Letter from the Editor:

Brothers and Sisters!

I’m thrilled to share that I will be joining 19 other activists and changemakers for the 2019 Roddenberry Fellowship! Jailhouse Lawyers Speak’s Right2Vote (R2V) Campaign is being recognized for its potential direct impact for Civil Rights in the United States. As activists you all did such amazing jobs that foundations are taking notice and providing the support needed to ensure that our work will continue. I’m so grateful.

During the month of January we’ve been able to consolidate states with bills in legislature within our campaign: Washington, Massachusetts, New Jersey, Michigan and Virginia. I’m hoping that by February we will have compiled that list to share. Both Michigan and South Carolina had bills in 2018 that need to be reintroduced that addressed horrendous Truth-in-Sentencing laws. Knowing that there is no ‘real’ truth in sentencing this campaign is committed to seeing Good Time enacted in every state and there are only three left.

This year is our year to raise Criminal Justice Reform to national priority level. This year no public official will speak without speaking to prisoners’ conditions and everyone is going to be looking for the Right2Vote Report in order to know our focus and strategy.

We move closer toward election time I want every incarcerated activist to be paying attention to the polls because you will be participating this year, indirectly through the campaign until every prisoners right to vote is restored. We are no longer satisfied with leaving out the most important voices as it relates to the criminal justice system. This system is getting worse because we refuse to follow the lead of those who know it best, our caged community. This year marks a reversal in that attitude nationwide.

In Solidarity,
Amani Sawari
@Sawarimi

These are the NATIONAL DEMANDS of the men and women in federal, immigration and state prisons:

1. Immediate improvements to the conditions of prisons and prison policies that recognize the humanity of imprisoned men and women.
2. An immediate end to prison slavery. All persons imprisoned in any place of detention under United States jurisdiction must be paid the prevailing wage in their state or territory for their labor.
3. Rescission of the Prison Litigation Reform Act, allowing imprisoned humans a proper channel to address grievances and violations of their rights.
4. Rescission of the Truth in Sentencing Act and the Sentencing Reform Act so that imprisoned humans have a possibility of rehabilitation and parole. No human shall be sentenced to death by incarceration or serve any sentence without the possibility of parole.
5. An immediate end to the racial overcharging, over-sentencing and parole denials of Black and brown humans. Black humans shall no longer be denied parole because the victim of the crime was white, which is a particular problem in Southern states.
6. An immediate end to racist gang enhancement laws targeting Black and Brown humans.
7. No denial of access to rehabilitation programs for imprisoned humans at their place of detention because of their label as a violent offender.
8. State prisons must be funded specifically to offer more rehabilitation services.
9. Reinstatement of Pell grant eligibility to prisoners in all US states and territories.
10. Recognition of voting rights for all confined citizens serving prison sentences, pretrial detainees and so-called “ex-felons.” Their votes must be counted. Representation is demanded. All voices count!
In 2016, California passed legislation allowing those in county jails to vote while incarcerated, but not those in state or federal prison.

In Maryland, convictions for buying or selling votes can only be restored through pardon.

An initiated constitutional amendment in 2018 restored the right to vote for those with prior felony convictions, except those convicted of murder or a felony sexual offense, who must still petition the governor for restoration of voting rights on a case by case basis. As of December 2018, it is not known when the constitutional amendment will be implemented.

New York Governor Andrew Cuomo issued an executive order removing the restriction on parolees voting. New York already allows those on probation to vote. The order may be challenged in court.

2018

Florida passed a citizen initiated constitutional amendment to automatically restore the voting rights of felons after completion of their sentences (including parole and probation). Those convicted of murder or a felony sexual offense must still apply to the governor for voting rights restoration on a case by case basis. Before the amendment, anyone convicted of a felony had to have voting rights restored by a full pardon, conditional pardon, or restoration of civil rights by the governor. The Executive Clemency Board set the rules for restoration of civil rights, which at the time the amendment passed, included a 5- or 7-year waiting period and a list of crimes for which an individual could never apply for rights restoration.

Colorado SB 150 permitted an individual on parole, who is otherwise eligible, to pre-register to vote. When the secretary of state receives notification that the individual has been released from parole, he/she is then registered to vote.

New York Governor Andrew Cuomo issued an executive order removing the restriction on parolees voting. New York already allows those on probation to vote. The order may be challenged in court.

2017

Alabama HB 282 provided a list of felonies that involve “moral turpitude” that disqualify a person from exercising his or her right to vote. Previously there was no comprehensive, authoritative source for defining a disenfranchising crime in Alabama.

Wyoming enacted HB75 automatically restoring the rights of nonviolent felons.

Louisiana enacted HB 168 improving reporting requirements between The Department of Public Safety and Corrections and the Department of State.

California passed legislation allowing those in county jails to vote while incarcerated, but not state or federal prison. In 2017 California passed additional legislation requiring information be provided about voting rights restoration on the internet and in person to felons exiting prison.

2016

Virginia Governor Terry McAuliffe announced an executive order automatically restoring voting rights to convicted felons who have completed their prison sentence and their term of supervised release (parole or probation) as of April 22. This decision was a source of contention with the legislature. In July 2016, the Virginia Supreme Court overturned the order.

Maryland’s legislature enacted HB 980 and SB 340 (overriding a veto) so that voting rights are automatically restored after completion of the term of incarceration.

2015

Outgoing Kentucky Governor Steve Beshear signed an executive order to automatically restore the right to vote (and to hold public office) to certain offenders, excluding those who were convicted of violent crimes, sex crimes, bribery, or treason. The order was reversed by incoming Governor Matt Bevin.

Wyoming enacted HB 15 requiring the department of corrections to issue a certification of restoration of voting rights to certain non-violent felons after completion of sentence.

Until everyone can vote, we’re still not a democracy. Florida made it happen. When will N.J.?

by Micah Herskind December 3, 2018 | www.nj.com

In the flurry of last month’s election results, one result stood out as particularly exciting: Florida voters passed Ballot Initiative 4, reinstating the right to vote for nearly 1.5 million voters and re-enfranchising nearly twenty percent of Florida’s African American population. Just as importantly, Florida’s referendum highlighted that group-based voter disenfranchisement remains a widespread legalized practice, enshrined in law, that affects millions who have come into contact with the criminal justice system.

This is true here in New Jersey, where an estimated 100,000 people remain formally disenfranchised under the law, held in prison, on parole, or on probation. These are the individuals for whom, as a recent report from the People’s Policy Lab notes, “democracy remains a spectator sport.”

In other words, much like the United States itself, New Jersey is not yet a formal democracy. The state and country are democratizing, perhaps, but the franchise has been historically slow to extend to at the margins of society. Over two hundred years after the country’s founding, why has the franchise not yet been extended to all?

Some argue that to commit a crime is to forfeit one’s right to vote. But setting aside the fact that many of us commit “crimes” daily — the frequent yet un-policed drug use at my own school, Princeton University, confirms as much — disenfranchisement is a part of a larger racially concentrated and class-stratified system that turns incarcerated people into second-class citizens. This is particularly true in New Jersey, which features the worst racial disparities in its prison system of any state and where roughly half of those disenfranchised for a criminal conviction are Black.

As these disparities have been highlighted, a growing consensus seeks to end mass incarceration. But a crucial step in that process is ensuring our legislators are accountable to the incarcerated—how can we end mass incarceration if we refuse to listen to those who have borne the worst of it? And while part of listening to and learning from incarcerated people means reading their work and amplifying their activism, the other part is listening electorally, through the vote.

Disenfranchisement also persists because some politicians directly benefit from the practice. In a manner eerily reminiscent of the three-fifths clause—which boosted slave-holding states’ electoral representation while denying the personhood of the enslaved—those held in prisons are unable to vote, but are generally counted for electoral representation in the counties where they are imprisoned. Frequently referred to as “prison gerrymandering,” this practice persists here in New Jersey, where legislation to overturn the practice was vetoed in 2017 by then-Governor Christie.

But to be clear, disenfranchising incarcerated people isn’t wrong just because it artificially boosts electoral representation in some places; it’s wrong because voting is a right, and those impacted by the law deserve a say in the policy process.

Further, the continued disenfranchisement of incarcerated people runs counter to many politicians’ stated goals. Indeed, there is a renewed bipartisan consensus on the need for effective post-incarceration reentry. And yet, though politicians want incarcerated people to return to society as “productive citizens,” our system does not treat them as citizens. How can we expect civic engagement if we don’t grant the means to civically engage?

We can’t. Fortunately, bills A3456 and S2100 have recently been introduced into the New Jersey legislature. Currently stuck in committee, if passed this legislation would restore the right to vote to the nearly 100,000 people who are incarcerated or on probation or parole in New Jersey.

This is groundbreaking legislation, and would make New Jersey a leader in the fight for the voting rights.

But even voting rights legislation is an incomplete, if important, step toward democracy. Along with the right to vote must come a massive organizing initiative to register newly-eligible voters—or better, to automatically register all voters—and to get out the vote. Such an effort will be integral to democracy, both in Florida now and in New Jersey after legislation is passed.

Regardless of your politics, we must recognize that we will only live in a true democracy once everyone has the right to vote. So, call your representative, and maybe even get involved with the statewide campaign for voting rights. New Jersey isn’t yet a democracy—but with your help, it can be.

Micah Herskind is a student at Princeton University and members of Students for Prison Education and Reform.

A Year of Waiting for Good Time While Citizens’ Rights are Restricted over the Holidays

by Amani Sawari January 15, 2019 | www.sawarimi.org

The one-year mark since the original introduction of the Good Time Bill is right around the corner. February of 2018 was when the bipartisan HB 5666 was first introduced in Michigan’s legislature by Representatives David LeGrand (D) and Martin Howrylak (R). Over the year since the bill was introduced its been stalled in the Law & Justice committee for review under Committee Chairman Klint Kesto who has
become better engaged citizens by the time they are released. "The debt to society that is owed and paid is the incarceration," she said. If approved, Chasey’s bill could make New Mexico the third state, after Maine and Vermont, to allow felons to vote while they are behind bars, according to state analysts. New Mexico is among 16 states identified by the National Conference of State Legislatures where a felon’s voting rights are supposed to be restored automatically after they’ve completed their sentence, parole or period of probation. Secretary of State Maggie Toulouse Oliver, however, said her previous experience as a county clerk showed that often does not happen because the New Mexico Corrections Department does not always provide elections officials with up-to-date data. Toulouse Oliver, a Democrat, said some county clerks have supported legislation in the past that would have allowed people who served time behind bars to vote again after their release — meaning they would not have to wait until their probation or parole ended to cast a ballot.

yet to bring the bill that tens of thousands of lives depend on before the house for a vote. Knowing that the bill had been stalled for much too long, in April supporters began to collect signatures from residents in order to bypass the congressional vote to get the bill onto the ballot. After collecting thousands of signatures, organizers were unable to secure the amount required to get Good Time in front of voters in November of 2018. This was majorly due to the fact that supporters started collecting signatures much later than what would have been ideal. Still supporters weren’t discouraged and refocused their energy towards beginning to collect signatures earlier in the year. However, a new bill, HB 6595 threatens the very process by which canvassers depend on in order to initiate legislation.

Republicans Aim to Restrict Citizens’ Initiative Rights

Recently Republicans instituted a new law that would completely change the signature collecting process in Michigan. Rather than supporters for a bill having to collect a certain number of signatures from residents in Michigan, the new law would add an extra obstacle to the signature collecting process by requiring citizens to collect a certain number of signatures from residents in each county. The law also requires canvassers to identify whether they are paid or volunteer and failure to do so would result in all of the canvassers signatures being voided. These obstacles only work to make canvassing more difficult for residents.

This is a dangerous law for not only supporters of Good Time, but also for any group trying to initiate legislation in Michigan. In the grand scheme of national politics, the legislative tactic to restrict residents’ ability to bypass the congressional voting process threatens the possibility of residents to do so in other states. If we allow such legislation to continue to restrict citizens right it could become a trend that spreads to other states across the nation. Residents’ right to initiate legislation on the ballot for election should not be threatened or restricted in any way.

Especially recently, seeing how slow congressional process has been on both a state and federal level. Representatives in both parties should be doing what they can to maximize residents legislative power. Sadly, they are attempting to do the opposite by restricting residents legislative power through the creation of a law that it makes it difficult to reach the necessary number of signatures needed on a petition. Representatives, knowing that they are already bogged down by the number of bills and laws waiting for introduction, revision and approval should be more than willing to allow citizens to contribute to getting bills onto the ballot that they’re passionate about passing. It’s no coincidence that this move was made by Republicans just one cycle after a year when more than five petition drives were featured on the ballot. Sadly, representatives have shown more interest in passing a law that degrades citizens’ initiative rights by diminishing petition rights.

Slow to Liberate Yet Quick to Restrict

By the time that I was made aware of the HB 6595’s existence, little to our knowledge (mine and the activists who’d informed me) the bill had already been passed. Once we became aware of the threat, the rights of Michigan residents to initiate legislation had already been restricted. The bill flew through the congressional voting process in less than a month.

With how slow congress seems to move to every bill I had been following over the past year, I had no idea that the process to introduce, revise and vote on in both houses could go as smooth as it had for this bill. It had been introduced by Republican James Lower in the first week of December and was passed by the house no more than a week later. Had representatives been as eager to reduce the prison population as they were to restrict citizens petitioning rights, Good Time would have never waited in the committee for 12 months. Looking at this bill’s history I was amazed by how quickly congress introduced, reviewed, passed and initiated the bill. The Bill was presented to approved by Governor Bill Schuette in one day.

It’s essential that we realize as criminal justice reformists and prison abolitionists that those forces against us are working overtime, through the holidays, to restrict our rights and especially the rights of the incarcerated. Honestly, we can’t afford a break if we want to influence legislation, especially those initiatives related to criminal justice reform. Good Time continues to hang in the balance, not only because it sits in the Law & Justice Committee for Chairman Kasto’s approval, but majorly because we did not take full advantage of the opportunity to get this bill onto the ballot when we had the chance. We need to stop waiting and start making the changes that we want to see in our state. We need to demonstrate our commitment to lowering the population of incarcerated people in Michigan by staying on top of any legislation introduced with that intention—

COLUMBIA, SC (WIS) - Pushing for prison change, the fight to address the way South Carolina inmates serve time for certain charges is set to ignite inside the South Carolina House of Representatives. Advocates for House bill H. 5155 want a new law to reform sentencing. Erica Fielder began her push for change years ago and is still fighting her advocacy group, “Hearts for Inmates.” Her husband, Lewis Fielder, is serving time for voluntary manslaughter at Broad River Correctional now. Fielder’s petition for reform has more than 21,000 signatures. She told WIS she is pushing for change on behalf of thousands of inmates unable to advocate for themselves. “We have people who are fighting for our animals more so than people who are willing to support those who are incarcerated,” said Erica Fielder. “We all fall short. Sin is sin. I tell people that are victims, too, sometimes victims that are never heard.”

Among the many things H. 5155 would do, it would lessen the minimum time a long-serving inmate must spend behind bars on their sentence, for things like drug charges and nonviolent crimes. The bill, if passed, would do that before the time served before automatic release to 65 percent instead of 85 percent of the sentence. There would also be more credit days for good behavior, work, and education. Prison staff would have to make a care plan for parole-eligible inmates so that they are rehabilitated and the chances of recidivism are lowered. Fielder said it’s about giving inmates an incentive, and hope, to change and better their lives on the other side. However, not everyone agrees with that. The South Carolina Crime Victims’ Council does not support the bill. Laura Hudson says it would undermine victims’ sense of justice. “I think people are not looking at how the crime victim feels. It’s all about how as defense attorneys, these people often make their lives easier and I just don’t agree with that,” said Hudson, “and if you’ve made a contract with a crime victim for a certain amount of time, that’s what that person should serve.” “Hearts for Inmates” set to rally at the State House in support of prison reform on Saturday, April 28, 2018.—

ALBUQUERQUE, N.M. (AP) — A New Mexico proposal that would give convicted felons the right to vote while they are incarcerated or on parole drew debate Wednesday, with supporters telling lawmakers the bill represented a step toward boosting voting rights for minority groups that historically have faced disproportionately high incarceration rates. Opponents questioned why lawmakers would consider extending voting rights for criminals especially those convicted of violent crimes.

Under current New Mexico law, people convicted of felonies are removed from the voting rolls and prohibited from voting again until after they have completed their sentence, probation or parole. The legislation proposed by Rep. Gail Chasey, an Albuquerque Democrat, had its first hearing before the House State Government & Indian Affairs Committee, which plans to vote on the measure at an upcoming meeting. Chasey said statistics show how New Mexico’s 7,000 state inmates will eventually be released and allowing them to vote while incarcerated will help them

New Mexico lawmakers review felon-voting rights proposal

by Mary Hudetz  January 23, 2019 | www.apnews.com

Certain inmates in SC would be released sooner if this bill passes

Ashleigh Holland  April 23, 2018 | www.wistv.com

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Amendment to restore Virginia felons’ voting rights dies along party lines

by Katja Timm January 10, 2019 | www.wtkr.com

Richmond, Va. — For now, Virginia will remain among a trio of states — joining only Kentucky and Iowa — with a lifetime ban on voting rights for people convicted of a felony.

On Wednesday, the Senate Committee on Privileges and Elections killed an attempt to allow Virginians who have been convicted of a felony to vote. Currently, the Virginia Constitution says felons cannot vote unless their civil rights have been restored by the governor or other authorities. Sen. Mamie Locke, D-Hampton, proposed a resolution — SJ 261 — to delete that passage from the state Constitution.

On an 8-6 vote at the committee’s meeting on Wednesday, Locke’s proposed constitutional amendment was “passed by indefinitely,” meaning that it likely is dead for this legislative session. The vote was split down party lines on the 14-member committee, with all eight Republicans voting to kill the measure.

Besides SJ 261, the panel on Wednesday considered a similar proposal (SJ 262) by Sen. Louise Lucas, D-Portsmouth. The committee folded Lucas’ measure into Locke’s before killing the proposed amendment.

The resolutions proposed by Locke and Lucas sought to establish just four requirements to vote in Virginia: Voters would have to be U.S. citizens, be at least 18, live in the Commonwealth and be registered. The proposed amendment “removes from current constitutional qualifications to vote not having been convicted of a felony and not having been adjudicated to be mentally incompetent,” according to the Legislative Information System.

The amendment had support from representatives of the American Civil Liberties Union and the League of Women Voters of Virginia. Former inmates who had lost the right to vote because of felony convictions also offered emotional testimony.

Claire Guthrie Gastañaga, executive director of the Virginia ACLU, encouraged Virginia legislators to follow in the footsteps of Florida, which recently restored voting rights to more than 1.4 million people. In November, more than 60 percent of Florida supported the ballot initiative. “That leaves Virginia, Kentucky and Iowa as the only states left — the only states left in which you have a lifetime ban on voting if you get convicted of a felony,” Gastañaga said. Gastañaga urged state leaders to look at themselves in the context of history. She said the right to vote should belong to the people instead of those who govern them.

Another supporter of the proposed amendment was ex-convict Wayne Keaton, whose voting rights were restored two years ago. “I was incarcerated, and I have been fighting since 2010. The governor gave me my rights back in 2016,” Keaton said, referring to an executive order by then-Gov. Terry McAuliffe to restore voting rights to more than 200,000 convicted felons.

Several senators raised questions about the proposed constitutional amendment. Sen. Jill Holtzman Vogel, R-Fauquier, asked if someone who is adjudicated to be mentally incompetent should still be allowed to vote under the proposal. “It might be appropriate to say that somebody doesn’t have the capacity to participate in the process, but that should be an individualized decision, not an institutional one,” Gastañaga responded.

Although SJ 261 and SJ 262 may be dead for the session, at least one similar proposal is pending before the General Assembly. SJ 283, sponsored by Sen. Emmett Hanger, R-Augusta, seeks to automatically restore the voting rights of felons who have completed their sentences and made restitution. It is awaiting a hearing by the Senate Privileges and Elections Committee.

Supporters of such proposals said they won’t give up. “This is something we’re committed to for the long haul,” said Bill Farrar, director of public policy and communications for the Virginia ACLU. “We’re going to see it through.”

Massachusetts’ Ballots Over Bars Partners with Senator to Promote New Legislation

by Amani Sawari January 21, 2019 | www.sawarimi.org

In 2016 the Ballots of Bars campaign began as an effort to raise awareness about criminal disenfranchisement in Massachusetts, in collaboration with two incarcerated people and the Emancipation Initiative. Incarcerated activists have identified criminal disenfranchisement as one of the most significant injustices that they face. Incarcerated people have been fighting for their voting rights in Massachusetts for more than 40 years.

Just recently, Massachusetts Senator Hinds introduced two new bills that would re-enfranchise that state’s incarcerated population. Bills SD25 & SD26 where introduced during this newest legislative session. Ballots Over Bars representatives will be meeting with Danielle Allard, Senator Hinds’ Director of Budget and Policy on Friday, January 25th to learn more about the bills in order to strategize with their office on how to ensure its success. In addition to working with the pre-existing bills El organizers have also planned to launch a ballot initiative in their state.

In order to fully restore the right2vote to prisoners in Massachusetts, we would need a legislative effort for federal and municipal elections. In addition to this, ensuring the right2vote to prisoners requires an amendment to the state’s constitution. This is also the case in Washington, both states have constitutional language that completely disenfranchise incarcerated people from participating in legislation.

In February - next month - Emancipation Initiative will be launching Mass POWER - Massachusetts Prisoners and Organizers Working for Enfranchisement and Restoration - to bolster efforts that began in 2016 entitled #DonateYourVote where organizers focused on pairing everyone of the ~9,000 state prisoners in Massachusetts with someone else on the outside. Through these pairs prisoners were able to correspond about the various positions up for election. After correspondence with prisoners the outside participant ‘donated their vote’ by voting the way that the incarcerated person would vote if they had that right. In 2016 E1 successfully made a couple dozen pairs which more than quadrupled in 2018 with about 140 pairs. This year with the collaboration with Right2Vote’s national campaign we look forward to further expanding this voting strategy to thousands of pairs until every single incarcerated citizen has the opportunity to exercise their right2vote.
Generating & Sustaining Public Support for Criminal Justice Reform
by Lacino Hamilton | Marquette Branch Prison - MI

Do you know how often it is said, “If I had a nickel for every time I heard someone say, ‘just about anything could follow that, ‘I would be rich’? Well if I had a nickel for every time I heard a political figure say something about there being a need for criminal justice reform I would be richer than rich. I would be rolling in money, dripping in wealth, I would be loaded. While criminal Justice reform is not the hottest political topic lip service is often paid to it. So please, do not be surprised if I do not get all excited when members of the Trump administration talk about criminal justice reform being a priority. For now let me focus on the problem of generating and sustaining public support for such reform.

As might be imagined, there are all sorts of ideological, political and process barriers that insert themselves into reforming policies, of any kind. It is way more complicated than it should be. An important consideration in assessing policy reforms targeted at the criminal justice system, in particular, is generating and sustaining public support. Both are difficult because criminal Justice reform is often perceived by members of The wider society and narrow terms as intended to benefit minorities who are over-represented in the criminal justice system. Time, energy and resources that are assumed to go mostly to black and brown people, lower class people more generally. Time, energy and resources assume to exclude taxpayers thought of as mostly white, or affluent.

I personally experienced something like this in 1996 after the Michigan department of corrections college program was eliminated. When I was ordered to turn my textbooks in nothing I said, not that higher education reduces recidivism, the higher education is a viable way to lift people from the depths of poverty, that it correlates with a better quality of life, nothing I said move it at ministration off what sounded like a political talking point. “Why should you get to go to college for free and I cannot afford to send my children to college?” It sounded plausible, except it wasn’t.

From how cash strapped does administrator were claiming to be their children probably qualified for a Pell Grant the same as I did. And sure not to be overlooked, all Pell Grants awarded to incarcerated citizens throughout the U.S. combined was less than 2% of the entire Pell Grant program. That experience, among others, convinced me that generating and sustaining public support for criminal justice reform will most likely have to be approached through reforms that do not specifically target the accused, incarcerated citizens, nor returning citizens. Actually, many social justice agents and reformers have recognized that who reforms are perceived to benefit is just as important as the reform itself, and have therefore expanded their definition of criminal justice problems or narrowed focus and scope of suggested reforms.

This is why criminal justice reform is often packed in language that tries to appeal to “taxpaye rs”. For example, it is cheaper for states to invest in community priorities like education, housing, and healthcare than prison. It does not suffice to simply say reform is the right thing to do. It is also the reason why the people usually selected to represent reform campaigns racially appeals to a more “mainstream” constituency.

The issue is the human costs but more often settle for the economic cost or popular appeal because there simply is no political appetite to reform anything perceived to affect mostly black and brown people. It is really demoralizing when you think about it: in order to reform the criminal justice system the reforms cannot be perceived as benefiting only people subjected to it, but must be considered as offshoots of, and indeed secondary to, benefits for the larger population.

The net effect is recommending reforms that do not confront this fundamental contradiction plaguing in the criminal justice system. That is, the conception of criminal justice employed by the state is defined much more by its use of mechanisms of force and social control than its ability to develop community competencies and foster greater access to supportive reintegrative resources because the justice process is all about the state being harmed and the state officials exacting retribution, supposedly on behalf of the people. But those who seek to reform the criminal justice system know that it is not the state that has been physically harmed when interpersonal relationships weekend or collapse, but persons, and that retribution is not mandatory, restoring people’s lives is though. Which is why reform must be specific and intentional.

To confront the reality of why it is so difficult to generate and sustain public support for criminal justice reform can seem like an overpowering challenge but we have to look for a better comprehension of why political brokers and policymakers discriminate between who’s worthy of political action and who’s not. And why reform is seen as an act of insurgency that must be put down, contained, co-opted, or modified in some way. Due in part because criminal justice reform, even the most modest ones, push the community and the state to respond differently to harms / crimes, and, on a more ambitious level, pushing society toward developing a needs-based economy of social life, which is the central concern. Each successful reform will call into question how the state began to define itself as the legitimate negotiator for resolving conflicts, crimes and harms, and for responding to loss and trauma.

I’m aware this is not a definitive analysis. All the complex factors associated with generating and sustaining public support for criminal justice reforms cannot be reviewed in full detail here. However, generating and sustaining public support for criminal Justice reforms will likely remain extremely difficult, and the feeling that “nothing really works” if it is not understood that the difficulty is rooted in who the reform is perceived to benefit, not the process –though it too is a problem-- nor the legitimacy of reform, that is given. It is sufficient, at this point, to say that if we are to generate and sustain public support of criminal justice reform the starting point must be, in any case, to strengthen whatever support we currently have; and there is a lot.

Because the corporate control media aka the mainstream media almost universally projects ideological selected images of the criminal justice system, what the problems are –let them tell it there isn’t many-- and who’s working for reforms the picture of all the hard work being done and how resilient the criminal justice reform community is, is skewed. Indeed, most mainstream media seem incapable of or uninterested in covering criminal justice reform. Thus, most people in our communities and society remain unacquainted with the existing range of work being done so as a modest step towards generating and sustaining public support for criminal justice reform we can use this into less-known media / house organs of groups that provide information, resources and programs designed to reform the criminal justice system. For example, The San Francisco Bay View, The Marshall Project, Democracy Now, Yes Magazine, Truthout.org, Black Agenda Report, The Real Cost of Prison Project, All of Us or None, The Opening Statement, Creative Interventions, Critical Resistance, Truly Press, Black and Pink, American Friends Service Committee, Cell Doors, Inside-Out Prison Exchange Program, Mindfulness Peace Project, Coalition United to Reform Errants, Everyday Abolition, Prison Legal News and Human Rights Center.

Hopefully awareness of the many individuals and groups working for criminal justice reform will serve as a catalyst to foster a broad and continuing dialogue across class, race and gender lines to find more effective ways to reform the criminal justice system, but ultimately return to family and community centered problem solving.—

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Petition for Lacino’s Case
https://diy.rootsaction.org/petitions/lacino-hamilton-is-innocent
Induced Failure
by Imam Siddique Abdullah Hasan | Ohio State Penitentiary

The current penal system in America is not working. It doesn’t take a rocket scientist to come to the conclusion that it predisposes prisoners to recidivism (a relapse into a life of crime). Since man is ultimately a product of his environment, the current system’s products speak for themselves: failure.

Except for the families, friends, and loved ones of prisoners and x-prisoners, most Americans have not really considered their plight and daily struggles. The various studies show that from 1/2 to 2/3 of parolees return to prison for violating the conditions of their release, or for reoffending, few (taxpayers, prosecutors, politicians, or CEOs of corporations) seem to have really pondered the critical question: why is this colossal recidivism taking place on our soil?

Have the citizens of this great industrious Nation become so detached and desensitized that they could care less about prisoners lives? I hope not, because prisoners desperately need your assistance in reintegrating back into society and upholding the anticipation that they will become an asset to their respective communities. According to Richard Gustafson, a columnist and retired teacher who taught 30 years at Miami Valley Career Technical Center, “National statistics indicate that recidivism is cut in half with support from the community.”

It is my unyielding belief that recidivism is also tremendously reduced when the system pursues its once desired effect: rehabilitation. However, rehabilitation is a thing of the past. It was in 1790 that the first penitentiary on this country open its doors to house criminals. The purpose of this new creation was to place criminals in a confined area, where they might ponder over their crimes, repent, and reform themselves. Hence, the term “penitentiary” much has changed in the last three decades due to the influences of tough-talking, opportunistic politicians who have reduced funding for rehabilitative programs to almost nil. So much so that rehabilitation, or producing a repentant person, is no longer the desired objective.

The current objective is to Warehouse prisoners and deliberately create the circumstances for their failure. This crude objective is being perpetuated to perpetuate “job security” for parole officers, individuals in corporate America, and the like, who benefit financially from the prison boom, which currently incarcerated 2.3 million people in our nation’s prisons. This new trend of merely warehousing and punishing prisoners is not conductive to the security and stability of this nation. All it does is mentally crush prisoners will and doom them to inevitable failure.

As a result of this new trend, prisoners are being released with no skills, no education, no support system, no job, and only a few dollars in their possession to try to make it in this dog-eat-dog world. Indeed, a recipe for disaster. It’s implausible for ex-prisoners to survive under these bleak conditions. Let us not forget that unemployment, poverty, exclusion, and a lack of education and guidance are the ingredients which led to their imprisonment. So how can the system, or any rational human being, expect ex-prisoners to succeed when they’re caught in a catch-22 cycle?

Although a job is an essential means of support that helps people acquire the things they need, trying to secure a job is an ex-prisoners greatest obstacle. Except one family or friends have been able to secure them employment, ex-prisoners are refused work due to their criminal history, something they can’t change. What this revolving door being slammed in their faces, how do we expect them to react when they’re stuck between a rock and a hard place? They then end up adopting the only culture they know survival of the fittest. In plain old English, they resort to exploiting their old ways of living that is, victimizing others to survive. Because of this induced failure, I share my below sentiments of El-Hajj Malik El-Shabazz aka Malcolm X: “I have no mercy or compassion in me for a society that crushes people and penalizes them for not being able to stand up under the weight.”

Yet, it is my yearning hope that society will come to realize that in spite of their crimes, prisoners have the same tools, the same potentials, the same basic desires, and the same capacity for change and positive development which all other citizens possess. They just need assistance in effectively developing their latent potentials. People change, even I have changed. In fact, life itself is a process of transformation.

With that said, it is my prayer that people will call on their elected officials to push for rehabilitative programs in prisons, as well as reentry programs in society, that will help prisoners reintegrate in their communities and become law-abiding citizens.

From death row, this is Siddique Abdullah Hassan.

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Basic Principles for the Treatment of Prisoners

1. All prisoners shall be treated with the respect due to their inherent dignity and value as human beings.

2. There shall be no discrimination on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3. It is, however, desirable to respect the religious beliefs and cultural precepts of the group to which prisoners belong, whenever local conditions so require.

4. The responsibility of prisons for the custody of prisoners and for the protection of society against crime shall be discharged in keeping with a State’s other social objectives and its fundamental responsibilities for promoting the well-being and development of all members of society.

5. Except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights, and, where the State concerned is a party, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and the Optional Protocol thereto, as well as such other rights as are set out in other United Nations covenants.

6. All prisoners shall have the right to take part in cultural activities and education aimed at the full development of the human personality.

7. Efforts addressed to the abolition of solitary confinement as a punishment, or to the restriction of its use, should be undertaken and encouraged.

8. Conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the country’s labor market and permit them to contribute to their own financial support and to that of their families.

9. Prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation.

10. With the participation and help of the community and social institutions, and with due regard to the interests of victims, favorable conditions shall be created for the reintegration of the ex-prisoner into society under the best possible conditions.

11. The above Principles shall be applied impartially.