

A Publication of The Pennsylvania Prison Society

GRATERFRIENDS

The mission of the Pennsylvania Prison Society is to advocate for humane prisons and a rational approach to criminal justice.

Entering the Community After Incarceration: How the Social Security Administration Can Help

Rebecca Ortiz

The COVID-19 pandemic continues to impose hardships, especially on people who contend with barriers when trying to access services and benefits. This includes inmates who are preparing to re-enter the community.

The Social Security Administration (SSA) has developed a prerelease procedure to help individuals whose Supplemental Security Income (SSI) or Social Security benefits were reduced, suspended, or terminated because of their incarceration and who are now in the process of reentry. This prerelease procedure allows individuals to apply for benefits several months before their anticipated release so that benefits can begin quickly after they re-enter society.

An application filed by the facility on behalf of the inmate before the inmate's release allows SSA to make a determination based on what the situation will be after the facility releases the individual. This allows eligible individuals to receive SSI or Social Security payments shortly after they leave the correctional institution. The prerelease procedure can help to prevent homelessness and reduce recidivism.

When notified by the institution, Social Security follows this procedure if the inmate is likely to be eligible for benefits within 30 days of his or her scheduled release date. Either the local Social Security office or the institution may initiate a discussion about setting up a prerelease agreement. The prerelease agreement may be an informal verbal agreement or may be a written agreement signed by both parties. Figure 1 shows a sample of a prerelease agreement.

In a typical prerelease agreement, the Social Security office does the following: gives guidelines about what evidence is needed, provides a contact person to assist the institution and the inmate in applying the prerelease procedures, processes claims and reinstatements in a timely manner, and notifies the institution promptly when Social Security has made a decision about the inmate's eligibility for benefits.

In return, the institution agrees to: notify Social Security of people scheduled for release in the near future who may be eligible for benefits, provide available current medical evidence or nonmedical information for the inmate including a statement about the inmate's ability to handle funds, provide Social Security with the anticipated release date, and notifies Social Security as soon as the inmate is released or of any changes that delay the release date.

Once a prerelease agreement is established, Social Security will maintain the arrangement by: reviewing and renewing prerelease agreements when there is a change in circumstances to ensure they operate effectively, ensuring that the institution still refers prerelease cases, contacting the institution's staff to discuss problems and to determine if they are satisfied with how the prerelease procedure is working, and providing refresher training, as needed.

Ultimately, a prerelease agreement allows both parties to streamline the process for starting or restarting benefits promptly after an inmate is released from an institution and facilitates the

inmate's return to the community by providing him/her with an adequate source of income. For more information on prerelease agreements, visit the Social Security website at <https://secure.ssa.gov/POMS.nsf/lnx/0500520910> or <https://secure.ssa.gov/poms.nsf/lnx/0500520930>. To locate a field office, visit www.ssa.gov/locator/.

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From the Social Services Director



Dear Friends of the Society,

Twenty months into the global pandemic, few things are totally back to normal.

A number of county jails remain closed to family visits entirely as they face the threat of a coronavirus resurgence and struggle with low vaccination rates. While state prisons have restarted visits, they've done so with limited hours that

make visiting near impossible for working families and those who live hours away from the prison.

Many prison officials we speak to predict that limited visiting hours and reliance on video-visits will continue once the pandemic is over. They cite the convenience of video visits and note that staffing visiting rooms takes a lot of staff time.

Know that we are advocating for ways to make visits more accessible, including the resumption of direct, low-cost transportation services. In 2022, we also plan to circulate a survey about visiting-- what are the challenges? Why is it important to you? What could make visiting better? Your feedback, as usual, will be invaluable in informing the changes we push for.

We are also in the process of analyzing the responses from more than 400 of our subscribers to the meal service survey. A preliminary analysis of results has been presented to DOC leadership, and we will be sharing information with you about next steps in early 2022. We know that many of you are worried about changes to food service. "This is just about keeping us locked in our units longer," "this means more isolation" and "the DOC just wants to encourage laziness" are some of the comments we have received.

Each and every one of you are acutely aware that for much of the pandemic, prisons have imposed near constant "lockdowns" with people confined to their cells for much of the day, activities cancelled, and access to libraries and law libraries suspended. This is still the case in many of Pennsylvania's prisons, while in others, more movement is returning, and a few programs and educational classes have started back up. The Prison Society has resumed in person programming in the Philadelphia County Prisons and in SCI Chester. We hope that many more of you have access to programming soon.

Over the course of the pandemic, the Prison Society has been innovating, strengthening, and growing. While post-pandemic life in prison looks more restrictive and isolating than ever, together we can write a different future. 21

With gratitude,
Kirstin

Graterfriends

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From The Pennsylvania Prison Society

Now is the Time!

Dr. Latisha Webb, Cofounder of Opportunity, Inc.

Okay!! I know that individuals may be tired of hearing about how much COVID-19 impacted the world. Yet, every individual knows that the notion is true. Every person on the face of the planet experienced some type of restraint, distance, or quarantine that caused him or her to pivot. Globally, individuals had to pivot most in their thinking about life, how much power they truly have and how they spend their time. I know that I am 'preaching to the choir' when I refer to the perspectives of life, power and time. However during the year 2020, individuals who never did a bid received one water drop taste of being 'imprisoned', which still does not compare to the lived experience of incarceration.

That is why I am awed about the timing of the Sista2Sista Soul2Soul program, which Opportunity, Inc. implemented in August 2020. One of the reasons is because members of the organization expressed how much they took for granted the power of community when gathering with friends and loved ones. Something as simple as creating art with a group of people, especially with unfamiliar individuals, took on a different meaning during the thick of COVID-19. Moreover, creating communal art with the purpose of mailing greeting cards to women who are incarcerated became a phenomenal manifestation in such a time as this.

To be completely honest, the Sista2Sista Soul2Soul program would not have carried the same value-laden meanings if it was implemented before COVID-19. On another honest note going 'in' as a professional volunteer and family member, I am fully aware that coming to a correctional institution with the freedom to leave is not being inside. However, creating artwork and greeting cards for women by women can stand the test of time.

Why? Take a look at the picture. Ms. Avis Lee is on the left, and I, Dr. Webb cofounder of Opportunity, Inc. and principle artist, am on the right. Ms. Lee is holding the very first Holiday Greetings card titled, *Swimming in Grace*, that Opportunity, Inc. mailed in December 2020. I experienced the grand occasion of meeting Ms. Lee in person this past August in Pitts-

burgh, PA. Ms. Lee shared how she kept all the greeting cards she received even after her release in February 2021. In addition, she shared how much the greetings cards inspired and lit up some dark days, especially purposeful and intentional artwork designed for women who are incarcerated.

As I close, my life comes full circle in this very moment. My husband and visionary of Opportunity, Inc., Dr. William Webb, IV, always says 'Now, is the time!!' When we first married I did not fully understand its meaning. Today, it all makes sense. What I learned from my experience with Ms. Lee is that now is the time to think, talk, plan, create, galvanize, commune, paint, recruit, advocate and fundraise for all individuals who are currently incarcerated. It does not matter when Opportunity, Inc. implemented the Sista2Sista Soul2Soul program. What matters is the time spent creating art and community. Those who are incarcerated only have time and while serving their time they deserve hope and inspiration from soul to soul.



Tips on Writing to Civil Lawyers

Pennsylvania Institutional Law Project

Here are some tips and suggestions from attorneys and legal staff of the Pennsylvania Institutional Law Project (PILP) about writing effective and productive letters to civil lawyers and law firms when reaching out for legal help about conditions of confinement in prisons and jails:

1. Give enough information: It's always a good idea to

include your name, facility, ID number, the pronouns you use, and the name you are incarcerated under (if it's different from the name you go by). This helps any attorney or paralegal reading your letter to quickly figure out who you are and where you are held without doing extra research.

2. Don't give too much information: If you are contacting a lawyer or law firm for the first time, it's probably best to send a short introduction letter (about one or two pages) describing who you are and what issues you are looking for help with. It's great when clients keep records of things like medical issues, grievances, and misconduct reports, but when lawyers receive a big packet of information and documents from someone they do not know, it can be overwhelming and take a lot of time to go through and may take them longer to respond. A shorter intro letter will be quicker to read and process and then the lawyer can reach back out for more information or documents if they need more. It might be a good idea to put in the intro letter which documents the incarcerated person has and can send later if the lawyer would like to see them.

3. Try to describe the situation in chronological order and provide dates: Sometimes people face issues in prison that have been going on for a long time or include multiple incidents. It may be easier for a lawyer to understand the problem if you describe the situation starting with what happened first and go in order when you describe everything that has happened. Whenever possible, it is useful if you include the dates when the incidents you describe happened. It is also helpful for the person learning about your situation to know whether a problem is ongoing or if it happened in the past. Knowing when problems started or occurred will help legal staff evaluate whether there is a concern about any Statutes of Limitations.

4. Be clear about what type of help you are looking for: It is absolutely okay if you are not sure what type of help to ask for, but if you do know what you would like from the legal office you are writing to, it can be helpful for the person reading your letter to know what you are hoping to achieve. For example, not every person wants to file a lawsuit. Some people may want help finding specific resources or would like an advocate's help to request an accommodation or service.

5. Describe any steps you have taken to resolve the problem on your own: The first question PILP staff often ask incarcerated people who write letters is whether they have filed any grievances about the issues they are having in the prison. Even though grievances often do not solve the problem directly, it is necessary to exhaust administrative remedies, which usually means going through the entire grievance process, before filing a lawsuit about constitutional violations that happen in prisons. Knowing whether you have made requests to staff or filed grievances may help an attorney decide what the options are to address the problem going forward.

6. No need to send physical evidence: Although it can be really helpful when people collect evidence on their own, it can be confusing for legal offices to receive items in the mail that they have not requested. There is also a risk that evidence can be damaged or altered by sending it in the mail, which can make it less useful. It is usually best to describe what kind of evidence you have in your possession and ask before sending it to a legal office. If you are worried about evidence being confiscated or destroyed in the prison, it may be a good idea to send items to a loved one on the outside who can keep them safe.

Are Mass Commutations the Solution to Mass Incarceration?

Jill McCorkel, Ph.D., Sarah Brady

Commutation is one of the most expedient mechanisms for addressing the many injustices associated with mass incarceration. It offers a way out (literally and figuratively) to people who are serving wrongful and/or excessive sentences, as well as for those whose notable achievements in prison have earned them a second chance. In this model, commutations are granted on a case-by-case basis. In Pennsylvania, the case-by-case model requires submission of fairly extensive paperwork on the part of applicants, their recommenders, and prison administrative staff. Applicants are interviewed at various stages throughout the process, including a final round of interviews with the Board of Pardons for those who have qualified for a public hearing. All of this takes considerable time, effort, and resources. Not surprisingly, Pennsylvania—in spite of Lieutenant Governor Fetterman's laudable clemency reform efforts—grants only a small number of commutations each year to persons serving life and near-life sentences. In 2020, the Board recommended

commutation of life sentence for 13 applicants. So far this year, the Board has recommended four applicants for commutation of life sentence. To be sure, things are better than they were in the 1990s when the number of commutations among lifers dropped to nearly zero.

The case-by-case model suffers from several problems which limit its effectiveness in combatting mass incarceration. Chief among them is limited bang for the buck. The model demands a lot of time and resources but does not appreciably reduce the number of people behind bars. Additionally, it does not address systemic injustices that apply to all persons serving a particular kind of sentence. The most notable example of this involves “non trigger” persons serving Life Without Possibility of Parole (LWOP) sentences. In Pennsylvania and elsewhere, there is growing public demand to revisit the sentences of people who were not key players in the crimes they were convicted of, particularly when their sentence is identical to that of the principal defendant(s). There is even greater public outcry over persons serving lengthy sentences for marijuana and less serious drug offenses. By design, the case-by-case model only rewards individual applicants. It does not and cannot offer redress to the entire class of persons subject to unfair, discriminatory, and/or unjust sentences.

One promising alternative is a “class” (also called “categorical”) model of commutation. This model facilitates commutation for everyone who meets pre-determined class criteria. Oklahoma—not a state that has exactly been at the forefront of prison reform—made history in 2019 by approving over 500 commutations in a single day. For the record, Oklahoma locks up women at the highest rate of any jurisdiction in the world. It also had (prior to the mass commutations) the highest rate of overall incarceration in the U.S. So how did Oklahoma do it? In this case, the state’s Pardon and Parole Board expedited commutation for men and women convicted of low-level drug and property crimes. The special PPB hearings were facilitated following the implementation of House Bill 1269. This was a bipartisan bill that retroactively reclassified some drug and property-related offenses. Persons who met the class criteria had their sentences reduced to one year with time served. This made them immediately eligible for release. Approximately 300 additional persons who met class criteria were

held back for allegedly having been part of a “serious incident” in prison. They were still eligible for consideration but had to provide additional information and submit to a second round of review.

To be sure, Oklahoma’s mass commutation effort applies only to persons convicted of a narrow band of non-violent offenses. Many who qualified, like Kisha Snider, should never have been incarcerated in the first place. She was pulled in 2015 over for putting her turn signal on “too early.” During a search of the vehicle, cops reportedly found two marijuana joints. Her penalty? A whopping eight years in prison!

The trickier issue to tackle politically involves persons convicted of violent offenses. We’ve seen all too well in Pennsylvania how various political interests can stall commutations for highly deserving applicants who have been convicted of violent offenses. Nonetheless, the class-based model of commutation is an important step forward and one of the most promising methods of combatting mass incarceration.

Legislative Advocacy From Prison FAMM

STEP 1: Know that your voice matters, and that you can have an impact on the laws of Pennsylvania. Engaging with state lawmakers from prison is legislative advocacy. Pennsylvania has its own House of Representatives, Senate, and governor, and each plays a critical role in making laws that affect sentences and prisons. To become law, bills must be approved by committees, passed by both the House and Senate, and signed by the governor. Lawmakers are elected by people in the districts they represent, and care about what people think (especially registered voters). They keep track of how many people contact them about different issues. Since these laws affect you, your voice should be heard. It can change hearts and minds.

STEP 2: Decide what pending bill or issue you want to advocate. Think about your own experience. For ideas, see FAMM’s “Legislative Updates” in Graterfriends, or have your family and friends check our website (<https://famm.org/our-work/states-where-we-are-working/pennsylvania/>).

STEP 3: Identify your lawmakers and their contact information. Check your law library and ask your

family to use FAMM's "Find Your Lawmaker" tool here: <https://famm.org/actioncenter/>. You may wish to strategically reach out to lawmakers who represent your home or prison district, those who introduced a bill you support or oppose, or those who serve on relevant committees. (For example, the House and Senate Judiciary Committees control most legislation relating to criminal justice reform; the House and Senate Policy Committees decide each party's biggest priorities; the Sentencing Commission creates sentencing guidelines, etc.). Research the lawmakers if you can.

STEP 4: Decide how to most effectively communicate with lawmakers you want to reach. Common methods of communication include letters, phone calls, emails, and in-person meetings (lawmaker visits to prisons can be very impactful). FAMM recommends writing letters as a first step because you can write, review, and edit before you send it. Discuss the bills with others to learn and practice new ways of discussing important issues.

Identify yourself and the type of reform that you want the lawmaker to consider. For example, "Senator _____, my name is _____, and I'm writing to ask you to please support bill _____, which would _____." Briefly discuss the reasons that you believe the lawmaker should support or oppose the bill. (Examples: "I am 60 years old and sick, and this bill would allow me to go home with my family" or "This bill would give me more educational and vocational training, so I can find a job when I get out"). End the communication by thanking the person for considering your views, and provide your full name and contact information in case they want to reach you. Consider including a photograph of yourself or your loved ones to put a human face on the need for reform.

STEP 5: Consider these guidelines before contacting lawmakers: Review your communication before you send it. It is helpful to write what you want to say, then reread it a few days later. Ask a person you trust to review it. Verify the person's proper title, name spelling, address, etc. Keep the communication focused on one issue. Don't communicate with the same person about the same thing repeatedly. One communication per issue per legislative session (or important phase of the bill) is sufficient. The goal is to get more people doing legislative advocacy, so lawmakers will see that a lot of people care.

Don't communicate anything about the facts of a case that is not final. This means you should not talk about the details of your case if you are awaiting trial, pending appeals, PCRA's, evidentiary hearings, etc. Communications with lawmakers are not private, and could be used against you in a legal case. If you decide it is safe to talk about the facts of your case, do not minimize your role. Focus the communication on what you want to change proactively. Do not spend the communication on negativity.

STEP 6: After you have seriously considered all guidelines and reviewed your communication, send it. Congratulations, you have now officially engaged in legislative advocacy!

STEP 7: Consider next steps and spread the word. Is there another lawmaker who could impact the same issue? Is there another issue you'd like to support or oppose? Encourage your friends and family to do legislative advocacy. The more people building the movement for reform, the better. Finally, don't forget. Continue advocating after your release. Fill in the gaps for those left behind and advocate in ways you wish others had done for you when you were still in prison. Here's to your voice being heard.

**Write to FAMM's Pennsylvania State Policy Director if you have suggestions or feedback.*



Reports From the Inside

Call Me What You Want, But Don't Call Me Late for Dinner

Zachary Spada, SCI Houtzdale

Since the pandemic's inception, the PA DOC has changed a lot of things from the way they used to be. We no longer go to the chow halls, for one. But, there are certain protections afforded to us by the DOC's Food Service Procedures Manual, DC-ADM 610. Houtzdale has started serving dinner at 3:45 p.m. and counting between 4 p.m. and 5 p.m.. Then, they do not serve breakfast until after 7 a.m. By the DC-ADM 610 Section 1.C.2, "There will be no more than 14 hours between the beginning of the evening meal and the beginning of breakfast." So, I filed a grievance, and according to the message from the Superintendent on the TV -- aptly named a "Fireside Chat" (a huge slap in the face to Franklin D. Roosevelt, by the way) -- effective the week of August 9th, count and dinner will be from 5-6 p.m. Also, to note in the same policy, "two of the three meals per day will be hot meals." As a footnote, American Correctional Associations' Standard 5-5C-4328 is referenced.

I renew my call: Grievances do work! You won't get in trouble, lose your parole or get sent to the hole for filing a grievance. A word of caution though: Pick your battles wisely. Not everything is a grievance or a lawsuit. Sometimes you can resolve your issues with a simple request slip. But, if that doesn't work, there are always grievances. Good luck. There is a phrase in Latin that I can't remember but translated to English is "who will guard the guards themselves?" Don't be afraid.

E-Cigarettes, Racketeering

Zachary Spada, SCI Houtzdale

The DOC is setting e-cigarette prices too high.. We can stop it. \$5.37 plus tax is \$5.69 for a piece of trash that barely lasts a day. Back before the DOC stopped tobacco, one could reasonably smoke for a month on block-pay, GLP, for \$20. Now, we are lucky to "smoke" (the modern world calls it "vaping") for 3 days at that price. I say it's ridiculous, and we can stop it.

Firstly, did you know that in the real world you can buy a vape pen for about \$25? These are refillable, and you don't have to replace them. So, you can vape all month for about \$40, since it is about \$30 for 100

mL of e-juice and \$5-10 dollars for the coils. I feel like I'm being ripped off.

Next, I suggest that everyone reading this article obtain a copy of the Commissary and Personal Property policy: the DC-ADM 815. In that policy, it states that commissary prices are supposed to be balanced to fit inmate income. That's hardly the case with these e-cigs.

So, as I've said before, let Correctional Industries know that prices aren't fair. Together, everyone could bring the tyrant to see that they have no business charging almost \$6 for something that costs probably less than a dollar to produce. Something must be done. Stand together, and stand strong!

The Importance of Communication

Santos D. Torres-Olan, SCI Albion

To Who is Able to Make a Change,

Sometimes in life, we make mistakes. We deviate from the path paved by the lessons taught to us as children. We deviate from the laws that were written to govern a just society. No matter the reason nor justification one has to break the law, what's wrong is wrong. And we accept the consequences.

The criminal justice system in this country is the way individuals "pay for their mistakes" of committing crimes that affect society as a whole. As a punishment, individuals are sentenced to be confined in the criminal justice system, prison, penitentiary, correctional facility, correctional institution, etc. So many names, yet the same meaning: to be sent away from your family for a specified amount of years.

The front cover of the Pennsylvania Department of Corrections Inmate Handbook has a paragraph on the bottom, and it states: "The Pennsylvania Department of Corrections operates as one team, embraces diversity, and commits to enhancing public safety. We are proud of our reputation as leaders in the corrections field. Our mission is to reduce criminal behavior by providing individualized treatment and education to offenders, resulting in successful community reintegration through accountability and positive change."

You gotta ask yourself, if this was true, why such high

recidivism rates in this state and this country? One of many things the DOC can change is accountability, and the manner in which the lines of communication between staff and inmates are so distorted, negative, and disrespectful. That it is an ongoing problem and it seems that it has been for a long time. The sad thing is that it is a “two-way” problem, in regards to both inmates and staff. The sense of humanity has been removed in the quest for change. You gotta ask, when is it gonna change?

What example is being set to inmates when staff — not all — verbally degrade inmates without accountability? You don’t have to be aggressive to get a point across to someone. It raises the tension level in an already tense environment. It causes unneeded friction between staff and inmates. We’ve made mistakes in life. We were sent to prison as a punishment, not to get punished.

It is the responsibility of the Department to ensure that we get rehabilitated to become better members of society. And our responsibilities are to take heed to the skills that we gain in the DOC, utilize them upon our release, and remain positive members of society. But what skills are being gained? The foundation of a better member of society is communication. The manner one speaks to others. When applying for work, you need good people skills and a respectable form of communication. The same for job interviews, apartment hunting, everyday communication with our families, friends, loved ones, and all other members of society.

The way we express ourselves in everyday conversation is a major factor in the type of feedback and response we get, whether communicating our thoughts, feelings, needs, wants, etc. From dealing with rejection to accepting a compliment, the way we communicate says a lot about our character. So if our communication skills do not improve while incarcerated, we take that lack of skill to the outside world. That is a major hindrance to the process of rehabilitation. Because if we don’t change the way we speak, no change will be possible. That goes with inmate-to-inmate communication and staff-to-inmate communication and so forth.

Just because we lost our freedom because of our mis-

takes does not mean we lost the right to be treated as a human being. It takes an open mind and acceptance of an unexpected source of reasoning — someone who is living proof of why the current communication between staff and inmates is in dire need of change. An inmate. Thank you for your time. I pray this mis-sive brings upon action to make a change.

**Delaware Department of Corrections: 450 Million Plus
= Bastion of Waste**

Robert Saunders, James T. Vaughn Correctional Center

The citizenry of Delaware should be appalled at the Department of Corrections from both human and financial perspectives. For instance, Delaware has the third highest recidivism rate in the country based on population per 100,000. How is this possible in our small state?

In 2001 and in each year between 2006 and 2016, there were at least 182 inmate deaths in Delaware prisons. How many of these were preventable?

The Delaware Department of Corrections has one of the highest inmate to staff ratios in the country. There are approximately 2,600 inmates at James T. Vaughn Correctional Center being supervised by a Warden, two Deputy Wardens, two Security Chiefs, numerous Captains, Staff Lieutenants and Lieutenants. In comparison, other correctional facilities with inmate populations of nearly 5,000 are supervised by one Warden, two Deputy Wardens, one Captain per shift, and Lieutenants with specific assignments.

At James T. Vaughn, at one time, over 40 inmates were being housed in the Security Housing Unit (SHU) until the majority of them were shipped to Pennsylvania. They were constantly fed cold meals, provided three hours of recreation per week, and lacked any meaningful vocational, educational, or mental health programs. What is the result of prolonged idleness and isolation? The leading forensic psychiatrists and psychologists across this country state that the aforementioned is a direct cause of mental deterioration. How would you like to reside next door to an individual subjected to this kind of treatment for years?

Massive amounts of taxpayer dollars are being dumped into an ineffective medical program. Doctors, nurse practitioners, physician assistants, and oth-

er medical staff are constantly quitting at this facility. There has been a clever attempt to cover doctor shortages by having a nurse practitioner or physician assistant carry out the doctor's duties. This contributes to improper medical services for inmates, placing their lives in danger. There is often a lack of follow-up to recommended outside medical consultations. In general, inmates are provided with the wrong information and with poor quality of care. Inmates would rather take the chance of dying in their regular housing unit than being housed in the infirmary, which has been titled the "JTVCC Morgue."

With the enormous amount of funding being dumped into corrections, why does it lack programs designed for older or younger inmates? What the state needs is a careful cost analysis and accountability for the finances being dumped into this cesspool of waste. This accountability should include funds generated from inmate commissary and the phone systems. The pending Delaware House Bill 5 requires serious revisions, which would include provisions for the release of inmates sentenced for first-degree murder, where many have been incarcerated for over 30 years. The governor refuses to commute these individuals' sentences, though recommended by the Department of Corrections, Board of Parole, and Board of Pardons.

If the state is serious about correcting the dysfunction infesting the Delaware Correctional system, all levels of management must be included in the process. Moving in the aforementioned manner may result in the reduction of racially charged decision making and expose those who are against its eradication.

Born to Win
Earl Smith, SCI Huntingdon

I would like to share a quote with you: "you were born to win, but to be the winner you were born to be, you must plan to win, prepare to win, and expect to win."

When I first came across this quote, I must have read it a hundred times. It has helped me with learning to believe in myself. I have so many dreams and aspirations that I would like to bring into fruition, but sometimes I doubt myself because of my incarceration. In the years that I have spent behind these walls, I have tried hard to come up with so many ideas and business plans that I think can help rebuild the communities

that myself and others have helped destroy. But, a lot of us behind these walls second-guess ourselves because who would give an ex-con the chance to redeem themselves for all the wrongs that he or she has done in the past?

A lot of the time, people doubt our genuineness and think that we can't change. I must tell you that is wrong. We do change; we just need a chance to show it. I wake up every morning, and I start my day off by thanking God for allowing me to wake up. I then start to recite some of the quotes that I came across that help me with preparing myself to move forward with my day. I believe that some of us lack faith. We don't believe any good could come from a horrible situation like being in prison.

When I finally forgave myself for committing the crime that I had committed and realized that only God knows my future, that's when I started to understand that this quote was meant for me. Those of you who have read the Bible, I believe that you know about the bad people that were in prison and how God turned their lives around: so, does that mean He can do the same for us? Read these words when you feel as though you need some encouragement: "you were born to win, but to be the winner you were born to be, you must plan to win, prepare to win, and expect to win."

Call for Minimum Sentencing System
Clifford Moore, SCI Camp Hill

The Parole Board and the Department of Corrections considered whether or not a unanimous decision violated the due process clause of the Fourteenth Amendment.

Yes, I do know that parole is a privilege and not a right.

My files show that I met the Department of Correction requirement that gives me a great chance of being put on parole. I have earned a very good behavior report while in custody and complete all programs on time.

I have seen the parole board grant parole in less than six months to inmates who spent time in the RHU for all kinds of misconduct, and they got released on their first board action. It can appear that the parole

board does not grant parole to inmates with a smaller chance of coming back to the state prison, but to those who show a high risk of coming back.

Inmates like myself -- level two inmates -- are getting hits for being jailhouse slick, too perfect, and staying out of trouble. I've done my bad things in prison, but I turned myself around to make sure that I have a better chance of being granted parole. We need Tom Wolf to impose the minimum sentencing system by making the defendant automatically eligible for parole after serving a certain portion (e.g. one third) of the sentence the judge imposed if they have completed all programs and stayed misconduct free.

Black Lies Matter, Too!

Jules Jette, SCI Houtzdale

“Black lies” are any lies repeatedly told so many times they become the truth. Our Justice System is one such black lie because society is repeatedly reminded of its triumphs and, moreover, the consequences that we'd have without it. The Black Lives Matter movement had great success demanding police accountability across the United States and then the world. This essay is a demand to hold the Justice System itself answerable, responsible, and transparent. Justice reform does not end with the police; to the contrary, it is only the beginning.

The root word of justice is just. Society defines “justice” as the “proper administration of laws;” “the quality of being righteous, impartial and fair, where the personification of this [word] is usually a blindfolded goddess holding [balanced] scales and a sword.”

In 2001, I was charged with a crime. I went to the Philadelphia Criminal Justice Center with the expectation that the court that was to hear my case would be able “to hear patiently, to weigh deliberately and dispassionately, and decide impartially,” and in the event of error, the court or appellate proceedings thereafter will, without hesitation or regret, correct the error. Consequently, after serving twenty years of incarceration, now with twelve years of probation to follow, I have continuously sought to have the courts address errors without success.

The Justice System is a pogrom that begins with a show trial, but this beginning is merely the end. Once

freedom is taken from you through an adversarial system that pits the prosecution against the defense, no one will help you—NO ONE. Justice comes to an end when the more effective one is able to convince the fact-finder-judge or jury that his/her perspective is the correct one. Only the verdict of the show trial counts, and once the show trial ends, just like pogroms throughout history, innocence is irrelevant. The courts, by explicit authorization of law-makers, claim “judicial economy” must be considered and that society wants “finality.” But, is this what society wants? Can society be this inhumane? Does society even know the legal definition of “finality”? Since when can a price-tag be put on someone's freedom! “Injustice anywhere is a threat to justice everywhere.”

Do you know that you can be factually innocent but legally guilty? Factual guilt refers to whether the defendant is actually responsible for the crime; on the other hand, legal guilt is established only when the DA presents evidence sufficient to convince the fact-finder that the defendant is guilty as charged, and legal guilt may rest exclusively on testimony, hearsay and circumstantial evidence alone.

The majority of the defendants are poor, uneducated, and like the majority of society, often alienated from the philosophy that undergirds the Justice System, which is the least publicly critiqued system of government—state or federal. A prominent circuit court of appeal jurist stated, “Although we pretend otherwise, much of what is done in the law is guesswork. We like to boast that our criminal justice system is heavily tilted in favor of the criminal defendants because we'd rather that ten guilty men go free than an innocent man be convicted. There is reason to doubt it, because very few criminal defendants actually go free after trial.” In other words, a raceless, colorless chess game of law, played by linguists who are members of the Bar, without concern for the consequences to its voiceless human pieces; all moves are without liability, reinforced with impunity and even immunity. And, in the event of a wrong move by either player, the adversary competitor will defend the other's moves, right or wrong.

Only when someone has the misfortune of becoming a chess piece in the Justice System will he or she understand just how many “black lies” have been told by legislative representatives, courts, and mass-media

outlets. The rules of the legal system chess game do not benefit its pieces, only the players. Furthermore, the players can make their own rules as play continues. These linguistic lies are the root of the Justice System's problems. They have only one purpose: to string you along with hope. Black words written on white paper, filled with hope that is elusive to the degree of illusion. The misfortunate will come to the same conclusion as his predecessor pieces: that blindfolded goddess in front of the courthouse should be replaced with a blindfolded court jester.

**Pennsylvania Aka Commonwealth {Doc} Department
of Corruption**
Juicy Queen Bee, SCI Houtzdale

I hope when you read this article, you will be inspired and also encouraged to write.

Pennsylvania's DOC, a.k.a. Department of Corruption, is not even the beginning. As COVID-19 restrictions begin to be lifted, the inmates still have to suffer. The only good things are that people can see their families in person for longer than 45 minutes when it is their time, and you also get out of the cell more, but it still feels like hell.

Let's speak about the corruption in the DOC: the false misconducts, tampering with documents, stealing money, overcharging inmates' accounts, making false allegations on paperwork. The DOC claims to rehabilitate inmates and prepare them to go back into society. Let me tell you, this is not a prison. This is a business to them. All they care about is getting money and funds from the government.

I am not afraid to speak the truth and expose the DOC and those who hide behind the law. And to those who lose loved ones in prison, you might want to find out why they died without getting treatment, because the DOC would rather save money than spend money.

I want to say that change begins with you, and to change, you must show up and not allow others to do it all for you, because you will learn nothing at all.

Editor's Note: Warm wishes to Juicy Queen Bee on her coming release!

Does a Second Chance Apply to All? *Darrell Ameen McKelvie, SCI Benner Township*

I was arrested in 1974, a month before my 19th birthday for an allegedly gang-related homicide I did not commit, but being a well-known gang member is what prompted the police detective to persuade several juveniles at the scene to testify that I was the perpetrator. This homicide occurred at a period when gang fighting was conspicuous in the streets of Philadelphia, especially in North Philly where I lived.

Although I was not considered a juvenile under Pennsylvania's statute, I was elated when the US Supreme Court ruled in favor of *Montgomery vs. Louisiana*, and said *Miller vs. Alabama* was retroactive. This decision gave those who were sentenced to life as juveniles without the possibility of parole an opportunity to be eligible for parole. I know many of these men who were blessed to be granted parole, and they were deserving of it. I am proud of all the men and women who are productive citizens in their communities after spending decades in prison. I want those of us who are still serving this death sentence by incarceration to know that our comrades who were released did not forget about us because they are fighting diligently on our behalf.

Many of them did not just start being an asset after they were released. It was part of their characteristics decades before there was a *Miller vs. Alabama* in sight. This is why they were eligible to be granted a second chance, and now society can witness the actions of those who let their time serve them, rather than waste it and serve it.

What does an innocent person in prison have to apply for in order to be eligible for release? I know some individuals who are innocent, but in order for them to be eligible for a second chance, they had to admit guilt to a crime they did not commit. Is this what you called justice? I believe justice should be based on truth, not lies, and the only way justice can prevail is if it is ascertained by the truth. Is this what Pennsylvania's Legislators call showing mercy by releasing the guilty and keeping the innocent confined? A guilty person can be given a second chance, but an innocent person cannot receive release in the same way.

**Approval of Columbia “Mid-High” Mens Trail
Storm-Weather Shoe**
John Hall, SCI Greene

To Secretary Wetzel,

I spoke with you briefly concerning this footwear issue when you attended a certificate celebration for Dr. Conte.

As a follow up, I am writing to you concerning prisoners’ approval to purchase the enclosed Columbia Men’s mid-high waterproof trail shoe. The Columbia Low Top Men’s trail shoe is already sold and approved within PA/DOC. All are soft soles. Please see enclosed -- Columbia Shoes.

Secretary Wetzel, part of our discussion was me requesting to broaden our selections with a “mid-high style shoe.” Something you said you did not have a problem with as long as they did not have hard soles.

All of these styles are institutionally safe, Columbia-brand shoes. They are lightweight, insulated, waterproof, and breathable for wet weather performance.

COVID Quarantine or Punishment
Donald Glover, SCI Waymart

The COVID-19 pandemic has been a trying ordeal here at SCI Waymart. Due to the facility being set up as a dorm-style housing unit, the placement for the “COVID Quarantine” has fallen into the hands of the RHU. After an outside medical trip, an inmate is placed in the RHU for a 15 day quarantine period to “protect” the general population. The inmate is placed in the RHU using DC-ADM 802 Administrative Custody. If this policy were applied to the quarantine period, although not pleasant, it would at least be acceptable. I fully understand the need for the “COVID Quarantine” but do not believe that it should be synonymous with punishment. I was initially told that if space in medical was available, the quarantine would be done there. However, this is not the rule but rather the exception.

I have a medical condition (OHS) that requires regular medical treatment from an outside medical specialist. Thus far, I have been placed in “COVID Quarantine” five

times for a total of 114 days. Do the math: the time periods are lasting much longer than the ‘15’ mandated days. While in the RHU, the paperwork stated that I was on “AC Status,” but I’ve NEVER received any of the privileges that are to be afforded under the DC-ADM 802 policy.

My second time in quarantine, I was once again under DC-ADM 802 “AC Status” and, once again, never received any of the privileges of that policy, namely in-cell allowable property which includes commissary, personal property, and prescribed medications. The treatment was the same as if I had broken a rule. I filed my first Grievance at this time. The Grievance was declared to be “without merit,” but I was simply asking that the facility to adhere to the rules and procedures set forth in DC-ADM 802.

My third time in quarantine was even worse. Not only did the time extend to 32 days, but showers were denied for 17 days. How is this not abusive treatment? The rules (DC-ADM 804) say that retaliation for using the Grievance System is not to happen, but didn’t it? Another Grievance was filed at this time, and it was declared to be “not timely.”

My fourth time in COVID Quarantine was surprisingly done in the medical overflow. The stay was much better BUT, upon release, I was no longer placed back on a general population block. Instead, I was placed on an ICU block where access to a regular razor and KOP medications were restricted. Payback for filing paperwork?

The next quarantine, I was in the RHU again, but not for 15 days, for 35 days. Imagine that! Surprisingly though, I at least got a few of the privileges that are set forth in DC-ADM 802. I was allowed commissary, personal property and a second phone call per week. I was still denied having my prescribed medications in the cell with me. This 35-day quarantine also included the denial of condiments for 15 meals. Another inmate had the meat removed from his meals before receiving his trays in the RHU. What justification is there for this? Why does a COVID Quarantine need to be a punishment? Why can’t existing DOC policies be adhered to without the filing of Grievances?

There are inmates refusing outside medical care due to the abusive practices of the COVID Quarantine here at SCI Waymart. Additionally, punishment for refusing the COVID vaccine is being dispensed. I spoke with an inmate who was kept in the RHU for 45 days because he refused the vaccine, and yet CO's who refuse to be vaccinated are under no restrictions. What's wrong with this picture?

Transwomen Witch Hunt at SCI Forest

Miley S. Fletcher, SCI Forest

Transgender Women at SCI Forest are not offered or afforded good top paying jobs at SCI Forest. When one of us puts our paperwork in to work at any of the good jobs, we're set up with misconducts to get us out of the job we have.

For example, I worked in the Kitchen (Culinary Department), which is a top paying and overall good job. I was then told that I was one of the best workers down there. The Kitchen Manager warned me not to get "set up." A few weeks later, I received a false misconduct for asking for a Transgender patdown. I was handcuffed and led to the RHU (the hole). The misconduct was retaliatory because I had complained about someone on the kitchen staff. The misconduct hearing examiner would not acknowledge me when I asked for a camera footage review, nor would he grant me the witnesses because the witness form was never given to me to fill out.

That's how easy it is for one of us Transwomen to be set up. I spent thirty days in the RHU. As I thought about the transwomen at SCI Forest, I realized none of them have a job like the male inmates in population do. Now, I know why. Now, I know why no Transwomen work in the kitchen at SCI Forest. One kitchen staff said, "we don't want you trannys in this kitchen!"

I don't report anything to PREA because that system is a joke. It leads nowhere, so my question still remains: Why are male inmates allowed the top jobs and top pay at SCI Forest, and the transwomen are not afforded or offered the same equality to have those jobs, without being set up for failure?

It's a witch hunt on the Transwomen at SCI Forest.

DOC Jobs

Jeffrey Baker, SCI Huntingdon

I am writing to address the most important issue in PA Prisons. It's not commissary or lack thereof. It's JOBS.

Since the pandemic, the DOC has systematically eliminated job opportunities, the largest casualty being the kitchen staff. In our prisons, the kitchen is the largest employer. Prior to the pandemic, there were not enough jobs to go around. Now, each prison has lost even more kitchen jobs. Over the past 15 years, I have witnessed this over and over. First it was the C.I. Shops, then the laundry, and now the kitchen. Once they take something, they never give it back.

This issue is made only worse by the new methods of food service. At Huntingdon, we receive our food in foam clamshell style trays, which only hold a small portion of the foods we are supposed to receive. Whether the main course or the side dishes, they do not fulfill the dietary requirements set forth by the DOC. Of course they claim we are getting the proper portions, but with this style tray, it is simply not possible.

At this moment, most former workers are still getting paid, but it is running out. They are starting to cut off job pay to those who can not work due to the lack of jobs available, so, we as inmates are making less money than ever before, have no jobs available, and are being served far less food per meal than ever before.

Ask anyone here: it is not happening. We are now being forced to buy commissary to supplement our diets. Some of us have families that can send us money, but there are so many that don't, and now they can't work for their money. The DOC has made it impossible for anyone here to thrive on their own.

Editor's Note: DOC recently replaced the use of clamshells with new isolated trays.

Capitulation Via Compliance

Brian Fuller, SCI Benner Township

I've always loved the beauty of words. It's a shame that I'm forced to waste them addressing such ugliness. For decades, I let the fear of inadequacy supersede the urgency of my purpose. My reasons for writing to you are simple. Those of you on the outside have far greater intelligence and resources. Everyone knows

about systemic malfeasance. Our misperception of a problem, which appears too big to solve, is the very paradox that allowed this monster to grow.

The Prison Industrial Complex was built under the guise of public safety. Now, we know that it was only a clever ruse for one of the biggest racketeering schemes the world has ever seen. The one thing corrupt people who abuse their power fear the most is TRUTH! They operate outside parameters for ethics, morals, and even the law. Regardless of how intricate this web of deception is, there is always a way in.

People will treat you as bad as you let them. Every day I see the encroachment upon our civil, human, and due process rights. In their arrogance, government officials falsely believe that if they perpetuate their crimes slowly and subtly enough, nobody will notice. Now we've deteriorated to the point that these parasites feel they can blatantly violate the law with impunity.

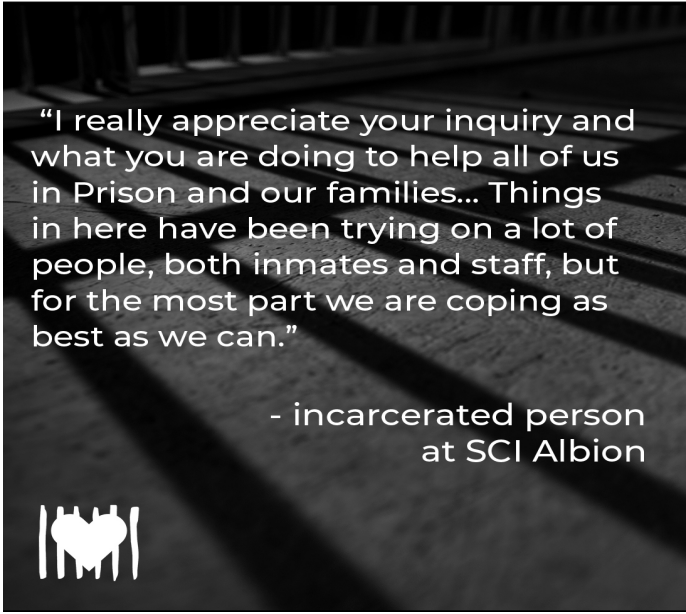
Recently, I was fortunate enough to witness the power of One Man and his PEN. He didn't seek counsel or try to form alliances. He simply told the truth and stood up for what was right. This spontaneous act of selfless dedication to a cause is going to pave the way for the freedom of thousands. Please take a minute to ponder what we could accomplish if we could get people in every prison in America to do the very same thing

Perhaps we'll never get the unity to attack every wrongful conviction or grievance collaterally across the entirety of our state and federal systems. So, I asked myself some crazy yet valid questions: What do these corrupt elitists fear most? What's most precious to them? Well, if it's their money and power they love so much, then why don't we hit them where it will hurt the most: their pocket books?

There is not a jail or prison in this nation that is run properly. Most of them are falling apart: toxic building syndrome; unsanitary and substandard living conditions; inadequate nutrition, medical, and security; numerous policies, procedural, and code violations; faulty electrical, plumbing, structural, and safety issues, etc. I don't need to list everything. I'm sure y'all get the idea. Let's simultaneously attack them on everyday compliance issues. When they find that it's

going to cost more to fix these facilities than they're worth, then it will cut far enough into their precious profit margins and bleed the beast dry. Closing prisons increases the parole rate, thus reducing the demand for filling bed space. This will also decrease wrongful convictions and may even cause these crooked lawyers and judges to stop the bribery and extortion and actually follow Our Constitution.

Maybe we could expand this method beyond the boundaries of our criminal injustice system. It might have an effect on the rampant greed and corruption that will destroy both our nation and our planet if it continues. None of us can force someone to care. We, at least, have to try and inspire those who do care to think outside of the box. All I have now are some correspondence supplies and the burning desire for change. On the other hand, y'all have social media and the Internet. You are educated people with good vocabularies and better ideas. It will take a coordinated effort. However, all of us know that when we unify ourselves toward the common good, nothing can stop us.



"I really appreciate your inquiry and what you are doing to help all of us in Prison and our families... Things in here have been trying on a lot of people, both inmates and staff, but for the most part we are coping as best as we can."

- incarcerated person
at SCI Albion



Resources

PA State Officials

Governor Tom Wolf
Governor's Correspondence Office
508 Main Office Building
Harrisburg, PA 17120
P: 717-787-3391
F: 717-772-8284

Attorney General Josh Shapiro
PO Box 22653
Philadelphia, PA 19110
P: 215-886-7376

Senator _____
Senate PO Box 203 _ _ _ *
Harrisburg, PA 17120

Representative _____
PO Box 202 _ _ _ *
Harrisburg, PA 17120

**If you know the three-digit district number for your Senator or Representative, add it to the PO Box number. If you do not know, information for Senators is available at www.pasen.gov; information for Representatives is available at www.house.state.pa.us.*

DOC Secretary John Wetzel
19020 Technology Parkway
Mechanicsburg, PA 17050
P: 717-728-2573
E: ra-crpdocsecretary@pa.gov

Prison Society Mentoring Program

Families and Individuals Reintegrating Successfully Together (F.I.R.S.T.), our mentoring program, is a voluntary program for men currently in the Transitional Housing Unit (THU) at SCI Chester and SCI Phoenix.

The program helps prepare incarcerated individuals for successful reentry mentally, emotionally, and logistically. After a series of workshops on relevant topics (such as social media, applying for medical benefits, securing housing, and obtaining education and jobs), mentees are assigned to mentors, to meet one-on-one for at least six months to develop and achieve a personalized goal plan. We are also working with soon-to-be-released Juvenile Lifers across the state to help them bridge into life outside in the community.

We are always seeking mentors and mentee participants. For more information, or for a mentor application, please contact:

Joseph Robinson, Mentoring Program Case Manager
P: 215-564-4775, ext. 1005

FAMM

FAMM, a DC-based sentencing reform organization, is working to fight mandatory minimums in Pennsylvania, but needs case examples to help convince lawmakers to support fair sentencing.

If you are serving a long mandatory sentence for a drug or gun offense, please send 1) your name, 2) you contact information, 3) contact information for an outside friend or family member, 4) a brief description of your offense, and 5) your sentence, to:

FAMM
Attn: Pennsylvania Stories
1100 H Street, NW, Suite 1000
Washington, DC 20005

Note: FAMM does not offer direct legal assistance, but the organization will contact you by mail if they'd like to learn more about your case.

The Prison Society & Broad Street Ministry

The Prison Society at Broad Street Ministry is a collaboration providing reentry support for people returning to Philadelphia. At Broad Street Ministry, individuals can receive a P.O. Box, change of clothes and personal care items, as well as meet with a reentry associate. Broad Street partners with multiple non-profit organizations who offer on-site assistance with medical care, housing, employment, public benefits, and obtaining personal identification.

Broad Street Ministry
315 South Broad Street
Philadelphia, PA 19107
P: 215-735-4847
W: www.broadstreetministry.org

LAMBDA Resources for LGBTQ People in Custody

Lambda Legal's mission is to achieve full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and everyone living with HIV through impact litigation, education and public policy work.

As a 501(c)3 nonprofit organization, we do not charge our clients for legal representation or advocacy, and we receive no government funding. We depend on contributions from supporters around the country.

National Headquarters
120 Wall Street, 19th Floor
New York, NY 10005-3919
P: 212-809-8585
W: www.LambdaLegal.org

Expungements

Philadelphia Lawyers for Social Equity
1501 Cherry Street
Philadelphia, PA 19102
P: 267-519-5323

Expunge Philadelphia
Juvenile Expungement Hotline
P: 267-765-6770

Community Legal Services
Center City Office
1424 Chestnut St.
Philadelphia, PA 19102-2505
P: 215-981-3700

North Philadelphia Law Center
1410 W. Erie Avenue
Philadelphia, PA 19140
P: 215-227-2400

ACLU

Whether it's achieving full equality for LGBT people, establishing new privacy protections for our digital age of widespread government surveillance, ending mass incarceration, or preserving the right to vote or the right to have an abortion, the ACLU takes up the toughest civil liberties cases and issues to defend all people from government abuse and overreach.

ACLU Pennsylvania Central Office
P.O. Box 11761
Harrisburg, PA 17108
P: 717-238-2258
W: www.aclupa.org
E: hbinfo@aclupa.org

Prisoner's Rights

Abolish Death by Incarceration
c/o Decarcerate PA
PO Box 40764
Philadelphia, PA 19107
P: 267-217-3372
W: www.decarceratepa.info
E: decarceratepa.pgh@gmail.com (Pittsburgh)
E: cadbiphilly@gmail.com (Philadelphia)
E: decarceratepa@gmail.com

PA Institutional Law Project: Philadelphia
The Cast Iron Building
718 Arch Street, Suite 304 South
Philadelphia, PA 19106
P: 215-925-2966 (Philadelphia)
F: 215-925-5337 (Philadelphia)
P: 570-523-1104 (Lewisburg)
P: 412-434-6004 (Pittsburgh)
W: www.pailp.org
E: alove@pailp.org

Prison Activist Resource Center
PO Box 70447
Oakland, CA 94612
P: 510-893-4648
W: www.prisonactivists.org/resources
E: info@prisonactivists.org

Reentry Services

Philadelphia Reentry Coalition
P: 1-215-683-3379
E: philareentrycoalition@gmail.com

Franklin County Reentry Coalition (Franklin Together)
533 S. Main Street Chambersburg, PA 17201
P: 717-263-5060 ext. 314

Life Without Parole

Women Lifers Resume Project of PA
PO Box 324
New Hope, PA 18938
P: 814-393-5400 (Cambridge Springs)
P: 570-546-3171 (Muncy)
W: www.wlrpp.org

Reconstruction Inc.
ATTN Fight for Lifers
PO Box 7691
Philadelphia, PA 19101
P: 215-223-8180

Pennsylvania Innocence Project

The Pennsylvania Innocence Project has a four-fold mission to: (1) secure the exoneration, release from imprisonment, and restoration to society of persons who are innocent and have been wrongly convicted; (2) provide clinical training and experience to students in the fields of law, journalism, criminal justice, and forensic science; (3) collaborate with law enforcement agencies and the courts to address systemic causes of wrongful convictions; and (4) strengthen and improve the effectiveness of the criminal justice system in Pennsylvania through public education and advocacy.

Philadelphia Office
1515 Market St
Philadelphia, PA 19102

Pittsburgh Office
914 Fifth Avenue
Pittsburgh, PA 15219

W: www.InnocenceProjectPA.org
P: 215-204-4255
E: InnocenceProjectPA@temple.edu

Legislative Highlights

PPS is partnering with FAMM, ACLU of PA, Americans for Prosperity, the Commonwealth Foundation and others to support positive reforms. In January, representatives from all five of these organizations spent a day at the State Capitol sharing their priorities with lawmakers and expressing their bipartisan support for criminal justice reform. The following are new legislative criminal justice initiatives introduced since August. For information on other currently pending criminal justice reform legislation, see previous issue. [Note: SJC = Senate Judiciary Committee, HJC = House Judiciary Committee.]

November 2021

The state legislature returns to Harrisburg in November. The House and Senate are in session 36 days in November and December. On December 15, they recess until the New Year. Remember that it is a long road for a bill to become law: it must be approved by committees, the House, and the Senate and then signed by Governor Wolf. Governor Wolf's term ends at the end of 2022, and he cannot seek reelection due to term limits.

Mandatory minimum sentences for gun offenses

HB 1587 (Rep. Amen Brown): This bill would create two-, five-, or 10-year mandatory minimum sentences for people who possess guns and have a felony record, depending on the kind and number of prior convictions the person has.

HB 1590 (Rep. Todd Stephens): This bill would require courts to impose the lesser of 5 years or the minimum sentence required by the state's sentencing guidelines if the person is convicted of a crime of violence, an armed drug offense, or possessing a gun with a felony record.

FAMM and the Prison Society oppose both bills (and all mandatory minimums). The House Judiciary Committee passed both bills by party line votes on June 15, 2021. The bills have advanced out of the House Rules Committee and have been on the House Tabled Bill Calendar since September. They could advance at any time during the session. FAMM will continue to oppose both bills and remind lawmakers that the state Supreme Court struck down mandatory minimum sentences for gun and drug offenses in 2015. FAMM has asked Governor Wolf to keep his promise that he would veto any bill containing mandatory minimums.

Life without parole reform

SB 135 would, if passed, provide parole eligibility after 20, 25, 30, or 35 years in prison to adults and juveniles convicted of first- and second-degree murder, depending on their age at the time of the commission of the offense, and who the victim was. The bill has not yet received any votes or review by committees. It was referred to the Senate Judiciary Committee in February 2021.

HB 135 has been reintroduced from the 2019-2020 legislative session. It would, if passed, make people serving life sentences (except those convicted of murder of a law enforcement officer) eligible for parole by deleting the words "without parole" from existing laws governing adult parole and youth charged with homicide. The bill was referred to the House Judiciary Committee in October 2021.

Clemency reform – SB 694 (Sen. Bartolotta) and HB 1719 (Rep. McClinton)

The state constitution currently says that the governor may not grant clemency to a person unless the Pennsylvania Board of Pardons first recommends the person for clemency by a unanimous vote of 5-0. Senator Bartolotta has introduced a bill in the Senate that, if passed, would propose changing the constitution so that the governor can grant clemency whenever the Board of Pardons recommends a person for clemency by a vote of 4-1. Representative McClinton has introduced a similar bill in the House, though hers would allow a 3-2 vote to advance. This would enable more people to be considered for clemency by the governor. The bills have not yet received any votes or review by committees. They were referred to their respective chamber's Judiciary Committees in the May and July 2021.

Continued onto page 18

Legislative Highlights: Continued

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November 2021

Medical, Geriatric, and Early Parole Opportunities -- SB 835 (Sen. Street)

Sen. Street and other sponsors have introduced a bill that would create a parole mechanism for certain ill and/or aging prisoners to petition the Parole Board for release. The medical parole provision would apply to people who have a qualifying serious medical issue and a weakened ability to function in prison because of it. The geriatric parole provision is separate, and would apply to people who are 55+, have served half their time (or 25 years, whichever is less), and the Parole Board agrees that there is no danger to the public. The bill has not yet received any votes or review by committees. It was referred to the Senate Judiciary Committee in August 2021.

Prison Conditions – HB 1283 (Rep. Bullock), SB 686 (Sen. Muth, Sen. Kane), HB 1753 (Rep. Brown)

HB 1283 would, if passed, provide incarcerated parents with one free phone call or email per month to each of their children. SB 686, if passed, would ban the use of solitary confinement and provide alternative disciplinary measures, such as limiting visitation, recreation, or work opportunities. It would allow confinement to a person's own cell. HB 1753 would, if passed, abolish the \$5 medical copay in state prisons and prohibit the Dept. Corrections from charging incarcerated people fees for medical services. These bills were referred to their respective Judiciary Committees in April, August, and September 2021.

FAMM

FAMM, a nonpartisan sentencing reform organization, is working to fight mandatory minimums, create medical and geriatric parole, expand clemency, and end life without parole sentences in Pennsylvania. Your family members can learn about and support FAMM's efforts by joining our email list. Families should write to famm@famm.org, and they can join FAMM's special Facebook group for impacted families at <https://www.facebook.com/groups/fammiliesinpa/> about.

FAMM

*Attn: Pennsylvania State Policy Director
1903 W. 8th Street, PMB 257
Erie, PA 16505*

Reader Survey

We welcome comments and suggestions from all readers. Please complete this form and mail it to Pennsylvania Prison Society.

We hope you enjoyed our literary issue that we released at the end of 2020!

In 2021, we are looking to model a traditional literary magazine and have one common theme for the creative piece. We want your input!

What themes would you like to suggest for our 2021 creative issue?

We are also looking for visual art pieces throughout the year to use in our bimonthly issues. If you enjoy creating visual art- paintings, drawings, etc, please send them for use in upcoming issues!

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Philadelphia, PA 19102

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Subscriptions cannot be refunded.

Starting January 1, 2020, all multi-year subscriptions must be exact; any overage will be counted as a donation to the Society (i.e. a \$10 check will be processed as a 3-year subscription and a \$1 donation).

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