

# 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 47, Issue 4

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Summer 2017

### 230th Annual Meeting Award Recipients

**Dr. Julia G. Hall Inmate of the Year** is awarded to Joyce Schofield. For many years, she has been a hospice volunteer in the SCI Muncy infirmary providing kind and caring support to seriously ill inmates. She assists other inmates with legal issues, including parole forms and commutation applications. She has been active in numerous activities including: the Lifers' Group, Cage Your Rage program, citizenship and volunteer courses, the Inmate Buddy Program, Support and Care for Terminally Ill Inmates, mentor special needs inmates, Prison Society's STEP Program, HAPPY MATS Program, and the Community Service Program. Her other services include: Librarian Aid, Restorative Justice Group facilitator, Educational Tutor for GED, Math, Algebra, History, Science; Outpatient Alcohol & Drugs Peer Assistant; Lifers Long Term Offenders Peer Assistant Librarian Aid, Restorative Justice Group facilitator, Educational Tutor for GED, Math, Algebra, History, Science; Outpatient Alcohol & Drugs Peer Assistant; Lifers Long Term Offenders Peer Assistant.

The **Official Visitor of the Year** is awarded to Gene Breisch. Breisch has been an Official Visitor as SCI Muncy for decades. Gene's tenacity and dedication are phenomenal and worthy of the highest praise. He actively arranges meetings with the administration and other Official Visitors, during which he continues to push for positive changes at the prison such as better and more productive treatment in the RHU, early intervention/assistance for women before their first parole board meeting, and a reliable and confidential way to report abuse.

**See Annual Meeting, continued on page 13**

### A Heartless Heart

By Darrell Ameen McKelvie, AF-5156,  
SCI-Benner Township

What makes a heart heartless?

My nightmare started in July of 1974, when several juveniles saw me at the Roundhouse for questioning, and decided to tell the police I was the one they saw shooting at them that night, which resulted in the death of their friend, and the injuries of two others. During my trial, not only did the juveniles give false testimony against me, but to my surprise, two of the arresting officers did too. Once I realized the police were collaborating with the juvenile's fabrications, I knew then that I was being framed for a crime I did not commit. What's more astonishing, many of the juvenile's family members are well aware that they lied at trial and that I'm innocent. Many in the community know that I am innocent as well.

It's known that young juveniles are more vulnerable to be easily persuaded or intimidated by authority figures. But now they are in their fifties, and there is no excuse for them not to come forward. I wondered over the decades if any of them contemplated about the agony, hurt, and misery they cause myself and my family, who are mostly deceased. Being confined at a young age denied me the opportunity to know my family, establish a

**(See A Heartless Heart, continued on page 13)**

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## From the Editor

In this issue of Graterfriends we acknowledge three people for their contribution to the community of incarcerated Pennsylvanians and their families:

- Joyce Schofield of Muncy, the 2017 Dr. Julia G. Hall Inmate of the Year Award recipient,
- Gene Breisch, the 2017 Official Visitor of the Year award winner for his visits at Muncy, and
- Major Gina Clark of Graterford, the 2017 recipient of the Society's Correctional Professional of the Year Award.

You will read short biographies of these remarkable people on the front page of this issue.

Each award recipient is very different – different backgrounds, different roles, different lives. And yet each has dedicated his or her life to the wellbeing and success of incarcerated Pennsylvanians and their families. They have done so with heart and with perseverance.

They are not alone in their dedication. In my few short months at the Society I have met dozens of officials, official visitors, and inmates whose profound kindness and thoughtfulness is noticeable at first meeting. I am amazed by all of you.

Sincerely,  
Claire



## Spotlight

### Who's in Solitary Confinement?

by Anna Flagg, Alex Tatusian,  
and Christie Thompson

The data on how many prisoners are subjected to solitary confinement has long been elusive: many state corrections departments didn't log such information, and it was hard to track given the various euphemisms for the practice. A new report from Yale Law School and the Association of State Correctional Administrators released Wednesday tries to fill the gaps in what we know about the use of solitary confinement in the United States.

The Arthur Liman Public Interest Program at Yale first collected data from state and federal corrections officials in 2014, and again, in more detail, last year, taking what amounts to a comprehensive census on the use of solitary confinement in the U.S. Researchers found that in the fall of 2015, at least 67,442 U.S. prisoners were kept in some kind of restricted housing. That includes prisoners held in "double-cell solitary," where they are locked down with another inmate.)

But perhaps most striking, researchers said, was

**(See Solitary Confinement, continued on page 11)**

# GRATERFRIENDS

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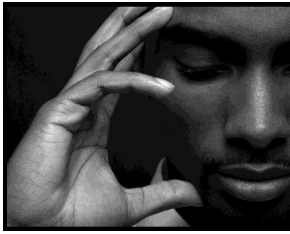
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We reserve the right to edit submissions. Original submissions **will not** be returned. We **will not** print anonymous letters. Allegations of misconduct **must** be documented and statistics should be supported by sources. Letters more than a page in length (200 words) **will not** be published in their entirety in Mailroom or Legal Chat, and may be considered for another column. All columns should be no more than 500 words, or two double-spaced pages.

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## Think About It

### Must Investigate to be Effective

*By George Rahsaan Brooks-Bey, AP-4884,  
SCI Coal Township*

Most prisoners I aid and assist are doing hard prison time because their public defenders or court appointed lawyers were incompetent. At the heart of an ineffective legal defense is an ineffective investigation. In most cases, defendants who typically cannot afford an attorney do not see these types of lawyers until a week before or the day of the trial. In my own case, I did not see my public defender until the day of the coroner's inquest and he had done absolutely no investigation and had not interviewed any witnesses. Such incompetence will always render a deficient performance. It will also always jeopardize you and prejudice your case. Far too often, these appointed lawyers fail to meet their basic obligations to their clients. They also fail to undertake the most elementary tasks that a responsible defense lawyer should perform in felony cases. This often leads to a defendant being wrongfully convicted. Unfortunately, public defenders typically provide representation that falls well below a reasonable standard of professional competence.

I have over four decades of experience dealing with wrongful conviction. As I continue to assist prisoners, I regularly recognize that these public defenders fail to carry out the most basic legal procedures that are required before, during, or after the trial. I have yet to discover any strategic reason for their utter failure.

These repeated failures to interview critical witnesses, conduct basic investigative work, check out the crime scene, or obtain exculpatory evidence by conducting proper pre-trial discovery, have allowed prosecutors to willfully withhold mitigating and exculpatory evidence. When so-called lawyers fail to do these essential tasks, their actions rise to the level of ineffective assistance of counsel, which violates both the Sixth Amendment of the U.S. Constitution and Article I, Section 9 of the Pennsylvania Constitution.

**(See Must Investigate continued on page 13)**

### Aging out Resolution

*by Prince Christop Rivers III, AF-6681,  
SCI Graterford,  
Administrative VP of Operations,  
Graterford Gray Panthers Organization*

After forty years of being incarcerated, I'm a senior who is fighting to move out by working with Graterford's Gray Panthers on a proposed pilot project. Our mission is to create an opportunity for inmates who are 50 years of age or older and have completed 25 or more years of incarceration, to be considered for participation in a pilot program that replaces incarceration with an ankle bracelet monitoring program, under the supervision of city, county, and state parole officers.

The PA DOC defines 'elderly' as 50 years or older and for good reason. Prison culture stressors and lack of access to adequate health care seem to speed up the aging process. In prison, 50 is the equivalent to 65 in the general public.

The elderly are now 12 percent of the state's prison population and 25 percent of Graterford's population. The growth in the number of elderly inmates will significantly increase health care costs for prisons.

Our pilot program is designed to significantly reduce correctional costs while giving participants the opportunity to be responsible for their own lives. Public safety would not be compromised (the recidivism rate for elderly inmates is very low) and the program would save the state millions of dollars in health care costs.

Potential participants would be carefully screened so that 50-100 of those least likely to recidivate would be selected for the first year of the program, with 200 in the second year and 400 in the third year. In the first year, 25 percent of the participants would be veterans. Participants would have to prepare a home plan that meets the requirements of the PA Board of Parole and Probation.

Initial implementation would be at Graterford and Muncy prisons. A monthly statistical report would include the number of individuals that have been placed, the types of placements, and the types of services required and accessed.



## Mailroom

### Old Tech Merges with New Tech

by Bobby K. Williamson "Ya'quub", DQ-9200,  
SCI Smithfield

Those of you who have a Super 3 Radio and a tablet, you can listen to a tablet without the benefit of headphones, by transmitting the tablet audio to the radio.

Step 1: Turn on the radio and set the dial on 1400 AM

Step 2: Turn on the tablet and select something for listening. Be sure to leave the earbuds connected to the tablet.

Step 3: After the screen light goes off on the tablet, place the tablet between the handle of the radio, with the screen upright and upside down (the tablet's "on" button should be on your left).

Alternatives: (1) Place the tablet under the radio or at the rear of the radio, with the back of the tablet facing inward (back-to-back). (2) Place the tablet on either side of the radio but make sure that the earbud port is closest to the side of the radio. (3) Lay the tablet flat in front of the radio and adjust accordingly.

Once the tablet is playing through the radio, you cannot remove the earbuds, attempt to access the tablet for any reason, or move the tablet away from the radio. If done, you won't be able to hear the tablet being played through the radio instead you will hear it playing through the ear buds. In order to continue listening via the radio, you must complete steps 1 through 3 all over again.

The tablet will play until your battery needs to be charged. You will not be able to recharge and listen at the same time as you could with headphones.

I hope that this is of some benefit as a way to listen easily without tampering with either device.

### Justice for a Lifer

by Keith A. Baker, LT-9597, SCI Albion

I write to Graterfriends asking for help for a fellow inmate at SCI Albion. Walter Grandison, AP-0835, is a lifer who started his sentence in 1969. He is the inmate that Reginald McFadden "snitched on" in a 1971 case. McFadden cut a deal for commutation after testifying that he witnessed Grandison drop a laundry cart off the fourth tier onto an officer. McFadden was acquitted of all charges. After two years in the hole, Walt was transferred to Graterford. He went on to become what the Department of Corrections call a model inmate. He became a certified legal assistant, donating 20 years of service to fellow inmates. He hasn't had a write-up in 30 years. He has had two strokes that left him unable to speak or read and got him fired from the laundry job. In all his years helping others, he's in need. Any kind of legal guidance would be greatly appreciated, especially help in securing a commutation package. Maybe those who helped McFadden with his commutation could redeem themselves by helping a man whose case truly deserves review. Can justice come full circle after 45 years?

**Editor's note:** There is no Lifers Organization at Albion.

### Inmate Pay

by Termaine Saulsbury, GP-3965, SCI Greene

Private corporations are investing in prisons in droves to reap fortunes off cheap slave labor. This gives the government additional incentives to step up the mass arrest and imprisonment of people of color and to give them longer sentences. The time has long since arrived that prisoners have no choice but to go on a nationwide work stoppage to break this vicious cycle. All prisoners have to do is to "do nothing," lay down, and refuse to work. The DOC will react harshly but, in the end, it and the corporations will have to withdraw their siege on our communities, both inside and out.

History shows that this racist, capitalist system cannot be reformed or adjusted, to make it work for all people. When resistance gets too costly, it only changes its methods and then continues down the same path, the unbridled pursuit of riches through the world domination of people of color and the poor. The entire system has failed humanity miser-

**(Continued on next page)**

**(Mailroom, continued)**

ably and must be destroyed. Even now it is rushing down the path of destruction. The greatest method prisoners have right now is a boycott.

The DOC is a multi-billion dollar business and we are the product. Without our work, corporate capitalism cannot work. Inmates keep the prisons operating, slave labor keeps corporate capitalism operating.

**How To Grieve Smoking in the DOC**

*by Karl Rominger, MR-1860,  
SCI Laurel Highlands*

As an inmate in the Pennsylvania Department of Corrections, you must be well aware of the blind eye the DOC turns to smoking. Yes, there is the occasional write-up. However, we all know that tobacco is smoked nonstop in our housing units, public bathrooms, dorms, and cells.

If you want to make a difference you have to file grievances, and appeal them both times, so you can then bring action. The DOC will not continue their negligence if enough grievances and court challenges are made to show the judges that this is not isolated smoking, but rather the product of official DOC policy.

If you have a chronic condition that is made worse by smoking, by all means raise that medical issue. Also, ensure that you mention the particulars of the exposures you face.

Although, if it is just the constant second hand smoke on your unit that bothers you, consider some key points.

The DOC exhibits a deliberate indifference to my exposure to environmental tobacco smoke (ETS) - more commonly known as second hand smoke. The DOC does this by selling tobacco and lighters to a prison population who are addicted to nicotine smoke. The DOC does this by selling tobacco and lighters to a prison population who are addicted. The Pennsylvania Legislature has found in the Pennsylvania Clean Indoor Air Act that no amount of second hand smoke is safe or acceptable. By way of example, the DOC will not let me have benadryl in my cell, as I can't be trusted not to abuse it. But, nonetheless, the DOC provides tobacco and flame to a population known to have serious addiction issues, and pretends they will not be employed indoors. Much of the tobacco purchased is actually purchased with monies provided by the DOC to inmates in the form of GLP.

Also, because of the DOC's full embrace of the Prison Rape Elimination Act (PREA), many correction officers are afraid to police the showers and bathrooms, freeing inmates to smoke there with impunity. Further, officers have so many duties besides patrolling smoking, and must simultaneously watch over 50-70 inmates. Enforcement is spotty and inconsistent, and often nonexistent, particularly by officers who smoke.

Thus the DOC supplies tobacco and lighters to nicotine addicts in an already troubled population; regularly locks people in housing units for days; provide discreet locations for covert smoking, and offers no strong or consistent enforcement, knowing that no amount of ETS is safe. Inmates are being exposed to ETS in a way that presents a deliberate indifference to our health.

Letters to the governor and the legislature might be the kick the DOC needs to stop its negligent practices.

**Clean Indoor Air Act**

*by Darren R. Gentilquore, GX-1572, SCI Pine Grove*

The act of emitting or exhaling smoke from a cigarette, cigar, pipe, or any other lighted smoking device is prohibited inside any public building in the Commonwealth of Pennsylvania. The American Cancer Society has declared that there is no safe level of exposure to secondhand smoke. Any exposure is hazardous to your health. If you can smell it, you are in danger. The legal support for this is clear.

Pennsylvania's Constitution was amended in 1971 to include the following:

- "The people have a right to clean air..." (Article 1 §27).
- Pennsylvania Senate Bill 246 of 2007 became state law in 2008 (P.L.182, No.27. 35 P.S. § 637.1-637.11) known as the Clean Indoor Air Act. Pennsylvania's DOC Department Policy 1.1.7

Pennsylvania's DOC Department Policy 1.1.7 is nearly identical to this state law. Case law (*Helling v. McKinney* 509 U.S. 25, 35 (1993), and *Atkinson v. Taylor* 316 F3d 257 (3<sup>rd</sup> Cir 2008)) also supports the right to breathe clean air.

Pennsylvania is only one of four states that permit tobacco use in its prisons. The other 46 states, all federal prisons and all county jails also prohibit tobacco use. What will it take for Department of Corrections to ban all tobacco use in all DOC facilities? If you, too, are tired of tobacco use, please feel free to use the foregoing information in your grievance form (DC-804).



### **Sex Offender Registration and Notification Act (SORNA)**

*By Justin Corliss, MU-6240, SCI Coal Township*

Pennsylvania's Sex Offender Registration and Notification Act (SORNA) is the most recent incarnation of Megan's Law. Though sex offenders have an historically low recidivism rate (depending on type of offense), our legislature asserts that SORNA's is necessary due to the "high risk of committing additional sex offenses" [42§§9799.10 (a)(4)]. However, there is no evidence that the number of sex offenses has been reduced after SORNA.

Another stated purpose is to "educate and counsel" residents, "particularly children." In practice, these laws encourage and incite extremists, vigilantes, and other whackos to express their hate, distrust and misinformation. No one is being educated.

Registration has far-reaching consequences, far beyond a prison sentence. Many people will not be paroled on their minimums. If designated a sexually violent predator, they will likely be forced to max out their sentence. Once released, SORNA acts like parole – only worse. One must go to the state police frequently (annually or every three months, depending on the crime), providing everything about one's life (crimes, identity, vehicles, homes, licenses, phones, internet identifiers) which are publicly accessible via the internet.

SORNA acts to violate the freedom of travel by requiring strict compliance with mandated reporting schedules. It requires advanced notice of accommodations, travel plans, and rental cars. The simple act of borrowing a car without registration is a felony offense. The same penalties apply for merely having a key to an unregistered home (parents, friends, or job-related).

SORNA places restraints on liberty and should be recognized as a tool to impose punishment, making it a true ex post facto law. Any affected offender should initiate challenges now. Contact the Com-

monwealth Court to obtain copies of petitions that are being litigated, i.e., *Taylor v the Pennsylvania State Police* 532 MD 2014 or *Coppolino v Noonan*, 2015 WL 5140043 as guides and file your own case-specific challenge.

The ridiculous hysteria over these offenders is acting to: violate the laws against indeterminate sentencing, limit civil liberties, and confine you indefinitely. Write your state representatives to ask them to repeal SORNA and file petitions to have SORNA found unconstitutional.

**Please remember that any submissions we receive will NOT be published without express permission to print and a note stating that you are the original author.**

**If we receive a submission without either of these two requirements, we will not print it.**

**Submissions will not be returned.**

**Thank you.**

## **You Have a Duty to Yourself First**

*by Tracy Glenn, JM-9301, SCI Frackville*

After your arrest, you hired counsel or were given court-appointed counsel to defend your life and liberty, as required by the 6<sup>th</sup> and 14<sup>th</sup> Amendments to the U.S. Constitution.

We expect counsel to dissect the evidence and prepare a formidable defense before going to trial. What many of us did not know before trial is that there is a wide variation in the adequacy of preparations by counsel.

According to my research and experience, these problems associated with adequacy of counsel happen more often with court-appointed attorneys yet can also happen with a hired attorney. Only honest counsel can answer why they perform this way when dealing with our lives. Maybe one could say that counsel had too much on his/her plate, defending too many cases at once. Or maybe they just don't care. [Let me be clear: some attorneys have impeccable records and will fight until they get the outcomes they want for you.]

Some issues counsel won't introduce because they may open a can of worms. Other issues are overlooked or intentionally ignored by counsel even when they may have serious consequences for your future. It's possible that the issue could have led to a day less in prison yet counsel didn't argue the issue to its fullest. Often, we do not discover the omissions until after trial. Even when important issues are overlooked, the performance of counsel is likely to be viewed by the court as sufficient in order to meet standards of effective counsel set by the 6<sup>th</sup> and 14<sup>th</sup> Amendments.

Many of us have some type of issue with what transpired in court that might have been avoidable. We have a duty to ourselves to learn about what is going on in any proceeding that we're involved in. Prison law libraries are staffed with individuals who can help us learn about these issues.

We all need to use these avenues to learn all we can. We need to understand what the exact consequences are that we face and what needs to be asserted in court. Just knowing there is a consequence of prison is not enough. You have more options than you may know about.

Since most of us are in a stage of Post-Conviction Relief, I suggest you start with a review of PA C.S. §9545. Basketball can wait. You have a duty to yourself first.

## **Secondhand Smoke**

*By Bryant Arroyo, CU-1126, SCI Frackville*

There are approximately 49,000 prisoners in Pennsylvania who are now subjected every night and day to secondhand (and direct) smoke that includes 3,800 chemicals (ETS) per puff. These are chemicals which are known to cause cancer and birth defects.

What Pennsylvania prisoners need to know is that prisoners elsewhere have successfully challenged the air quality when it posed a serious danger to their health, particularly in cases of secondhand smoke (see *Helling v. McKinney*).

As a prisoner, you are entitled to live free from secondhand smoke. It appears that the Department of Corrections doesn't want to take responsibility to protect all nonsmokers under their care, custody and control. Continual exposure to secondhand smoke is like living inside a coal gasification plant. Those who are exposed are being killed slowly by inhaling 3,800 chemicals per puff many times a day, for years. It is inexcusable.

Whatever you do, keep the Department of Corrections from placing a smoker inside your cell by filing a civil action suit and notifying your Unit Manager and the higher-ups. Your life is at stake. Stand up for your life – protect it, don't neglect it because the Department of Corrections doesn't care about us. When you know better, you can do better – just do it!

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on page 16.**



# Legislative Highlights

*By Ann Schwartzman, Advisor & Policy Director*

The PA General Assembly is working on the state budget that is due by June 30, 2017. The members of the Senate and the House have also been considering a number of criminal justice bills. Several are listed below. Note that this list has new and moving legislation. The bills are current as of 6/13/17.

Bill & Printer No.	Description	Prime Sponsor	Action	Position
<b>SB 8 PN719</b>	Civil Asset forfeiture – these are civil proceedings against property that allow law enforcement to take possession of property of certain persons suspected of crime. Cash, cars and homes are seized for certain drug arrests and more.	Sen. Mike Folmer, R- Dauphin (part), Lebanon, York (part) Counties	Passed Senate Judiciary 1/31/17. Passed Appropriations 4/18/17. Passed the Senate 4/26/17 (39-10). In the House Judiciary 4/7/17.	Support
<b>SB 62 PN 43</b>	An Act amending Titles 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for children of incarcerated parents through arrest protocols, in proceedings prior to petition to adopt, and further providing for grounds for involuntary termination.	Sen. Stewart J. Greenleaf R-Bucks (part) & Montgomery (part) Counties	Passed Senate Judiciary 1/24/17; Tabled in the full Senate 3/22/17	Support
<b>SB 121 PN 104</b>	An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in State intermediate punishment, further providing for findings and purpose, for definitions, for referral to State intermediate punishment program, for drug offender treatment program, for written guidelines and regulations, for reports and for construction.	Sen. Vincent J. Hughes D- Montgomery (part) & Philadelphia (part) Counties	Passed Senate Judiciary 5/9/17; On the Senate Floor 5/9/17.	Support
<b>SB 522 PN 875</b>	An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes Merger Bill. The consolidation of the Department of Corrections DOC and the Board of Probation and Parole BPP into the Department of Criminal Justice will increase cost savings, decrease overlapping functions, and increase efficiencies. The BPP will maintain independent decision making and Corrections will oversee agents supervising parolees	Sen. Stewart J. Greenleaf R-Bucks (part) & Montgomery (part) Counties	Passed Senate Judiciary, 3/16/17; Passed Appropriations 5/8/17. Passed the Senate 5/24/17 (38-12). In House Judiciary 5/25/17.	Support



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<b>SB 523 PN 867</b>	An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, Merger Bill. An Act amending the act of November 24, 1998 (P.L.882, No. 111), known as the Crime Victims Act; further advancing the merger of the DOC and the BPP. Provides for the Office of Crime Victims and costs of offender supervision programs.	Sen. Stewart J. Greenleaf R-Bucks (part) & Montgomery (part) Counties	Passed Senate Judiciary, 3/16/17; Passed Appropriations 5/8/17. Passed the Senate 5/24/17 (48-2). In House Judiciary 5/25/17.	Support
<b>HB 631 PN668</b>	An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for a mandatory period of three years' probation following release from incarceration for certain sex offenders.	Rep Ron Marsico R-Dauphin (part) County	Passed House Judiciary, 3/21/17; Passed House Appropriations, 3/22/17; Passed the House 4/3/17 (189-9). In Senate Judiciary 4/6/17.	Oppose
<b>SB 529 PN 854 (see HB1419)</b>	An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, Clean Slate Clean Slate calls for automatic sealing of most non-violent misdemeanor convictions for individuals who have remained conviction free for at least 10 years. It would also automatically seal records of arrests that do not lead to convictions. It includes a provision for employer immunity for liability. Sealed records are hidden from the public, but still available to law enforcement. Clean Slate reduces the burden on the courts and expands on expungement legislation which passed in 2016.	Sen. Scott Wagner R- York (part) County	Passed Senate Judiciary 5/6/17. In Senate Appropriations Committee 6/12/17. On the Senate floor 6/20/17.	Support



# Our Voices

## Solitary Thinking

by *Termaine Saulsbury, GP-3965,  
SCI Camp Hill*

The old saying goes, “There are three kinds of people: those who make it happen, those who watch things happen, and those who were never really sure of what was happening.”

The first group of people take initiative and responsibility by using their resources, knowledge, and skills to solve problems and make positive changes. The second group of people stand on the sidelines watching the first group use the resources, knowledge, and skills to make positive changes. The third group of people are deaf and blind to the resources, knowledge, and skills, so they really never had a clue of what was happening or how to make it happen.

Many individuals I have seen give up or break themselves knew history, were very politically conscious and had many valid ideas to revitalize our communities. Their biggest problem was that they never took the conversation and ideas outside of the isolated areas. They made absolutely no attempt to make contact with the outside. Soon they became bored with hearing only themselves and those around them began to view them as good conversationalists with no actions behind their words. Their thinking stayed contained within the isolated walls and soon isolation consumed them.

Long story short, we must be those people who make it happen, by taking initiative and using our pens to write letters with our ideas and input. Send your letters to family members, friends, churches, publications such as Graterfriends, progressive newspapers, radio deejays, artists, college students, lawyers etc. Keep writing, don’t stop. You may not get responses from everyone you write but you will get some. Constantly writing these letters reinforces your inner consciousness to solidify your internal change beyond mere words. Your focus is no longer your own immediate isolation, therefore your thinking is not controlled.

## Less Than Human

by *Shawn Williams, JZ-9009, SCI Albion*

Why are we treated as less than human? The so-called transition of punishment to rehabilitation has changed policy and titles but has failed to manifest in action and methods. For example, what were once considered “prisons” are now called “institutions.” The Pennsylvania’s “Bureau of Prisons” is now the “Department of Corrections.” “Prisoners” are now called “inmates.” However, the ancient “Shawshank Redemption” practices still exist and are preferred by many DOC officials. These officials diligently create more policies and practices to control and oppress prisoners. I must accept life-sustaining oral medication from DOC nurses who handle the medication with their bare hands before dispensing it to me. The same nurses would have seizures if they had to take medication or food from my bare hands.

I must endure the humiliation of having correctional officers watch as I go to the bathroom because I am prohibited from moving my cell door window more than a quarter of an inch at the bottom. It reminds me of how I used to treat my dog: he would eat food out of my hands without complaint, he would excrete bodily waste in public without shame.

I am offended when the guards sit on our dining tables. The same guards look at me as if I’m crazy for asking them to show some respect for the inmates.

Guards walk among the inmates chewing and sucking on tobacco and then spit in cups while inmates are eating in the dining hall.

An individual’s chances of building self-esteem, respect and integrity can be destroyed when he is deprived of common civility and respect from others. I feel that the DOC trains its employees to treat inmates as if they are subhuman.

Brothers and Sisters, you are somebody worthy of consideration and respect.

## **Solitary Confinement Reality**

*by Ricardo Noble, BX-9351, SCI Greene*

Whenever I read or hear solitary confinement supporters speak about solitary confinement, they make it seem like being locked in a cell for 23-24 hours a day is “no big deal,” as if it is no serious physical or psychological consequences.

Of course, they never speak about the malicious and sadistic things that prison staff do that worsen the physical and psychological effects of solitary confinement which includes:

- Skipping a prisoner’s cell for meals, showers, and yard time;
- Tampering with or contaminating food;
- Tampering or playing games with incoming and outgoing mail;
- Leaving cell lights on 24 hours a day;
- Routinely banging on the cell door throughout the night to prevent sleep;
- Keeping cells extremely hot or extremely cold;
- Physically abusing prisoners;
- Verbally disrespecting prisoners;
- Falsifying inmate files

People who orchestrate or support solitary confinement continually discover numerous ways to violate the civil rights and human rights of prisoners. Many assume that it is only Corrections Officers who subject prisoners to such outrageously poor treatment. But nurses, counselors, and other prison staff often initiate or join the harassment campaign and often help cover up the mistreatment of prisoners.

Most of the abuse and deplorable conditions are recorded 24 hours a day by video camera stationed throughout the solitary confinement housing units (e.g., RHU’s, SHU’s, SMU’s). Members (e.g., counselors, nurses, chaplains) who come through these housing units have witnessed or are aware of the abuse and poor conditions. But they do not do or say anything about it, even though their job descriptions require them to report such problems and they can report them anonymously. They stay quiet and fool themselves into believing that they are still “good people” because they are not the ones who are directly committing said atrocities against prisoners. They are just as guilty as the perpetrators.

## **(Solitary Confinement, continued from page 2 )**

how many states have come around to the idea of reducing the use of solitary confinement. “The official position of so many jurisdictions now is that they want less solitary,” said Judith Resnik, the Arthur Liman Professor of Law at Yale Law School and a co-author of the report. “The people closest to running prisons are telling us this is not a wise thing to do for the safety and well-being of prisoners, or the safety of staff and the communities to which they’ll return.”

Despite the growing consensus, some states, like Louisiana, still put a significant portion of their prisoners in isolation (though Louisiana officials claim their use of solitary confinement is closer to 8 percent when including state inmates being housed in county jails). Corrections officials in Utah, which in 2015 held 14 percent of its inmates in segregation, told researchers they’ve since overhauled their policies on solitary confinement.

Solitary was being used in every jurisdiction surveyed, but some depended on the practice more than others. These are the percentages of inmates who were kept in isolation at least 22 hours a day for 15 days or more.

Demographic data from the new survey shows that on average, prisoners of color were slightly overrepresented in solitary confinement when compared with the overall prison population. But in some states, this disparity is particularly stark. In California state prisons, Hispanic men make up 42 percent of male prisoners, but 86 percent of male prisoners in restricted housing.

In general, white inmates are underrepresented in solitary compared with the prison as a whole. Black inmates in many states make up a greater percentage of solitary confinement occupants.

The length of time prisoners spend in solitary confinement also varies greatly from state to state. The largest portion of inmates — 29 percent — were there for one to three months. But nearly 3,000 prisoners across the country have been in solitary confinement for six years or longer. More than half of them are in Texas.



## Our Voices (continued)

### **Racism Condoned at SCI Frackville**

*By Khalil Hammond, KC-9993, SCI Frackville*

There is a difference between feeling racial tensions and being openly subjected to racism at SCI Frackville, I've experienced both. I thought that the days of being hated just because of one's ethnic background were nearly over as we move into this era of greater integration and social equality. I guess some people can't or won't let go because they are too ignorant to see the bigger picture. Or perhaps some people don't want to see change. Here at SCI Frackville, staff members are allowed to say the "N" word as often as they use the courteous greeting of "hello!"

Why has the administration failed to intervene? Is it because they see nothing wrong with staff's use of such a degrading word or is it because they feel the same hatred, lack of understanding, and refusal to evolve with the times? Today, an inmate asked a Correction Officer to speak with him and the CO replied "what's up my n\*gger?" I believe that he has no right to say this word so I told him not to use the "N" word. He replied that he can say whatever he wants and that "I should mine my own f\*\*\*ing business, n\*gger." When I asked for a grievance form, he and the sergeant called me a "retard crack baby." Later that night, I received a misconduct report reflecting my alleged threat. I am curious as to what was the threat: the request to stop using the "N" word or the request for the grievance form? Realistically, neither, but a lot of people don't know that inmates deal with various levels of degradation and disrespect by prison officials every day.

Has anyone outside these prison walls ever thought about why their loved one, who is fortunate enough to come home, returns with hatred for authority? Some of you may say that they feel this way prior to incarceration but I don't believe this to be true for everyone. How is one supposed to feel after being degraded, insulted, emasculated, humiliated, alienated, disrespected and openly hated for years by those who claim to be the rehabilitators? Did anyone outside of these prison walls wonder, if all of this programming and rehabilitation is

being offered, why are most first-time offenders becoming repeat offenders?

In the Pennsylvania Department of Corrections system, write-ups are used as weapons against disliked inmates. In addition, the Restricted Housing Unit staff throughout the state have free reign to implement their tyrannical tactics of oppression. I often wonder if all of the things done to us are done to maintain a perpetual cycle of incarceration because this is big business. My conclusion is yes. This is big business, which is partially why open racism is tolerated and staff members are allowed to disregard the code of ethics and other policies.

I ask that society consider the fact that some of us actually want to change but are impeded by a calculated system of hatred-based manipulations by those who claim to be "the good guys." It's obvious why the administrators condone racism and mistreatment of inmates. Let's ask them to stop so I and others who want to change have a chance.

### **What is Real Leadership?**

*By Marty Dunbar, CM-9649, SCI Smithfield*

I have witnessed how real and effective leadership can bring positive change to an institution. I want to thank Superintendent Kauffman, Deputy Wakefield, Major Chism, Chaplain Morris, and Mr. Hunsinger for sitting down with two groups of prisoners and listening to their ideas concerning the prisoners here at SCI Smithfield. The administration supported everything that was placed on the table.

One of the groups is the New Lifers Organization (NLO), under the leadership of Tyree Wallace, which was approved in November of last year. This organization came out of the door running like a race horse, bringing positive programs for its members. In only two months, this organization has brought in three outside guests to benefit the lifers. Now a lot of prisoners are interested in doing something with their lives because of this. We have a lot of prisoners who have never been any place and don't understand how to open doors for opportunities. NLO is slowing changing that for many of us. We are not living in the past, but the present! We are no longer under the old administration who did not give a damn about us. We now have an administration that cares! The NLO is delivering what it promised.

The other group I would like to mention is the Na-

tion of Islam (NOI) under the leadership of Minister Shawn X (aka Minister Shabazz Alim Allah). Those brothers fought to have their religious services and they were approved by the prison administration in January 2016. In my 31 years of incarceration, I have never seen so many young and older prisoners reach out to the brothers of NOI for knowledge and understanding. I have also seen how those brothers are teaching other prisoners how to read. They are truly helping to break the psychological chains of slavery and incarceration. Because of both groups, a lot of things have really improved inside this institution. We have less violence, which is always a good thing. I will be trying to get these two groups to co-sponsor an all day seminar here at SCI Smithfield.

***(Must Investigate, continued from page 3)***

When a suspect appears before a judge, the judge cannot insure that everything which preceded the suspect's appearance was carried out according to law, i.e., whether the lawyer's pretrial performance was ineffective. In theory, a judge is supposed to guard you from being maliciously prosecuted. However, in reality, most judges are ex-prosecutors and tend to look the other way. Thus, very seldom, if ever, are poor defendants protected from unethical cops and overzealous prosecutors. The O.J. Simpsons of the world are able to hire the best defense money can buy. Those who are Black and poor are appointed the scraps of the judicial system. The criminal justice system functions criminally by denying the poor both due process and equal protection under the law. Make no mistake about these facts: our judicial system is biased against the poor, partial toward police and prosecutors, and, selective as to who gets set free, gets probation, or gets sent to prison. People are trapped in the system because of either ineffective counsel, malicious prosecution, or the judge's indifference injustice.

***Annual Meeting, continued from page 1***

The **Correctional Professional of the Year** is awarded to Major Gina Clark for her compassionate assistance to Juvenile Lifers at SCI Graterford who are transitioning from life incarceration to life in the community. Major Clark joined the PA Department of Corrections in 2002 as a Corrections Officer Trainee. In 2009, she was recognized for her exemplary performance and positive contributions to the institution through her work as a Case Manager. She is currently a Certified Case Management Instructor and Integrated Case Summary Instructor.

***(Heartless Heart, continued from page 1)***

family, and enjoy life like any other decent human being.

These feelings of heartlessness have been prevalent throughout our society, and cause many to have a lack of empathy or concern for others. I'm just one of many who is incarcerated for a crime they did not commit. As long as there are individuals who will lie in court, more innocent people will be a victim of injustice.

We constantly hear the slogan, "Black Lives Matter." But is this message getting through in the black communities? Black lives means little to those who don't value human life. My life didn't matter to those who put me in this oppressive predicament that robbed me of 40 plus years of my life, and after all these poignant years spent in captivity, my accusers still refuse to come forward to tell the truth of my innocence. My faith in God blessed me with the wisdom to forgive them, and by doing this, it gave me a sense of spiritual freedom. It's much easier to hide the truth, but it takes courage to tell it.

Dr. Martin Luther King said, "I still believe that freedom is the bonus you receive for telling the truth."

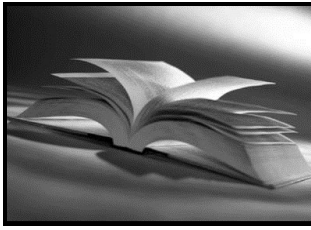
***(Legal Forum, continued from page 6)***

**Letter to Prospective Barbers**

*By Samuel Harper, GC - 5717, SCI Rockview*

The Pennsylvania Board of Barber Examiners have a history denying felons ("violent felons" and "convicted felons") the opportunity to take the state's Barber Exam. There is no mention in the Barber regulation (including Barber Law 529) about who would be prohibited from taking the exam. The Department of Corrections has even gone so far as to prevent inmates from starting the training program, arguing that the Barber Board might not let them take the test.

If you are ready to do something about this, please write to Dauphin County Court at 101 Market Street, Harrisburg, PA 1701. Tell them that you wish to join the litigation I initiated (Harper v. Lynch, Pennsylvania Barber Board, Pearson Vue, Office of Professional Compliance and the DOC CV-3257-2016).



## Literary Corner

### Part-Time Lifer

by Lee A. Horton, CN-2067 SCI Chester

My name is Peter Fender. When I was born, my Mom said I didn't arrive too soon or too late, but was right on time. Growing up, I was your average kid. I played all day and tried to stay up all night. Back then, Mom's favorite admonishment to me was "boy, grow up." I was a great student and had a promising future. Right before my high school graduation, my guidance counselor asked me, "What's next, college, a job, what?" Back then, all I thought about was girls, parties, and the weekend. So I replied, "I'm 17, I got plenty of time to think about my future. Right now, I just want to have some fun." He responded, "Take too long to figure it out and time might pass you by."

By 20, I was still thinking. I had no job, was hanging out with the same friends, and living with my parents. At 21, my life changed. Besides the birth of my first child, I caught a nut case. Mark, a guy from my neighborhood, and I were stopped by police in Mark's car. They said it fit the description of a car used in a burglary two days earlier. After searching the trunk, they found items stolen in the burglary. We were arrested and charged with burglary and receiving stolen property. I got 2 to 4 years in prison. I was sent upstate. I'm not going to lie, I was scared. I had done a few county bids\* but upstate was the big time. My first time upstate was kind of fun though. Me and a guy called Reds hung out all the whole time. Plus, my first cell mate was really cool. Every man called him "Big Man Little." He was doing 3 to 6 years when I met him. He referred to himself as a "part-time lifer." He said that he had been in and out of prison for 40 years and the only difference between him and life-sentenced inmates was that he went home every once in awhile.

Big Man Little was always trying to school me. One day, he asked, "Young buck, you got a plan for when you get out?" I retorted, "I'm 21, I got plenty of time to make a plan." He replied, "You sound like me 40 years ago." Chuckling, I said, "Man, I'm not like you. When I get out, I'm not coming

back." Those were just words. As soon as I got out I caught in a drug case and was sentenced to 2 to 4 years plus parole. Within six months I was caught in another burglary case. I was convicted and sentenced to 6 to 12 years. Pre-parole was available back then, so I got out in 5 years. I stayed out over a year, had another baby, picked up heroin, and returned to prison for a failed drug test. When I got back, Big Man Little had passed away. He went to sleep and didn't wake up for count. At 37, I felt like a fool sitting in a cell. I did a few stints in the hole. I maxed out again.

At 42, I couldn't understand what had happened to my life. I was addicted to drugs, had no skills and had never had a job outside of prison. Over the next two years, I caught three back-to-back drug cases. I got a 5 to 10 year sentence. That was the hardest bid I ever did. Everybody gave up on me. My mother wouldn't even take my calls. I got paroled at 50. Three years later, I caught another case for drugs and got a 2 to 4 year sentence. They took my street time. I got out at 58 years old. At 60, I was back in for a 1½ to 3 year sentence. I was exhausted. My cellmate was only 20 years old but thought he had life figured out. One day I asked him, "What's your plan for the future?" He grinned and said, "I got all the time in the world to think about my future when I get out." It was déjà vu. I remembered saying the same thing to Big Man Little when he tried to school me forty years ago. My heart sank.

About a year later, I was in the cell watching TV when my chest tightened and began to ache, my mouth felt dry, and my right arm went numb and got painfully tingly. Everything got foggy. I tried to get up but fell. It was surreal, I was awake and unconscious at the same time. My life flashed before my eyes. I had nothing and had achieved even less. I sank deeper into the fog. My thoughts ran wild, "This can't be it. I got so much to do....college...my own business...more time with my family...kick drugs...I wish. Just then I was hit with a massive heart attack. A loud pain in my chest said, "TIME'S UP!" I died at 4:30 pm on a Friday. My cell mate found me when he came back from a visit. They came and took me away and he was a little happy because he would have the cell to himself for a couple of days before he got someone new. This was my life, don't let it be yours. If you make it out, stay out.

*Editor's note: "Bid" is slang for a prison sentence*

(Literary Corner, *continued*)

### **An Apology to Myself**

*by Donald Massey, AK-2656, SCI Benner Township*

Dear Self,

First and foremost, I need to apologize to you for not allowing you to address your alcohol addiction at an early age.

I am wholeheartedly sorry for allowing you to become so troubled within, for allowing you to be so anesthetized to your own heartache and the heartache I allowed you to cause in the people that you loved.

I am sorry for letting you make poor, irresponsible choices that allowed a family to be without a son and yourself for 42 years.

I am learning to forgive myself.

### **The Prison Society does not offer home plans.**

However, our online resource, **The Prisoner Reentry Network** has **800** organizations, many of which can assist in finding a home plan.

If you are in need of contacts for a home plan, have your counselor or loved one help you search on the Prisoner Reentry Network at **[www.phillyreentry.com](http://www.phillyreentry.com)**

## **Report from Angus Love, Esq.**

*Executive Director,  
Pennsylvania Institutional Law Project*

### **Inmate Protection**

One of the most frequent legal complaints is the failure to protect one inmate from another. This is often a byproduct of prison overcrowding which forces double celling even when ill advised. Generally there is no constitutional violation for inmate on inmate assaults. Only when the prison knows or should know of the threat of violence, can one consider litigation.

The Eighth Amendment prohibition of cruel and unusual punishment includes some degree of protection from violence. The leading US Supreme Court case is Farmer v. Brennan. It states that prison officials can be held liable if the inmate tells authorities about the threat and they fail to take reasonable steps to provide protection. This is usually in the form of going to the hole or solitary confinement in administrative custody. While one loses much of their freedom, they retain all other privileges. If they refuse the lock up and are attacked, little can be done.

If this happens to you, the first thing to do is to file a grievance, naming the persons that failed to protect you and make sure to pursue the grievance through all three levels. If your injuries are serious, contact the Pennsylvania Institutional Law Project.

Pennsylvania Institutional Law Project  
The Cast Iron Building  
718 Arch Street, Suite 304 South  
Philadelphia, PA 19106  
215-925-2966

**Editor's Note:** *Nicole Sloane will be taking a short hiatus from her Graterfriends article. We would like to thank Angus Love, Executive Director of the Pennsylvania Institutional Law Project and a Prison Society board member for this article.*

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