life sentences in Pennsylvania to fruition. The crux of the accolades for this organization is their paradigmatic shift from previous failed efforts taken in the 1980s by former state representative Andrew Carn and federal prosecutor/ PA Attorney General Ernest D. Preate, Jr. However, these words are not intended to browbeat any prior intentions. It's a well-known fact that trying to galvanize support for whatever uphill battle for a cause against a toxic society is very painstaking.

Nonetheless, we shall continue speaking the truth to the power brokers, as demonstrations across America illustrate. PAsentencing.com has announced that a member of the Pennsylvania General Assembly has agreed to officially sponsor the 26-page legislative bill that they created concerning parole eligibility for Pennsylvania prisoners with life sentences. So far, only the Citizen for Social Change and Rehabilitation (CSSR), led by Mr. J. D. Gibson, the Human Rights Coalition (HRC-Philadelphia Chapter) specifically through Ms. Mama Pratt and Ms. Karen Ali, the Graterford Branch NAACP and the Philadelphia MOVE organization specifically through Mr. Razakham Shaheed, will all be provided with a copy of the bill. This is all due to the relentless efforts and assistance of PAsentencing.com.

Furthermore, through supportive organizations over the years, PAsentencing.com is more than willing to schedule formal reading sessions for those individuals wishing to view the bill and discuss its contents. My question to most of the 5,000-plus lifers and that segment of internal/external groups and organizations that are supposed to be supportive of parole eligibility for lifers: What are their alternatives to the current approach being taken? After all, it's obvious the pendulum has swung from one extreme to now favor change in our society.

Anyone can be supportive of parole eligibility for life-sentenced prisoners in Pennsylvania. Educate yourself and others on the issues that oppress those whom you care about. Also be duly informed that Pennsylvania is one of the few states that is without parole eligibility for its lifers.

ADMINISTRATIVE APPEAL PURSUANT TO ARTICLE 5, SECTION 9 OF THE PENNSYLVANIA CONSTITUTION

by Alonzo R. Boyd, SCI Albion, DZ-7519

Editor's note: Mr. Boyd asked us to share his appeal with you so that others may be able to learn from his experiences.

And now, this 30th day of March 2015, comes Alonzo R. Boyd, respectfully filing the foregoing appeal for the following reasons:

I was originally sentenced to serve a term of 8½ years minimum, and to a maximum not to exceed 17 years in the Court of Common Pleas of Erie County by the Honorary Judge William R. Cunningham effective June 22, 1999. After serving my minimum sentence I was paroled on July 30th, 2007 from SCI Mercer to an out-of-state (Ohio) Compact agreement in Cleveland, Ohio.

On or about May 2, 2014. I was arrested and charged with the following crimes: drug possession (F5) §2925.11 (A)

On September 25, 2014 I was sentenced to a term of six months imprisonment, followed by up to three years post-release control.

The reason this issue is of importance is because I walked off seven years, four months and 13 days in good faith standing until my arrest date of May 2, 2014.

The Board of Probation and Parole has recalculated my sentence and added the 7 years, 4 months and 13 days that I successfully walked off back into my original maximum sentence. Not at any time was I delinquent or on the run.

This decision/sanction rendered by the board as recorded on February 13, 2015 to recommit me as a convicted parole violator to serve 48 months back time and a recalculation of my maximum sentence, which originally was imposed to expire November 30, 2016 and now after recalculation sets to expire April 12, 2024.

A crucial point of emphasis in this regard is the fact that I was paroled for a period of seven years, four months, 13 days prior to my violation. Upon said violation(s), I was ordered to serve 48 months back time. In addition to this, an extended period of seven years, four months and 13 days was added to my maximum sentence. How many times can I be punished for the same violation?

(3) When the Parole Board's action or inaction causes a person to do an extended period of time in prison, this would violate the "cruel and unusual punishment" and "double jeopardy" clauses protected by the 5th and 8th amendments of the U.S. Constitution and Article 1, Section 10 and 13 of the Pennsylvania Constitution as well "Detention beyond the termination date of a judicially imposed maximum sentence constitutes cruel and un-

(See Administrative Appeal, continued on page 15)



Legislative Highlights

by Lucy Nonas-Barnes, Intern and Ann Schwartzman, Executive Director

The Pennsylvania General Assembly is currently in its 2015-2016 Legislative Session. If you can access the Prisoner Reentry Network (www.phillyreentry.com), check the “Legislate” tab on top to search for bills and additional information. Please note, this information is correct as of June 18, 2015.

There are currently two bills in the works regarding the merger of the Pennsylvania Department of Corrections with the Board of Probation and Parole. However, they have been tabled for the moment while some details are finalized, so they are not listed below. They will be SB 859 and SB 860.

BILL NO. PRINTER	DESCRIPTION	CHIEF SPONSOR	PPS POSITION
HB 222 PN 1587	Amends the Public Welfare Code, incorporating a lifetime ineligibility for individuals convicted of drug distribution during their lifetime. (First considered, tabled, then removed from table in House, 5/13/15)	Rep. M. Regan R-Cumberland and York counties	Oppose
HB 892 PN 1094	Provides for reduction of sentence for certain minors. Any juvenile offender who was under the age of 18 at the time the crime was committed, and who has been sentenced to life in prison without parole, or a minimum term of imprisonment of 10 years, could petition the sentencing court for a reduction in sentence. The sentencing court would be required to consider several factors, including the individual's age and level of maturity at the time of the crime, degree of participation in the offense, the nature and severity of the offense, and the individual's prior criminal history. (Referred to House Judiciary Committee, 4/6/15)	Rep. R. Matzie D-Allegheny and Beaver counties	Support
HR 143 PN 1744	“A Resolution condemning Governor Tom Wolf's unconstitutional action to usurp the authority of the General Assembly to make the laws and of the judiciary to administer justice by declaring a moratorium on capital punishment in Pennsylvania and calling upon Governor Wolf to reverse this action and to carry out his constitutional duty.” (Amended and adopted 6/10/15)	Rep. M. Vereb R-Montgomery County	Oppose
SB 774 PN 972	Provides more comprehensive guidelines for employers when using criminal background checks to determine an applicant's qualifications. Employers will be required to consider certain factors in determining an applicant's suitability for employment. They must also notify an applicant of any adverse actions taken as a result of that criminal history information. (Referred to Senate Judiciary Committee, 5/29/15)	Sen. S. Kitchen D-Philadelphia Cty.	Support
SB 869 PN 1015	Reforms current civil asset forfeiture legislation in Pennsylvania. Money gained from asset seizure will no longer go into accounts controlled by law enforcement agencies, but a general government fund. The forfeiture process would require that the individual whose assets were seized was convicted of a crime connected to the property. (Referred to Senate Judiciary Committee, 6/4/15)	Sen. M. Folmer R-Dauphin, Lebanon, and York counties	Support



The 40 Percent Who Don't Make it Back to Prison: Who's to "Blame:?"

by Michael Zirulnik

***Note to readers:** This is the third part of a special four-part series to be published in subsequent issues of Graterfriends. The essay was originally written for the eyes of policymakers, academics, and those who directly influence policy. After careful reflection, I've come to realize that it is also those who reside behind the walls of our nation's prisons and those who make the choice to stay out that can even more powerfully influence public policy in our local communities and in our nation. —M. Zirulnik*

Part III: Turning life around

The Crips and the Bloods are the most notable in US cities, but gangs aren't just for poor inner-city kids. In a 2011 FBI report, the National Gang Intelligence Center (NGIC) estimated that roughly 1.4 million gang members roam our streets. These gangsters, belonging to more than 33,000 different gang organizations are actively involved in criminally activity. The gangsters are White, Black, Hispanic, Asian, Eastern European, and the demographic list goes on. Their collective criminal activity accounts for nearly 50% of all violent crime in most areas of the nation and upwards of 90% in others like the city of Chicago who reported a murder rate that topped 500 in 2012 according to Reuters. This outnumbers the death rate of US troops killed in Afghanistan that same year by two fifths.

Still standing there listening to these tales of woe, now night after night for an hour, some times two at a clip, David would share more about his life. Interestingly enough, he's always smiling, "something I'd never do man! There was nothing to smile about." "So what changed?" I asked. Dropping out of high school at the age of 16, David was running the streets with his gang, but if you ask him, he'll tell you it was a "street organization." "We were the people that didn't want to join the Crips or the Bloods but we was tired of getting harassed by them all the time!" So by joining the "street organization," "you had protection from your boys" David exclaimed. "But you know, we sold drugs and did stuff too, but that was just to make money and we only did it on our streets" as if this was justification enough since the people on their streets would just go and get their drugs from someone else anyhow. And like many supposedly reformed gangsters and ex-cons I've met over the years, David never did the drugs he sold. That's where a lot of guys get messed up I've learned.

"I went to school. I finished up my GED and went to college. Really, cuz I was still homeless and if you go to school they give you money and a place to stay." Graduating with an Associates degree, this may have been a turning point in David's life, one that would serve him well many years later. But at that time, for David, col-

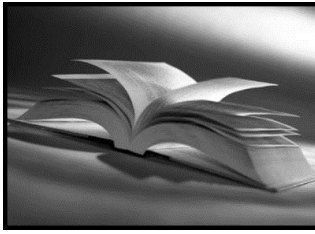
lege was just another way of working the system—so he thought. Reflecting on it time and again, I often wonder if the system worked him, enticing him into a more civil environment where learning and dialogue takes place. This, far from the streets of gang infested hoods where talk is cheep and killing is cool. "Cuz in the hood man, it's all about respect...that's it man, it's about respect—that's just stupid..." David shared with me another late evening. So these gangs are there controlling resources like land (the streets) and money. They have markets and there are demands (the drug trade). Respect is a part of this power equation of resources, status, title, image and involved interpersonal relationships. Most of us, like myself often think of gangs as simple, their members ignorant. But the fact is, these are complex social systems with economies, leaders, followers, enforcers... Really, microcosms of a nation state but just smaller factions fighting with other "nations" (aka gangs) for control of the same or the other's resources.

My conversations with David and so many others in similar shoes have enlightened me to how cognitively advanced many gangsters are in organizational communication, business and sociology.

"You like rap?" David asked me. "Yea, I mean, I'm open to it. I remember listening to NAS," the famous 90s rapper with a hit single titled, *If I Ruled the World*—Lauren Hill sung the chorus. "Okay, cool. I'm gonna bring you in somethin' when I see you next weekend." It turns out that David was a pretty big time rapper up in the Pacific North West and he had a few albums, one that he brought me a copy of to listen to. The lyrics, so clear and often chilling were clearly lyrics of his life. Having not made it to superstardom like Snoop Dog or Puff Daddy, David now manages other artists. On top of that, his new line of vodka, another company he owns, called Cinatra, his rapper name, came out in stores last year. But still, why is David in the 40th percentile in that recidivism statistic? I'm afraid the answer is not definitive. It's not a prescription we can generate national policy around to turn that 40 percent into 100 percent of ex-cons who are "reformed," never returning to prison...*to be continued.*

Do you want to subscribe to
Graterfriends?

See the order form on
Page 18.



Literary Corner

THE PERIMETER

by Daniel R. O'Donnell, EM-6710, SCI Somerset

The perimeter smiles with razor wire, gleans with teeth
The fence makes a wall of diamonds, a wall of cut holes
I must watch them

I must watch them and be window-happy
while I suck through color : trees, the occasional blown
leaf, something green or blue

Such are my tubes, my small proofs.
Such are my rooms.
I funnel a blunt hope.

I do not hate the perimeter it is useful
It is more useful than a good spoon
It is there

Good neighbor, good geometry, I am
Astounded by your good utility.
I am glued

The razor wire cuts and coils along the fence-top
It is more quiet than the moon
The patrols are something else, they are terrible

The rifles are something else, they are also terrible
The one guard is giving me a cement look, what should I do?
He is killing me and killing me with his look

I wear the prisoners number on my heart

A LIAR'S TRUTH

by Justin Begandy, JP-6167, SCI Albion

Time delivered from the judge's gavel is truth to a liar;
Truth told, through a fixed span of time,
The length of which, determined by the size:
Small truths born from a fib
Immutable truth- the end all
When the lie is habitual
I never feared getting caught in a lie
My lies-Hubris from ignorance.

Rewards, greater than risk,
when that is all you've ever known;
Easiest for a liar (that is true).

The truth won't set this liar free;
I am a liar- hammered by the truth

DON'T MAKE ME YOUR PROJECT A PLEA FROM AN ELDERLY LIFER

by Diane Hamill Metzger, OO-5634, SCI Muncy

My hair is white and short, easy;
No more long-flowing dark brown locks.
The once flat prairie of my skin
Now has more valleys than plateaus.
My body fails and maddens me.
Cane in hand, I can't keep pace with
Visiting toddlers. Yet, children
Are the ones who see my value.
The adults around me see me
As fragile, like a China doll,
Needing to be protected and
Assisted with every small thing.
They are kind, and do not realize
That the years and circumstances
Have distorted the seen image,
Forgetting the keen mind within.
Don't make me your project; instead,
Join me in my screams for freedom,
So I can again walk my life
On my own unassisted legs.

WE MATTER

*by Johnetta Matthews (Ms. Netta)
OV-9154, SCI Cambridge Springs*

They say by the age of 25 we should be dead!
Young black fatherless kids.

Gunned down in the streets
He said he thought I had a gun and was about to reach
Gunned down in the streets
He said I resisted even though I couldn't use my feet
Gunned down in the streets
He said the neighborhood I was in was known for gang
beefs
Gunned down in the streets
He said he shot because I tried to flee
Gunned down in the streets
He said mistaken identity
Gunned down in the streets
He got away with murder and justice is something we
trying to seek
Gunned down in the streets
I am Michael Brown
Gunned down in the streets
I am Shawn Bell
Gunned down in the streets
I am Trayvon Martin
Gunned down in the streets
I am Eric Gardner
And we were killed by police!

Author's note: There are several names that were not mentioned but they are just as important as the rest. Their lives matter.

(See Literary Corner continued on page 19)



Announcements

Inmates diagnosed with psychological or psychiatric disorders after you were sentenced: If you were diagnosed by the DOC with such a condition after you were sentenced, please contact The Center for Returning Citizens and request our case study questionnaire. We may be able to assist you in overcoming time bar for collateral appeal. Please do not call us or send records to us.

James Hendel
Center for Returning Citizens
1501 Cherry Street
Philadelphia, PA 19102

If you are a prisoner who has

written a book, Prisons Foundation wants to publish it. There is no charge to publish or read your book. Your book will be scanned and published exactly as we receive it. Any language is acceptable. It may contain drawings and photos. For more information, contact:

Prisons Foundation
PO Box 58043
Washington, DC 20037

Fight For Lifers West In

Pittsburgh, Pennsylvania, has meetings every third Saturday at Thomas Merton Center, located at 5129 Penn Ave., Pittsburgh, 15224 at 10:00 a.m. until 12:00 p.m.. Contact FFLW at 412-361-3022 (leave a message) or at fightforliferswest@yahoo.com for more information.

Pen Pal Program needs Writers Mary Mother of Captives, based in Greater Philadelphia, hosts a pen pal program that allows the public to "visit" the imprisoned from home. This program has grown to include over 175 state and federal prisons across the country, and the organization currently serves over 575 incarcerated individuals. The writers' names and addresses are kept confidential, and the program helps prisoners know that some "on the outside" recognize their plight and want to help (non-monetarily) support them during their incarceration. The program serves all religious beliefs, races, genders, etc. For many prisoners, pen pals are the only contact they have with the outside world. The program is currently experiencing a shortage of writers; about 100 prisoners are backlogged, waiting for writers to contact them. If you are interested in becoming a writer for this program, contact John or Sue at 610-259-3178, or email Susan_MMOC@comcast.net. (Please note that this is NOT a matchmaking service.)



Bookcase

APPEARANCES CAN BE DECEIVING

Book by Robert V. Vaughn, Jr., EQ-9289, SCI Somerset

If you like to read murder mysteries that have a lot of twists and turns, then you will love my recently published novel, *Appearances Can Be Deceiving*. In my book, there is a serial killer who is going around Philly, just killing one victim after another. One victim is a highly decorated Philadelphia police officer, and so now the DA's office will do anything to get a conviction.

When the main suspect is released from the Philadelphia County Prison, on a two million dollar cash bond, the murders start back up again. Like the title suggests, the end of the story will shock you.

Buy your copy for \$14.95 + \$2.99 shipping.

It is available at
www.FreebirdPublishers.com
Amazon.com
Barnes & Noble Book Store

Inmates in PA Prisons

Did You Serve in the US Military, and were you sentenced before December 1980?



If so, we want to hear from you and other, similar veteran inmates for a study on Post Traumatic Stress and other issues.

Write us at the address below

Veterans Legal Foundation, Inc.
12 West 8th Street, Chester, PA 19013

CERT Shakedown, continued from page 1

their dehumanizing searches where you're strip searched, placed in handcuffs, and made to stand in your underwear — right in front of women staff. Contrary to policy pertaining to cell searches, we were not even permitted to observe the guards tearing apart our cells and stealing our property. When I asked a guard why we were being punished for the acts of a few, I was told it was to send a message, that this is what we can expect when we act like animals.

I do not condone the acts of violence that brought on these adverse circumstances. However, I can attest to the lack of dignity we prisoners sometimes face that brings on feelings of hopelessness. Often, these feelings of hopelessness are acted out in anger toward our captors and one another. Personally, I believe that these "state of emergency lockdowns," where teams of guards brandishing clubs are sent into a prison (for an isolated incident that was embellished by the guards), are not only a waste of taxpayer money, but also feed the fire of rebellion toward staff. Time and time again, it has been shown that this type of group punishment does not work. Maybe it is time that the DOC rethink some of their mean-spirited practices and start treating us with more dignity, instead of violating policy, as well as our constitutional rights.

Please Remember our Submission Guidelines

Because *Graterfriends* is published less often but with more pages than in the past, we ask that you please follow the guidelines (see Page Two) regarding submissions. This will allow us to be more efficient while including as many articles as possible. Thank you.

These guidelines include:

- Letters more than one page in length (200 words) **will not** be published in their entirety in Mailroom or Legal Chat Room, and may be considered for another column. All columns should be no more than 500 words, or two double-spaced pages.
- To protect *Graterfriends* from copyright infringement, please attach a letter stating, or note on your submission, that you are the original author of the work submitted for publication; date and sign the declaration.
- **If we do not receive permission to print your submission, it will not be published.**

Mailroom, continued from page 5

MANDATORY MINIMUMS

While the courts have a serious interest in not opening the floodgates to litigation of the unconstitutionality of "mandatory" minimum sentences, every inmate in the prison system has a serious interest in not serving an illegal sentence.

With the many recent cases that have come to light, the courts are holding that mandatory minimum sentences that were given prior to the recent rulings are not retroactively affected. This non-retroactive ruling is subject to disproof because it is based on fallible reasoning, not logic.

The perfect example is comparing an unconstitutional mandatory minimum sentence to Mount Everest and explaining it simply and logically.

Think about this: before Mount Everest was discovered to be the highest mountain on Earth, what was the highest mountain on Earth? Obviously, it was still Mount Everest! The same question applies to the unconstitutional mandatory minimum sentence. If a mandatory minimum sentence is now being discovered as unconstitutional, then isn't it logical that it has always been unconstitutional? The same oxymoron holds true when the courts tell you an illegal or unconstitutional sentence can never be waived, yet if you don't file your argument in a timely manner you are time barred. So, your illegal sentence is a carousel; it goes around and around, the sentence is never waived but it is time barred. I'm getting dizzy just thinking about it.

It's impossible to argue logic. Logic is the stability in everything that makes sense, so just because the recent rulings of mandatory minimums becoming now unconstitutional does not take away from the logic that they were always unconstitutional. The courts really need to get their ducks in order on this one, and to stop worrying about the flood of litigation. Isn't that why they got into law, to make sure justice is served correctly by upholding the right not the wrong? Somebody needs to step up to the plate and straighten out these injustices because obviously common sense and logic are not yet part of these judges' thinking processes.

Luis Carino
KD-0593, SCI Mahanoy

MOVING?

Are you being transferred to another prison, or getting released? Please inform the Prison Society so that we can change your address in our database. We don't want you to miss any issues of *Graterfriends*. Please write to the address on the bottom of page two.

Administrative Appeal, continued from page 9

sual punishment if it is the result of “deliberate indifference” to the prisoner’s liberty interest, *Estelle v. Gamble*, 429 U.S. 97, 97 S. CT. 285 (1976).

(4) However, the denial of liberty without due process of law occurs when a prison terms’ maximum date is extended without hearing in a venue that has jurisdiction over both parties and the subject matter. A Parole Board Hearing Examiner is not an arm/branch of the judiciary and is without authority to determine when a person’s maximum sentence will expire.

(5) Likewise 61 Pa. C.S. §6137 Parole Power fails to include in it’s provisions any authority to create contracts with prisoners. Therefore, it is unlawful to use any breach of the “Parole Violator’s Return Order” (PBPP-39) specifically entitled “conditions or parole contact” as evidence to extend a parole’s maximum beyond the judicially imposed date.

(6) As can be seen that while the board has discretion to determine the sanction for my violation/conviction which it used in determining that a 48 month “hit” would be served it is the court who has statutory authorization to declare when my minimum and maximum ends.

(7) The Board will argue that 61 Pa. C.S. §6138 gives them authorization to change your judicially imposed sentence, however, it does not. These statues would be in direct contradiction of 61 Pa. C.S. §6138 (a)(5) which a parole violator’s liberty interest is to only serve a sentence imposed by a Pennsylvania Court. *Shapp v. Butera*, 348 A. 2d 910 (1975).

(8) When the board alleges that a parolee has violated his parole, the parolee may only be directed by the board to complete the remainder of the existing judicially imposed sentence: SEE *McClure v. Pa. Board of Probation and Parole*, 461 A. 2d 645 (1983).

(9) “the fixing of the term of the sentence is exclusively a judicial function...The board of parole, therefore cannot discharge a convict from parole before the expiration of the maximum term for which he has been sentenced, nor on the other hand extend the period of parole beyond that term.” *Commonwealth ex rel. Banks v. Cain*, 28 A. 2d 897, 345 Pa. 581, 589 (Pa. 1942).

For all the reasons above, Parolee Alonzo R. Boyd suffers multiple U.S Constitutional Amendments Violations (i.e. 5th and 8th) as well as violations cited according to my Pennsylvania Constitutional Right’s. Parolee further asserts that he wishes to preserve his unconstitutional max recalculation issue for “review and/or “petition for writ of habeas corpus” for unlawful restraint of liberty. The new max date (April 12, 2024) at the bottom of my green sheet encroaches in on the judicial branch of government and it’s exclusive jurisdiction provided by the separation of power doctrine.

Thus, the due process for such an appeal requires not only the acceptance of this appeal but an answer in a timely manner.

Relief Sought

I am respectfully requesting that the board affords me the following relief:

(1) Correcting my original maximum sentence to November 30, 2016 as ordered by my sentencing judge (Hon. William R. Cunningham).

(2) Apply all necessary credit due.

Date: 3/30/2015

Thank you!

**The Pennsylvania Abolition Society
and the Pennsylvania Institutional
Law Project recently granted money
to help us pay for the production of
Graterfriends.**

Throwaway, continued from page 1

with some form of mental illness at some point in their lives. (These statistics come from a study done in 2008, so the numbers may be higher now.) Prisoners are often misdiagnosed and do not receive the proper application of psychotropic medications due to the apathy, incompetence, and lack of education of prison healthcare providers. Then we have the still-common practice of solitary confinement turning ill men into madmen.

I've witnessed men in long-term administrative segregation pulling out blood clumps of hair from their heads. My friend "Rasputin" was denied his Thorazine one week (due to negligent staff) and was observed writing out endless math equations on the walls of his cell with his own fecal matter. Another young man, nicknamed "Billy Rocks" by wise-cracking corrections staff, sits on his bunk and rocks back and forth all day, every day, staring at the wall. He never speaks, barely eats, and screams in terror when once a month he is dragged out of his cell and thrown into a caged shower stall to be hosed down and left wet and shivering for hours. This how the criminal justice system and corrections officials deal with its sick and delusional populace; fathers, mothers, children, and grandparents. Humans are thrown away like garbage. Now, with the new frontier of mandatory minimums, a mentally confused, first-time felon can spend the rest of his life "living" like Billy Rocks.

Starting in the mid-1970s, the almighty federal government began restricting major funding to mental institutions across the country. This political tradition has continued through the decades. Hundreds of thousands of sick, delusional human beings — many with drug-induced psychosis — flooded underpasses, homeless shelters, county jails, and penitentiaries. The humans that were not shown the door became subjected to unspeakable treatment by the low-budget staff that remained. Daily rapes, death from neglect, and blatant inhumane abuse are still commonplace in mental health facilities today.

Money over morals is the Neo-American way. Aggressive capitalism shows us that false concern gets the job done faster than genuine compassion, because it will save us the burden of guilt. Why do we feel that material wealth will fill the empty space in our souls? This form of insanity has reached epidemic proportions. Our children don't possess imaginations anymore; they imagine what they might possess.

This weekend, Sammy spent 40 minutes attempting to explain the movie *The Curious Case of Benjamin Button* to me. I have never seen the film, but I fully understand the premise from previews. Now, Sammy is no idiot-savant, but the comic confusion of his "spoiler alert" was pure genius. At the end of his explanation, I was cross-eyed, crying, and in pain from laughter. The mentally ill give us "sane" people a different and unique view of the boring, banal reality that we pretend to understand. Perhaps their world is bigger and more mysterious, because they do not adhere to our ill-conceived explanations of how things are, or how they should be. I find it an absolute truth that damaged people are just more interesting. Despite his crime, Sammy is not evil. I sleep just fine with him as my cellmate, and he is my friend.

I ask you, the reader, what is the answer? How do we discern delusional from demonic, or mentally incompetent from criminally insane? Healthcare professionals, politicians, and academics most definitely do not have the solutions. After all, it is they who have created this hulking mess. My mother, the saint that she is, believes that we are entering a golden age of human consciousness, with compassion and spiritual enlightenment at the forefront. She feels that the new generation will have an altruistic motivation for change, and I believe she is right. We all must work toward a change when it comes to the "out of sight, out of mind" management of our mentally ill. The alternative is much too grim to imagine. Aren't we all just a little bent in our own way? I confess vehemently that I myself am most definitely "touched in the head."

Medical, continued from page 7

Look at recent medical care history: Wexford got run out, Corizon took over, then pulled out as they said they couldn't make money on the deal. Now these people of Correct Care Solutions are doing the same things those before them did — squeeze every buck possible while we die for profit.

If you have ever read my words before, you already know the drill: send DC-135As to everybody involved when a problem arises. Then file a complaint with the Governor's Office of Professional Compliance, this body can suspend the medical license of a practitioner found to have done serious wrong. So, get the name of every nurse, nurse practitioner, doctor's assistant, and doctor that is doing you wrong, then file a separate complaint on each. This gives you something to do while waiting for the DOC to work out how they will weasel their way out of being responsible for the latest medical tragedy, the latest death. Since the commonwealth has this office to

compel professional compliance, you might as well make use of it, while there is a governor in office who might just let it do its job. The address is:

Department of State
Office of Chief Counsel
2601 North 3rd St.
PO Box 2649
Harrisburg, PA 17105-2649

I've contacted these folks in the past, and they always try to help where they are allowed to.

Why do all this work? Ammunition. That's the answer, plain and simple. Correct Care Solutions, after a federal court docket search, was found to have been sued around 464 times nationwide (that doesn't include lawsuits in state courts).

I bid all peace and solidarity, and most importantly, courage to act when and where it is right to do so.

Don't Forget Us, continued from page 7

Those prisoners who have shown true remorse, shown consistency in their programs, positive motivation for success, and have done all that was required of them should be given help creating home plans. Many don't have friends or family to help them find a home. Yet, there are people in prison who are truly paroled two, four, or more years after "technically" being paroled, creating the prisoner overcrowding and wasting tax dollars. Those sitting in prison on parole could be out in the community paying taxes, generating revenue for the state. There needs to be better reentry programs to help all prisoners be released when they are granted parole.

In closing, there needs to be positive prison reform, protecting actual victims of crime and public safety. Those prisoners who have shown true remorse, demonstrated positive adjustments, and who are motivated to being productive and crime-free should be able to participate in counseling and programming.

Prisoners should be viewed as human beings, not just pawns. Those in prison who have earned it should be given a fair second chance at life.

I write this not only for myself, but for all my brothers and sisters in prison are those who are free of all faiths, races, and ethnic backgrounds who are all human beings, who believe in a fair chance at life and the redeemable human qualities.

SCI Fayette, continued from page 3

sent to all of the prisoners at SCI Fayette (over 2000 individuals). CCJ is distributing a similar survey to the approximately 300 residents of LaBelle. In a February 2015 press release, ALC attorney Dustin McDaniel said, "Many people living next to this dump both in prison and in the community are sick. What we don't know is how many people and the extent to which they are suffering from the same problems. With this survey, prisoner advocates and community leaders are working together to find out."

Matt Canestrone Contracting renewed their permit to dump coal at the site, which means another 416,000 tons of coal ash will be dumped near the prison grounds next year.

Criminal Debt, continued from page 2

a bail judgment was assessed. This assessment was for the full amount of the \$5,000 bail originally set in her case.

When Sheila found out she owed thousands of dollars, which she was not told about at sentencing or while on probation, she was understandably frustrated. Court debt can prevent people from cleaning up their records through the expungement and pardon processes, can interfere with getting certain public benefits, and can lead to collections by private debt collection agencies.

The good news is that there are steps that Sheila and others like her can take to reduce the amount of debt owed, and deal with any remaining debt.

First, in Philadelphia, bail judgments assessed prior to March 4, 2010 are no longer being collected! The judgments should be removed from court records soon.

For bail judgments like Sheila's, which were entered after March 4, 2010, individuals can file petitions to reduce or vacate the judgments if the individuals came back to court soon after missing court, or if court was missed for a good reason, like being in the hospital. In Philadelphia, Sheila can file a petition to reduce or vacate bail on the third floor of the Criminal Justice Center.

Second, either at sentencing or later on, supervision fees may be waived by a judge if paying the fees would be a financial hardship. Meeting certain criteria like receiving public benefits, having a disability, or being a full-time student makes it more likely that supervision fees will be waived.

If an individual is currently being sentenced or is on probation, he should speak to his defense attorney or probation officer about waiving supervision fees. If someone like Sheila owes supervision fees on an old case in Philadelphia, a motion to waive supervision fees can be filed by going to the motions desk on the second floor of the Criminal Justice Center.

Third, after eliminating whatever debt she can, Sheila should get into an affordable payment plan to pay the remaining court fines and costs she owes. Getting into a payment plan is important to avoid having problems with public benefits and to avoid getting sent to collections. In Philadelphia, Sheila can get into a payment plan by going to courtroom 1104 any day of the week at 1:00 p.m. Sheila should bring any proof of her financial situation, including her receipt of public benefits, and should NOT agree to a payment amount that is unaffordable. She should also ask the court to sign a form that she is now "in compliance" with a payment plan so she and her children will not lose their cash assistance.

Dealing with criminal court debt can be stressful and frustrating, but advocates are working hard to improve these systems and help individuals like Sheila understand their rights and advocate for themselves.

RRA, continued from page 20

news organizations from publishing interviews with individuals convicted of crimes if the victims said that publication would cause them mental anguish. These outcomes, the plaintiffs say, restrict speech based on the reaction of the listener, which violates the First Amendment.

Counsel for Attorney General Kane countered that the law prohibits conduct and is thus subject to a lower level of scrutiny than laws that restrict expression alone.

The March 30 argument followed a March 6 judgment in which Judge Conner ruled that the plaintiffs in the two cases had standing to challenge the law and denied Attorney General Kane's motion to dismiss the case.

In his March 6 opinion, Judge Conner recognized that the law could chill individuals from speaking, explaining that at least one plaintiff, Kerry Shakaboona Marshall, shelved the publication of his memoir, which details his life as a juvenile offender serving life without parole, for fear of a lawsuit. Judge Conner also pointed out that "the harm notably extends beyond self-censorship, as third parties have begun denying speaking and publishing opportunities to the offender plaintiffs for fear of enforcement action."

The plaintiffs "have alleged real and reasonable fears that the legislation will be enforced against them in the immediate future, and the Attorney General has not expressly or impliedly indicated that she will not enforce it," Judge Conner said, holding that the plaintiffs in both cases had standing to challenge the law.

Letter to Administration, continued from page 6

Hope for Change (HFC) is an Inmate Organization comprised of citizens within the SCI Forest community, established in accordance with Pa. DOC Policy 7.8.1. Section 7. HFC provides a forum for activities of a wholesome nature and beneficial nature and establishes an ongoing dialogue with the administration, staff and the community.

The opportunity to have a genuine discussion with the citizens of SCI Forest via the HFC Organization was a huge oversight in many peoples' opinion. There is no "us" or "them," only "we," and it is "we" who must cooperate with each other in order to obtain the goals set upon us all by the people of Pennsylvania: to become productive law-abiding citizens who return to their communities.

Why else have inmate organizations such as HFC, or positions such as the Inmate General Welfare Fund (IGWF) block representative, if not to engage the GP on the issue of violence within the community. The safety of all citizens of SCI Forest is paramount and should be taken very seriously by all who live and work here. To exclude those whom the administration have a duty and responsibility of care, custody and control, runs counter to the DOC's mission statement:

"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens, while respecting the rights of crime victims."

SUBSCRIPTION INFORMATION

Support our mission and become a member!

Receive *Graterfriends* and *Correctional Forum* for:

\$5	Prisoner	\$200	Patron
\$10	Prisoner Family/ Student	\$250	Sponsor
\$40	Regular Membership	\$500	Founder
\$100	Friend of the Society	\$1,000	1787 Society

Make a check or money order payable to

The Pennsylvania Prison Society
245 North Broad Street, Suite 200
Philadelphia, PA 19107

Prisoners may pay with unused postage stamps.

Are you a prisoner who just wants *Graterfriends*? You may subscribe just to *Graterfriends* for \$3.

Name _____ Prisoner Number _____ Institution _____
Address _____ City _____ State _____ Zip _____
Payment Amount _____ Payment Method _____

NEW SUBSCRIBERS: Please allow 6-8 weeks for receipt of your first issue.

Literary Corner, continued from page 12

MASTER PLAN

by Danielle Hodges, OW-1674, SCI Cambridge Springs

I'm thinking of a master plan
Of how to make my hood a better land
I'm not falling for nothing so here I stand
Positivity, education, and true equality is what I demand
I'm praying for a change
The destruction in my hood is becoming insane
So many young people dying is causing so much pain
Unity and knowledge is what I need my hood to gain
I'm hoping for a better future
Less crime, less anger, our children are in danger
It's time to show them a new way to express how they feel
Instead of fighting to death and shooting to kill
I'm thinking of a master plan
To keep our youth out of jails and keep them in schools
Show them it's nothing wrong with following rules
They are our future what they don't like they can change
But they need guidance and support to keep them in the right lane
Lead by example don't you see the children watching
If we don't do something now destruction will prevail
Our people will be left with no positive legacy to tell

THE REAL WORLD

by Nahbeel Richardson, JS-0382, SCI Mahanoy

Guilty is what they found me
Evidence of only words
The physical didn't matter
Nor did it match.

Corrupt is the system
Biased are the people
How, in America
Are all men created equal?

Taking people's lives
Sending them away
The power of God
Do men attempt to obtain.

Innocent until proven guilty
Proof beyond a reasonable doubt
Yet predetermined doubt
Strips one's innocence.

Anyone can make a mistake
Yet they are all perfect
Jobs are what they have
But when will they be done?

MAKE THE FUTURE

By Lee A. Horton, CN-2067, SCI Chester

The Clock of existence ticks.
Collapsing time into the folds of history.
As the world turns,
Seconds drip into days unseen.
The sun rises again and again,
Inviting hearts to beat, lungs to breath.
Life to begin.

The Future is a threshold
Over which all my cross.
A doorway through which all may enter,
Above which hangs a sign that reads:
"Alone none may pass,
All must come together."

The Future accepts everyone equally
It has no favorites.
No lessors,
No greateres,
No allies,
No enemies.

The Future is in an ageless beginning.
Full of gifts without limit.
A genie in a bottle,
Anticipating our arrival.
Whatever anyone asks,
It will render –
Freely,
Without judgement,
Or question,
Or expectation.

All the Future asks of us is to be...
Who
Or what
Or how,
We want to be...
Or not to be.

The Future is never yet made.
The Future is what you make it.
For all who would attend the banquet of life.
The Future has reserved you a seat at the table.
You need only claim your portion.
Don't let the past make you late.
Be on time.
Take your seat.
Take the Future.

First Class postage is required to re-mail

May/June 2015

The Pennsylvania
PRISON SOCIETY
SINCE 1787

245 North Broad Street
Suite 200
Philadelphia, Pennsylvania 19107

GRATERFRIENDS

NON-PROFIT
ORGANIZATION
U.S. POSTAGE PAID
CLAYSBURG, PA
PERMIT NO. 84

FEDERAL JUDGE: REVICTIMIZATION RELIEF ACT UNCONSTITUTIONAL

by Sara Rose (Staff Attorney, ACLU-PA), with Mindy Bogue (Managing Editor)

On April 28, U.S. Middle District Chief Judge Christopher C. Conner ruled that Pennsylvania's Revictimization Relief Act (RRA) is "manifestly unconstitutional." He judged the law a violation of the freedom of speech protected by the First Amendment of the U.S. Constitution

Judge Conner said, "A past criminal offense does not extinguish the offender's constitutional right to free expression. The First Amendment does not evanesce at the prison gate, and its enduring guarantee of freedom of speech subsumes the right to expressive conduct that some may find offensive." He also found the law to be "unlawfully proposed, vaguely executed, and patently over-broad."

He discovered that, after the law was enacted, it had a chilling effect on the free speech of prisoners and organizations that relied on such speech. For instance, The Pennsylvania Prison Society began including a warning in its Graterfriends newsletter that warned anyone interested in submitting an article of possible repercussions under this law. Some prisoners sent letters that they said they'd like to be published but were afraid to because of the RRA. Another example is Prison Radio, who had to curtail Mumia Abu-Jamal's weekly commentaries.

Judge Conner also cited comments from the law's supporters that showed it was clearly a device for suppressing offender speech. He attacked the law's lack of defini-

tion, finding that it doesn't clearly state what kind of speech or action it forbids, nor does it specify what standards will be used to determine the level of revictimization: "Short of clairvoyance, plaintiffs cannot determine in advance whether or to what extent a particular expression will impact a victim's sensibilities."

Supporters of the law, including bill sponsor State Representative Mike Vereb, plan to appeal the ruling.

Background on the Challenge to the Law

The RRA, also called The Silencing Act, allowed courts to prevent people convicted of personal injury crimes from engaging in any conduct that may cause mental anguish to victims of those crimes. Judge Conner heard arguments on March 30 from the plaintiffs in two cases challenging the law (including individuals in prison and those who have been released, as well as journalists, and advocacy groups), and Attorney General Kane, who is named as the defendant in both cases.

The law's challengers argued that the Revictimization Relief Act authorized courts to prohibit individuals convicted of crimes from engaging in speech that causes mental anguish to the crime victim. According to the challengers, it would also allow courts to prevent journalists or

(See RRA, continued on page 18)