

# GRATER FRIENDS

A Publication of The Pennsylvania Prison Society

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

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July/August 2015

## Planning is the Key While we are Here

by Tracy "Hollywood" Glenn, JM-9301, SCI Mahanoy

No doubt, many of us have so many different gripes or issues with our state prison system. Your issues are heard, mostly ignored. I agree with most of the readings where we are hoarded and deprived in this country in systems like Pennsylvania, and I'm not here to discredit your opinions or to take from your personal issues with this twisted system. My brothers and sisters, as you struggle through this experience, there's an issue some of us rarely speak of or think about – that in society's eyes we are deserving of the punishments we've received because we know right from wrong. There is a percentage of you who maybe did not commit any crime and were wrongfully convicted. Take a look at where you were and who you were with at the time of your arrest. There lies the issue of how you were accused and convicted, even though you did nothing.

Looking into my own life, 35 years have been spent committing crimes, always taking something that didn't belong to me. I've been awarded the title of "Career Habitual Criminal" by the courts. This title is one that the courts of society use when they think you have shown to be worthless to society. It doesn't have to be true, but on paper you are what you are. Many of you are with me in this category because of the havoc we've caused those we've left behind.

Older now, and much wiser, I'm able now to reflect on my life, looking at things from the other side. The time spent here is not supposed to be comfortable in any manner. It should make us not want to return to prison. Let's stop crying about what we don't or should have and make a plan while we're here, then vow never to return to this God forsaken place. It's a prison sentence, for God's sake! Now is the time to take a look at yourself and address the broken areas in you. It only takes one more poor choice for any of us to be here for some of the longest periods ever. Take a good look around you, do some

*(See Planning, continued on page 16)*

## The Philadelphia Lawyer: Gideon's Elusive Dream

by George Rahsaan Brooks-Bey  
AP-AFF4, SCI Coal Township

I arrived at Coal Township the first week of April. I was blessed to meet a lot of youngsters from my hood who had heard a lot of good things about me but only knew of me. I was asked by them what advice I could give to assist in their walk of life. My advice was simply: "You must have an attitude of gratitude."

To me, life is more enjoyable if you take stock in your blessings and live in the light of them. I know we all have things we're excited about and things that don't go the way we want them to. When we really step back and count our blessings, we find they far outreach the hardships that seem, for the moment, so earth-shaking.

When you go to work, school, the library, or your place of worship, do you encounter people who complain about the inadequacies of their siblings or children, of the problems of day-to-day living, the flaws in their place of residence, the shortcoming of their friends, or even the failings of their place of worship? Well, they are probably like most people in this nation that are "media-conditioned" to feel inadequate. According to the media, we should all be thinner, sexier, prettier, more handsome, and wiser. Our children should be like those we

*(See Gideon, continued on page 17)*

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## From the Editors

We have been studying the current merger legislation regarding the Pennsylvania Department of Corrections and Board of Probation and Parole. We support many provisions of the bills (SB 859 and SB 860), but we do have some concerns that we are reviewing and discussing with legislators.

Executive Director Ann Schwartzman recently gave testimony at a hearing regarding collateral consequences of mass incarceration. You can read an abridged version her of testimony on [page 20](#) of this issue.

If you have visitors who use our buses, please remind them to check our website for changes in scheduling and for other announcements. Due to the Pope's upcoming visit to Philadelphia, we have had to change the schedules of a few buses. We have also had to schedule a few days for the office to be closed at that time. Our new bus schedule will also be available very soon.

Finally, please remember our submission guidelines. We are unable to publish letters without permission from the writer, and we do not publish anonymous letters. Please send a permission statement with each submission. Thank you for your understanding.

We have been busy this summer — playing a part in the Day of Responsibility at SCI Retreat, hosting the resource fairs and visiting prisons throughout the state, speaking to Pennsylvania's legislators and prison officials, and supporting Family Fun Day at SCI Graterford. We continue to advocate for a humane, constructive, and rational approach to criminal justice.



## Report from Nicole Sloane, Esq. Criminal Defense Attorney

### REVIVING BATSON

I looked down to avoid making eye contact as they walked out of the courtroom. Although 16 other potential jurors were questioned about answers they provided on their jury questionnaires, not one of the three African-American women leaving the courtroom now had been asked for further explanation of their answers. In fact, two of the three women gave no answer that would have been expected to generate further inquiry. Yet, the prosecutor used three of his seven peremptory strikes to remove the women from serving as jurors in my client's trial.

Discrimination during jury selection not only violates the right of the individual being excluded to serve as a juror but it also has been shown to reduce the likelihood that a criminal defendant will receive a fair trial. A 2006 study published in the *Journal of Personality and Social Psychology*, authored by Samuel Sommers of Tufts University, acknowledges that diverse juries exchange a wider range of information compared to the information exchanged in all white groups. Researchers learned that white jurors that are part of a diverse group cite more case facts, make fewer errors, and are more agreeable to having a conversation about racism than groups that are exclusively white. Studies show that even before members of a diverse group begin discussion, the white mem-

[\(See Sloane continued on page 15\)](#)

**NOTICE:** This report is provided for informational purposes only. It should not be substituted for advice by an attorney familiar with the facts of a specific case. Unfortunately, Ms. Sloane cannot address individual questions or provide advice on individual cases. For additional information, you should consult with your trial or appellate counsels.

# GRATERFRIENDS

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

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

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### **PACIFIERS**

by James R. Cruz, CL-1798, SCI Fayette

I have noticed over the past 20-plus years what the DOC does to the men and woman who are incarcerated within Pennsylvania's state prisons. They calm us by giving us "pacifiers" — cake sales, candy sales, cookie sales, and lifers snack food sales like they have at Graterford. Then we have the secure pack that either we or our family or friends will order for us.

We all fall prey to the pacifiers that the system allows us to have, which in turn keeps us docile as a pullet (young hen). We just cluck along and don't complain about what needs to be complained about, like the small portions of food, or the quality of food. We don't complain because we have our pacifiers, we have our commissary and all the goodies in commissary, and the ice cream sales. No need to make waves since we get all those little pacifiers...well, as long as we have the funds to purchase all those things. I will admit that I am one of those who have fallen prey — like the pullet to the hawk — and have done what most others do, which is say "HEY, look at all the stuff we can buy at the store." We get the iPads that are only available for certain Pennsylvania prisons right now, but they are soon to be on their way. Many

*(See Pacifiers, continued on page 14)*

### **PAROLE ELIGIBILITY FOR LIFERS: NOT UNREASONABLE**

by Hugh Williams, AF-2932, SCI Graterford

For those who believe in one God — i.e. Judaism, Christianity, and Islam — the first recorded crime on earth was homicide. (*Genesis 4:8, Maida 5:33*) Yet, according to the Sacred Scriptures, the punishment was not death or endless incarceration. It was banishment. On April 9, 1865, after nearly four years of civil war, General Robert E. Lee's Army of Northern Virginia surrendered to Ulysses S. Grant, General of the Union Army. As part of the surrender, soldiers were given a day's ration, permitted to keep their horses and mules, and paroled in time for planting season. Officers were allowed to keep their side arms. So after a treasonous secession from the Union (punishable by death), the victorious Union was compassionate and did not exact retribution. President Lincoln advised his cabinet, only days before his death, "Malice toward none...charity for all."

The moral lesson is, despite the loss of life, though it was in both the Creator and the general's authority to exact severe punishment, compassion was chosen instead. The question I raise is, "Why is Pennsylvania reluctant to follow suit and grant parole eligibility to all life sentenced inmates?"

As recorded, Cain was banished and the largest and most powerful of the Confederate armies was allowed to return to the South armed. Yet, neither revolted again. If we are guided by statistics, those whose sentences were commuted during the governorships of Shapp through Rendell have a greater rate of success than Detroit and

*(See Parole for Lifers, continued on page 13)*

### **WE ARE THE ANSWERS TO OUR QUESTIONS**

by Khalil Hammond, KC-9993, SCI Frackville

In the time I've been confined within the Pennsylvania DOC, I've seen a lot of things change for the worse. What frustrates me is the lack of willingness of the soldiers behind these walls to continue their fight for change, among other things. What are the soldiers scared of, now that they are behind walls? Even the few minute alterations that we recently encountered are not of our effects or doing, but rather the sacrifices of those in California and other places. Are we going to sit around and continue to reap the minor rewards for the actions of those not from here, while more things continue to accumulate against us almost daily without change, or are we going to start "standing up" for ourselves again? My definition of a slave is "one who willingly or accepts or who is content with being oppressed and belittled until the point that his/her self-pride is next to non-existent." No one can make you a slave if you are not willing to submit and instead continue to fight for change, liberation, and just treatment as human beings. I listen to a lot of older individuals speak about how "it used to be" when there was unity, and how things were slowly but surely taken away from everyone because people stopped "standing up"! In their rhetoric, they often shift blame to the younger generation for the way things are, which has the effect of creating even more division between the young and the old. Who is going to listen to someone who is constantly ridiculing him, or who is trying to make themselves out to be greater than them through demeaning conversation? I know I wouldn't! The truth is that we all play a part in why things are how they are today. From what I see, nobody's "standing up" anymore! Feuding with each other has become the easy out, or a cool alternative. It's sort of like we are aiding our own degradation. I say "we" because we are all in this together. Complaining without taking any initiative is pointless, don't you think? There has always been strength in numbers, but individuals also hold power.

*(See Answer, continued on page 14)*



## Mailroom

### PUT YOUR MONEY WHERE YOUR MOUTH IS

In Jan/Feb 2015 of the issue of *Graterfriends*, M. Malcolm Rowe from SCI Smithfield made an excellent analysis. Although I am not a lifer, my loved one falls under “JLWOP” (Juvenile Life Without Parole), along with a few others I know. A class action lawsuit seems to be the only real recourse.

Many have anesthetized themselves about not getting out. Please, all those who are JLWOP, come together and realize there has indeed been a miscarriage of injustice. There is power in numbers if everyone would stop giving out money to the DOC and sacrifice for your freedom. Put aside \$100, or as much as you possibly can. As Mr. Rowe put so elegantly, this could be the rudiments of a victory. This will open the door for other lives, also. We must see the bigger picture.

If I’m willing to put up my \$100, why shouldn’t anyone serving JLWOP be interested in contributing financially to their own legal defense? Or, perhaps your family and friends can help with a donation in assisting your journey to freedom.

Mr. Rowe, do you have a class action litigation lawyer in mind? Let us know please so we can get the ball rolling.

In closing, I must emphasize that in helping others, without an ulterior motive; it definitely comes back fifty and sometimes one hundred-fold.

Dana Lomax-Williams  
OU-6598, SCI Cambridge Springs

### FREEDOM OF EXPRESSION

The Constitution of the United States of America guarantees the people the right to freedom of expression under the First Amendment. Naturalized citizens that oppose the U.S. government for whatever reasons, who burn or desecrate the American flag in protest, have this protected right without civil consequences.

However, performing an immoral and contemptible act marks flag desecrators as anarchists and cheerleaders for terrorism.

Moreover, by their actions they dishonor the flag that flew during any battles of the American Revolution and also disrespect all living and fallen veterans who sacrificed during both war and peace time, through their military service, to defend and preserve the sacred cause of liberty.

In sum, the stars and stripes is a revered symbol of the American spirit, and of our national heroes who participated in many campaigns. They paid for this country’s freedom at the cost of their blood that consecrated battle fields, at home and overseas.

Those who choose to protest by destroying the American flag under the guise of the First Amendment only show their fellow Americans and foreign governments that they lack patriotism and are “traitors” in allegiance with the enemies of democracy.

Bernie Ryan  
Walnutport, Pennsylvania

### OUR VOICE

The ladies here do need more support and love. I thank Jason Morgan of SCI Coal Township for his compassion and ability to see the needs of the ladies here. I’ve been wronged and am really innocent. I’ve been fighting for the truth since 2004. In 2013, I filled the 2254 *habeas* myself when the judge ordered that a lawyer prepare a brief for me. Here it is, almost two years later, and I’m still waiting to go back to state with new evidence telling the true facts.

It’s really sad to see how many ladies are in need of help. It breaks my heart to see it daily and the lack of support they get and have from the outside — it’s worse than many think. We must stand together in unity in this falling world and reach out in love to make a change. Some couldn’t purchase a bar of soap, let alone a \$250 television. The price is way too high for us in these places when we only make cents, not dollars. Then, half the meals being served are not enough to fill a child — let alone us. The medical departments are a joke. In the past few months we had at least three deaths here due to lack of medical treatment. We are not able to use a restroom during count time. That varies daily.

If you have any direction or advice, please share. Meanwhile, stick together and keep fighting and standing up for what’s right and reaching out to those in need.

Crystal Weimer  
OK-7021, SCI Cambridge Springs

### THE GENIE IS OUT

A Chinese proverb states, “One step is the start to a journey of a million miles.”

I am trying to find all incarcerated inmates who were illegally prosecuted by the Philadelphia Detective Manuel Santiago from the Homicide Department. The March 12, 2015 issue of *Rolling Stone* featured Paul Solotaroff’s article about Tony Wright. The articles exposed a few rogue Philadelphia detectives, including Santiago.

If you have any tangible evidence in your possession

demonstrating that Detective Santiago lied or used deceptive tactics in your case, please contact:  
Attorney Kevin R. Schock  
Morgan Lewis and Bookius LLP  
1701 Market Street  
Philadelphia, PA 19103-2921

Andrew Swainson  
AS-2932, SCI Dallas

### **SB 452 SHOULD NOT BECOME LAW**

This update is to inform you, the 55,000 men and women in Pennsylvania's state prisons, of the new Senate Bill 452 (SB 452) which is being introduced by State Senator Lisa M. Boscola. This bill would eliminate the eight free envelopes that we are given each month. I am not going to sit here and preach to any of you. We're all grown men. We're paid 19 cents an hour and everyone wants to continue to take, take, take from us. And I'm getting tired of it. I'm mailing my letter to Senator Boscola at the same time I mail this, explaining to her how this would hurt many thousands of prisoners — prisoners who get paid slave wages.

For everyone who has a problem with modern day slavery, we live it in Pennsylvania's state prisons. Who gets paid 19 cents an hour to work? They continue to raise commissary and cable, when will they raise the pay? According to President Obama, the recession is long over, the nation is doing great. According to Governor Wolf, the state has a very small unemployment rate. So the DOC's budget is just smoke and mirrors.

The final thing I need to touch on: anyone who is experiencing any problems using JPay, write your complaints and send them to:

Human Rights Defense Center  
Lance Webber, Attorney  
PO Box 1151  
Lake Worth, Florida 33460

Anyone wishing to contact Senator Boscola can do so:

Senator Lisa Boscola  
1 East Broad Street, Suite 120  
Bethlehem, PA 18018

Robert Pezzeca  
DX-1148, SCI Smithfield

### **IN MEMORIAM: GERALDINE THERESA LUCAS**

On June 9, after 41 years in the penal system, our sister Geraldine Theresa Lucas maxed out on this life. The "Ornery Bird," as Tameka Flowers and I so lovingly called her, received her wings and her eyesight and took flight from the pain and misery that many of you behind walls know too well. Little did we know that cancer was eating our baby up.

As a blind 83-year-old lifer, she was silenced by medical and mental aging that was compounded by the "powers" acknowledging but not properly addressing the problems. Decisions made didn't come in time to ward off the intense suffering and anguish we witnessed the last couple of months that we cared for and loved her.

Geri was deemed competent to make major decisions toward her healthcare by a psychiatrist who never saw her face to face, and yet his decision was what governed the medical indifference that bordered willful neglect. Go figure! That "little lady" suffered as no human should. I'd even hazard a bet that her age, sentence, fragility, and inability to be a physical asset to the DOC community played a part in the indifference that was shown in her daily care. It can be blamed on lack of staff, tight funds, policy, or even the dictates of her sentence, but I was there every day, three times a day. I was even called upon in the middle of the night, so I know the truth!

Yet, what I know above all else is that Geri, and every last one of us inside these walls, deserves a better end. We deserve to be shown more compassion — not that which is weighed against costs, policies, politics, or crimes of yesteryear, but instead weighed against what is most humane...weighed against what is right for the end of one's life when that person feels pain and only capable of crying out for help and just wanting it to stop.

I witnessed that, and I can't say it was easy. In fact, it's been one of the hardest and most fulfilling things I've done in the last 12 years. And it was necessary, because a valuable member of my community and "family" needed to know that her end was important to people. It was also a critical learning tool for staff and inmates alike toward compassion, selflessness, dedication, faith, duty, and humanity. Lastly, it was necessary for hope. Hope that good can still come from death, punishment, and loss. Even at the end, Geri had hope. Now that is what I call blessed!

Rest now Ornery Bird. We miss you.

Teri Harper, OB-7367  
Tameka Flowers, OD-8694  
SCI Muncy

### **A QUESTION FOR INMATE SERVICE ORGANIZATIONS**

As a newly-elected president of one of the many institutional organizations, I was informed that all funds that are raised through fundraisers (i.e. bakes sales, ice cream sales and so forth) must be donated to the community in which the institution is located. In this case, Centre County.

For the life of me, I can't seem to find that in writing anywhere regarding institution inmates service program's policies, and don't believe the policy exists.

I do know that the majority of the inmates in the

***(See Mailroom, continued on page 18)***



## DEATH BY PERJURY

by Kevin Brian Dowling, DY-6243, SCI Greene

They say you should never ask questions, because only a dead man can answer. But what if you could answer them? What if you could remember every detail of your death and the aftermath? What if you continued to die over and over again?

I died for the first time around 4:00 p.m. on October 29, 1997. It was a beautiful autumn day, a Wednesday. I had prepared an appetizing dinner for my family, consisting of seasoned chicken breast, rice pilaf, and fresh steamed broccoli drizzled with brown butter. I had picked up my wife from work and our toddler son from daycare. Our two pre-teen daughters arrived home from their day, and were washing up before we sat down to supper. That meal was destined to go to waste, as my family would dine on misery that night.

Our doorbell rang, accompanied by a loud knock, as the dread that I had been feeling all day began to be realized. When I opened the door, I was met by several police officers. One asked that I step outside, as he put me in handcuffs and placed me under arrest for murder.

My toddler son ran after me, only to be stopped by the outer glass of the door. Pressed against it, he wailed as his arms reached for my embrace. After I was placed in the backseat of an unmarked cruiser, I noticed that my quiet middle class neighborhood had been invaded by a small army of heavily armed police officers. Our neighbors came outside and watched tensely. I peered towards my house and observed my two daughters looking out from the upstairs windows, crying and confused. My wife was stunned and numb. I never had a chance to hug or kiss any of them or to say goodbye. I never would, ever again.

The police drove me over 35 miles away to another county, where I would be autopsied every day for the next year.

I later learned from my wife that the police had served search warrants and proceeded to tear our home apart in search of evidence that never existed. They even tore toys apart, as my wife and three children watched.

I had been a respected operations manager and investigator for 20 years, for private security, restaurant, and retail companies. I was not a criminal. I was loved and respected by family and friends.

Even before the police realized they had made a mis-

(See Perjury, continued on page 17)

## CONSEQUENCES LEAD TO CONSEQUENCES

by Anthony Shamberger, GV-4731, SCI Smithfield

I exit my cell, he's standing there holding a yellow piece of paper in his hands and looking at me as if I have a halo above my head. "Dey written me up" he tells me in broken English. He then adds, "I jus' wanna go to school and dey written me up. Can you help me?"

The misconduct he received was for "being in an unauthorized area." He attempted to go to school five minutes late because he thought "yard out" movement was "education line" movement. As a consequence, he received a Class 1 misconduct and received 30 days cell restriction. One restraint of his cell restriction is that he cannot go to school for the entire 30 days.

This really irritates me. This man is over 50 years old, from a foreign country, and can barely speak or comprehend English. He has been incarcerated for the purpose of "rehabilitation." Schooling and receiving a high school education just happens to be his first step to becoming a law-abiding citizen. Here is a man, ignorant to his environment, wanting to learn and gain the fundamental knowledge he will need not only when he is released, but also *to be released* (it's part of his prescribed treatment plan), being told that because he made such a minute mistake he will have to postpone his goal of becoming educated.

I filled an appeal on his behalf. PRC shut him down. Their rationale: the hearing examiner didn't violate any DOC directives. My contention is that she did. A DOC directive is to maintain care, custody, and control of inmates while also subscribing to the theory that something positive can be done for each inmate. Yes, there are institutional interests that demand an inmate's adherence and attention. In this instance, both the DOC's security interests and this man's rehabilitation interests could have been met.

The hearing examiner could have: (1) reduced the Class 1 to a Class 2 which would allow him to participate in school; (2) reduced the entire misconduct to an informal, which would not have interfered with this man's parole, nor his programming and school; or (3) simply given him a reprimand and warning, which I assure you, would have been more than enough. She doesn't take any of this into consideration, and I feel this is an issue. Of course there has to be structure, but at what point does it become detrimental to the ultimate goal of returning these men and women to society educated and prepared?

This man's misconduct isn't the first time I have been made aware of the misuse of the misconduct procedure by administrations across the entire state. Actually, something so minor as sleeping through count can cause an inmate to be placed on cell restriction, or even placed in the RHU. All programs and schooling become irrelevant at that point. It might not occur *all* the time; I just can't understand why it is taking place at all. I'm not

(See Consequences continued on page 15)

## A MAN REDEEMED: DELIVERANCE FOR IKEY

by J.D. Frandsen, #27561, SCI Wyoming State Prison

Sitting in contemplation, I watch the subject of my interview buzz about the unit going from table to table, joking, horse playing, talking about art, music, and the politics of the day. “Ikey” is a very charming, charismatic convict, and a very talented artist. However, if by chance you happened to meet Ikey in a dark alley, charming might not be the first word that comes to mind. Six feet tall, with head-to-toe tattoos that crawl across his face, and the cold unblinking stare of a hardened convict — let’s just say that I’m glad that he’s my homie. Ikey has more friends than anyone I’ve met in this prison, because Ikey was raised by this prison. Although now, after serving more than 20 years of a life sentence for a murder he did not commit, there may be redemption for Ikey.

In 1995, Edwin “Ikey” Mares was convicted of felony murder as a juvenile and sentenced to life in prison without the possibility of parole. He was 16 years old, a dumb teenager who made a big mistake. Prosecuted and condemned in a McCarthy-esque jury trial based on unsupported allegations, and presumed guilty by association, the wild little Mexican kid never had a chance. Ikey’s time behind these walls and inside some of the nation’s most violent penitentiaries began.

Prisons are violent microcosms of the “free world” environments that create criminals. As the years progressed slowly, Ikey was relocated abruptly from prison to prison across the nation due to over-population and the crumbling conditions of the state of Wyoming’s old facilities. Ikey did time in Nevada, Virginia, Oklahoma, and multiple facilities in Texas. He became a legal adult in an environment that often breaks grown men down to the point of mental despondency, and often suicide. He grew to become what his surroundings dictated: a dangerous convict.

*“Years crawl by and the outside world is forgotten like a black and white film from a vague, dirty, opiate dream”- Granmah*

Most every convict is a skilled jailhouse lawyer. In 2013, Ikey filed a motion to correct an illegal sentence. He contended that his brutal sentence was unconstitutional, given the U.S. Supreme Court 2012 decision in *Miller vs. Alabama* 567 U.S., 132 S.Ct.2455, 183 L. Ed. 2<sup>nd</sup> 407.

Is it an Eighth Amendment issue to sentence a juvenile to life behind bars? Does this constitute cruel and unusual punishment? Scores of educated and “au-fait” citizens believe so. A teenaged man thrown to the razor wire wolves is doomed from the gavel to the grave. The younger a new guy is, the more likely he is to be raped, beaten, extorted, sexually enslaved, and sold to other inmates for goods and arrears due. This soul crushing environment is no place to grow up, Ikey was lucky, his warrior mindset and a small community of “shot callers” and old-timers refused to see him ruined.

**(See Redeemed, continued on page 16)**

## DO A RIGHT AND TRUE INVESTIGATION

by Marty Dunbar, CM-9649, SCI Smithfield

I must say that it’s a shame and a cowardly act on the part of the prison administration at SCI Houtzdale over an incident that happened in the yard.

Where you have a few prisoners who were fighting each other in the yard, to keep the institution locked down for almost a month was crazy. And the staff members who came up with this idea should be dismissed.

How can you keep 2500 men locked down away from seeing their families on visits, calling their loved ones, and going to school and doing their programs over a small incident like a fight?

The first thing the DOC put out in the press to the public was that there were five officers injured, and that the institution will be locked down and searched because of that small disturbance. Excuse me! It doesn’t take a month to search an institution. It doesn’t take a month to search every state institution in the state of Pennsylvania. This lockdown was done to place fear in the community, but there was never any fear or danger to the community where the prison is located. This was just something that a person who never had power in their life needs to happen so that they can be seen. That night, the prison administration transferred all of the prisoners involved in that incident. How do I know this? Because one of them came to SCI Smithfield and I also received letters from outside groups about the situation.

Who are the staff members assigned to do the investigation and what is their relationships to any of the officers who were supposedly hurt?

We know that the SCI Houtzdale security office will do their best to take the officers’ side of the incident, and will call those officers to interview them, and tell them what they need to say.

But we also know that the security office will call their CIs (prisoners) in and tell them what to say. And after the CIs tell their lies they will be paid for those lies with other prisoners’ commissary that was taken from other prisoners by the security office. Some will get transferred to SCI Smithfield, which is the witness protection program for the Pennsylvania DOC, and those same prisoners will come here telling big fat lies, like there were gangsters there.

We need to look at those five officers’ records working for the DOC, and see how many grievances have been filed against them. How many misconducts had those five officers written? I am sure that you will find a lot of dirt in some of those files. The same ones who are crying wolf need to stop playing games. No more lockdowns of 2500 men for almost a month for a small incident. We need to have the whole prison administration replaced!

## MALICIOUS RETALIATORY ACTS TOWARD POLITICAL PRISONERS

by *Muwsa Green, HV-5362, SCI Fayette*

Greetings to you. I am a prisoner at SCI Fayette. I am one of many political prisoners who the government repeatedly retaliated against to deter us from exercising our First Amendment rights to petition the government agencies within the state. A prisoner should not be punished for using the grievance system. The system is based on preserving the dysfunctional, discriminatory, and unjust status quo surrounding mass imprisonment.

Make no mistake about it; this is a contest between harassment and stress assessment in order to produce changes in the behavior of political prisoners. They find it necessary to weaken and undermine the thinking, writings, and attitudes of political prisoners by removing their books about politics and history, and family support of those who offer close emotional ties.

However, the last thing the system wants are prisoners that are conscious, who can challenge COs' malicious corruption, brutality, and unconstitutional policies that are used to oppress prisoners of color. The DOC claims they use fairness, justice, and equality while they prevent any communication with other inmates inside the special management unit (SMU) with isolation. Prisoners are denied to go into the law library with each other or loan legal material to other prisoners. They are trying to make political prisoners anti-social so they can prove to society that prisoners are uncivilized, and that there are no political prisoners in Pennsylvania's state prisons. Keep in mind that if prisoners stand up against the system the system will claim these tactics are considered "disruptive" behavior. Therefore, such inmates fear a loss of commissary privileges, or being placed on long term discipline for exposing the brutality within the system.

Therefore, the SMU is not a program because we prisoners are being treated like restrictive housing unit (RHU) prisoners: the SMU doesn't have daily counseling sections, group activities, or rewards for good behavior in Phase 4 or Phase 5. The SMU is housed on the same unit with the RHU. There is no separation between the SMU and RHU.

A Pennsylvania federal court struck down a law written to prevent incarcerated persons in the state from communicating with the outside public about injustice during the trial period. The April 28, 2015 ruling was a victory for worldwide political prisoner Mumia Abul-Jamal. The "Silence Mumia Act" that the Pennsylvania General Assembly called the "Revictimization Relief Act," exists no more, thanks to Mumia's lawyer Bret Grote. The ruling by U.S. Middle District Chief Judge Christopher C. Conner said the law "betrays several constitutional requirements; the enactment is unlawfully purposed, vaguely executed, and patently overbroad in scope." Judge Conner determined that the Act violated the First and Fifth amendments of the U.S. Constitution.

## THE SCALDING OF DB

by *Timothy J. Muise, MCI Shirley*

DB is 84 years old and has spent 46 years in prison. No one ever asks "when is enough, enough?" They just keep these old dying men in their cages. In DB's case, he is wheelchair bound; a wheelchair he cannot push himself. To keep an 84-year-old man in prison for 46 years, no matter his crime, brightly displays the failure of our criminal justice system. It also says so much more about our core value system. We must look at ourselves when we read of such "punishment" and ask "what end does it serve?" The tragedy of DB does not end there.

DB is housed in what they call the Assisted Daily Living (ADL) unit here at the state prison in Shirley, Massachusetts. This unit is run by a long-standing deputy superintendent who is known for her heavy-handed abusive treatment. The men in the ADL live in long hallway-shaped corridors that hold 16 beds and three TV sets to be shared. Last Wednesday, DB thought he would watch the news at noontime. One of the mentally ill prisoners he is forced to live with — forced by that abusive deputy who did not care about screening for suitability — did not want to watch the news on the TV. DB persisted, from his wheelchair, and a verbal argument ensued. A few minutes later, the mentally ill patient threw a pitcher of scalding hot water into DB's face. No guards in sight, no security cameras monitoring these dying prisoners, no "companions" as this deputy likes to call her workers, and no chance for an 84-year-old man to defend himself from being scalded.

DB needs someone to advocate for him. When I have advocated for other men in the prison hospital who were being abused, the superintendent of the prison wrote to me assuring me that the men were receiving 24-hour care and their needs were being met. This 24-hour care allowed DB to have scalding hot water thrown in his face. This 24-hour care allowed for the mentally ill to be housed with the weak and infirm. This 24-hour care is managed by a deputy who takes pen and paper away from dying old men if they don't heed her warnings to follow her rules; this way they cannot advocate for themselves. The great correctional abuser places her jackboot across the throat of the octogenarian. People are resistant to my brutal accusations, to my telling hard truths, but I must do so. For too long these abusers have been able to distort the truth, to make false claims that men like DB are still "dangerous" and need to remain locked up in a cage. The truth is sometimes very ugly.

DB sits in his wheelchair in a dirty pair of jeans and a dirty shirt, as the laundry in the gulag does not clean clothes unless you "pay" someone to clean them. He is unable to push himself, and must nurse festering boils on his face from the scalding. One deputy sees his dirty clothes while she asks him about the "accident," and says nothing. She sees an 84-year-old scalded man and cares

*(See Scalding, continued on page 15)*



## THE PRICE OF COST EFFICIENCY

by James Smith, CK-3029, SCI Houtzdale

In prison, violence is an accepted part of the culture; however, it does not have to be. Putting costs aside, changes can be made to reduce violence in prisons, thereby creating a better working environment for staff and those trying to live within its confines.

For instance, in a recent *Prison Legal News* (June 2015) an article, “New Report Cites Improvement at Troubled Ohio Prison,” states that at the Toledo Correctional Institution (TOCI), an inspection committee reported that the total number of assaults during 2014 had dropped 5.7 percent from the year before. The report attributes the decrease in violence due to the following changes:

1. Improvement in healthcare services
2. Fair treatment and accountability regarding both the grievance and disciplinary system, (including improved conditions in segregation)
3. Increase in access to purposeful activities
4. Reducing overcrowding
5. Hiring additional staff

The report goes on to say that because of these changes, “The institution is overall safer, with a perceptibly more secure environment.”

In contrast, here, at SCI Houtzdale, violence has become part of the norm. For example, after five guards were recently injured breaking up a melee in the yard, an anonymous employee of the prison violated the Pennsylvania DOC’s Code of Ethics when he was interviewed (without authorization) by the local news (WTAJ), stating that many staff who work here fear for their safety and that violence has escalated at the prison, making it an unsafe and hostile environment to work in.

The violence here at SCI Houtzdale does not surprise me; the prison is woefully overcrowded, healthcare is abysmal; the Activities Department is under-staffed (with no activities on the weekends, and limited access to the yard), fair treatment and accountability are rare within the grievance and disciplinary systems, and the prison is under-staffed with over-worked guards.

In conclusion, if the DOC administrators are serious about decreasing violence in their prisons, they might want to make some of the common sense changes by those at TOCI. In spite of what the bean counters may think, there is a price to pay in being too cost efficient.

Do you want to subscribe to  
*Graterfriends*?  
See the order form on  
Page 18.



## Legal Chat

### UNTITLED

by William Black, JX-3616, SCI Mahanoy

This is for all the legal minds and aspiring legal minds who have found themselves trapped in the belly of the beast known as the Department of Corrections. I have recently come across a few fellow “inmates” who are choosing to battle the court system with the ammunition of the “he said, she said” type. I am not advocating that this tactic is fruitless. However, it must be understood that there is a much bigger picture.

I have learned over time, and I’m continuing to educate myself on the importance of challenging statutes, statutory provisions (relation to sentences), statutory authorization, legislative intent, violations of the Constitution, duties of the officers of the court, and so much more. To me these issues are a much more direct approach in obtaining physical freedom. These issues challenge the illegal tactics that are being used on the same citizens for which the Constitution was created to protect.

My advice is to understand the Constitution, research cases, pay attention to the language being used, understand general assembly bills (not just crimes codes and statutes), and get a full understanding of how “the system” works. In order to win, we must be more knowledgeable than our opponent and we must learn the real rules of the “game.”

My intention is to spark our great minds and with that I exit the same as I entered with the universal language of peace.

## Correction

In the May/June 2015 issue, the Abolitionist Law Center was listed as a financial supporter of the Pennsylvania Prison Society. The correct organization is the Abolitionist Society. We thank the Pennsylvania Abolition Society for their support.

In the same issue, the article, “An Open Letter to the Administration at SCI Forest” on page 6 was erroneously attributed to Ralph Noman, GB-2057. The proper credit goes to Ralph Roman, GB-5705 at SCI Forest.



# Legislative Highlights

by Ann Schwartzman, Executive Director

The Pennsylvania General Assembly is currently in its 2015-2016 Legislative Session. As of press time, the legislature and governor continue to debate state budget. Below are bills that may be of interest, several of which are moving. If you can access the Prisoner Reentry Network ([www.phillyreentry.com](http://www.phillyreentry.com)), check the “Legislate” tab on top to search for bills and additional information. Please note, the information below is correct as of August 25, 2015.

BILL No. PRINTER	DESCRIPTION	CHIEF SPONSOR	PPS POSITION
<a href="#">HB 758</a> <a href="#">PN 1880</a>	Restitution wage attachment. Courts would be able to garnish up to 25 percent of a defendant's gross earnings to pay for court costs and fines. <b>(Passed House, 6/24/15; referred to Senate Judiciary Committee, 6/29/15)</b>	<a href="#">Rep. M. Toepel</a> R-Montgomery County	Oppose
<a href="#">HB 1089</a> <a href="#">PN 1881</a>	Further provides for collection of restitution, reparation, fees, costs, fines and penalties. Establishes a mandated minimum percentage for deductions from deposits made to inmate personal accounts in county and state correctional facilities. Current law authorizes, but does not require, prison officials to deduct money from inmate accounts to satisfy a prisoners' court-ordered restitution. <b>(Passed House, 6/26; referred to Senate Judiciary Committee, 6/29/15)</b>	<a href="#">Rep. T. Stephens</a> R-Montgomery County	Oppose
<a href="#">HB 1425</a> <a href="#">PN 1982</a>	Provides for expungement or an order for limited access of criminal history information for certain offenses. (See SB 166). <b>(Referred to House Judiciary Committee, 6/28/15)</b>	<a href="#">Rep. J. Harris</a> D-Philadelphia County	Support
<a href="#">HB 1467</a> <a href="#">PN 2068</a>	Fair Hiring Legislation, calls for Ban the Box statewide. Further provides for use of records for employment and procedures for employers. <b>(Referred to House Judiciary Committee, 7/22/15)</b>	<a href="#">Rep. L. Acosta</a> D-Philadelphia County	Support
<a href="#">HR 430</a> <a href="#">PN 2066</a>	Urges the administration to adopt Ban the Box policies for certain state agencies' employment applications. <b>(Referred to Committee on State Government, 7/22/15)</b>	<a href="#">Rep. T. Murt</a> R-Montgomery and Philadelphia counties	Support
<a href="#">SB 431</a> <a href="#">PN 382</a>	The Ex-Offender Increased Access to Employment Enforcement Act and Fund; Ban the Box concept. <b>(Referred to Senate Labor and Industry Committee, 2/12/15)</b>	<a href="#">Sen. V. Hughes</a> D-Montgomery and Philadelphia counties	Support
<a href="#">SB 166</a> <a href="#">PN 1155</a>	Originally provided for expungement of criminal records for certain misdemeanors. Amended to now call for filing for a petition for expungement or order for limited access of criminal history information for certain offenses; includes a fee of \$100 to file. (See HB 1425). <b>(Passed Senate 2/23/15; passed House Judiciary Committee and House Appropriations Committee; re-reported to the House 7/21/15)</b>	<a href="#">Sen. S. Greenleaf</a> R-Bucks and Montgomery counties	Support, with concerns about amendments

## Consolidation of PA Corrections and Parole - Merger Bill

[SB 859 \(PN 976\)](#) and [SB 860 \(PN 977\)](#) are two separate bills calling for the consolidation of Corrections and Parole, sponsored by [Sen. Stewart Greenleaf](#) (R-Bucks and Montgomery counties). Under these bills, state parole agents will be appointed and supervised by the DOC, but the Parole Board will continue to have the authority to establish conditions of parole. Technical changes will be made to the Crime Victims Act, such as where it is housed, but no substantive changes to the act will be made.

The Pennsylvania Prison Society supports some provisions in these bills, but is continuing to review them. The bill has been on the Senate floor since 6/30/15.



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

by Michael Zirulnik

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

### Part IV: Recognizing intellect — new faces of political influence

That guy, the one that still haunts David, “he could have been a professor, a teacher like you!” David once told me. “He was a smart man. I don’t know how he got away with some of the stuff he got away with! Man this dude affected the presidency!” This ‘dude’ happened to be David’s brother-in-law. “But I never let him know where I lived. I didn’t want to get my family involved in what I was doin’,” David recounted. This gangster was powerful. David knew that if he found out where he lived, that he’d do like he did to so many others before him—show up at 3 or 4 in the morning, bang down the door and make you do what he wanted — like sell drugs, transport them, take his anger out on you and beat the life out of you, order you to kill someone for him, or, simply come to kill you.

“I was scared, dude,” David told me in his deep booming voice, now broken, with a nervous laugh. “Yea man, I think that he respected me ‘cuz I never showed him my fear.” Most people just begged him to stop beating them or said, “Please, please don’t kill me!” and they would cry and show their fear, cowering down to him, something David refused to do.

“One day I just decided I needed to get out of this life.” There in the cool damp air Seattle is known for, David made his way to the home of his brother-in-law. He knocked on the door and when he answered, David told him he was out. He was changing his life. This wasn’t for him any longer. “I shouldn’t really be here right now. People don’t say things like that to him. And if you did, you’d be dead — but I knew I just couldn’t do this anymore so I had to take it like a man — if he killed me, then so what? That’s just a part of this life.” So death, or being killed, I realized is just one very calculated risk that gangsters think about, account for and recognize as a part of this “career.”

It was a risk that David’s brother-in-law also accounted for, all too well. So well, in fact, that David thinks he outsmarted himself. That picture that haunts David even today is the photo of his now-deceased brother-in-law, the one with the bullet holes dotting his slain body. Maurice Clemmons, first incarcerated as a juvenile at the age of 17, is the man whose 108-year sentence was commuted in Arkansas by the then-Governor Mike Huckabee. Huckabee had to drop from the Presidential race because of it. Clemmons is the same man who murdered four police officers eating breakfast at a coffee shop in a town not far outside of Seattle in 2009. Clemmons, whose rap sheet stretched from one end of the nation to the other, happens to be David’s brother-in-law, gunned down by police after a manhunt to find him soon after he murdered those four police officers execution style.

Money is attractive, and so is power. With small businesses and a part-time job as the weekend building manager, by no means is David financially wealthy but one day he may be — legitimately. The hundreds of thousands and even millions of dollars I’ve known to flow through the hands of gangsters turns out not to be so attractive after all. Why Maurice Clemmons didn’t come to the same realization that David Lee did, I can only speculate. But thinking long-term with a short-term impetus for action in a time where money is tight and police expenditures are in the hundreds of billions, it might be a good idea for us to find more *David*s — the 40 percent who never make it into the news because they don’t ever make it back into prison — and less *Maurice*s, so we can learn from their stories. Maybe then this nation can begin healing its incarceration crisis.

### MOVING?

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



## Literary Corner

### FREE BLACK AMERICAN

*Chervantes Mayweather, OV-0944, SCI Muncy*

I'm proud to be a free Black American  
Standing tall strong and looking sophisticated  
I once was part of this world filled with hatred  
But now it's more on a political and economical basis  
I'm not ashamed to say where I've been  
Where I am and where I'm going  
Time and time again all I hear are people hiding  
The troubles that seem like we're not trying  
But don't lose faith  
Because faith is all we have  
And if we lose that we are had  
I know we all feel sad  
But right now refocus and let's be glad  
For we can take this further than we think  
Without having to be rehabilitated by some high paid  
shrink  
For we are free now  
And there's no turning back  
So let's go forward with our freedom where it's at

### TO MY VICTIMIZED SELF

*Lamont Harvey, HE-1327, SCI Waymart*

Why me...Why did you make me lose trust in every-  
one around me. Why did you take my sense of protection  
around people away from me. Why did you take my phys-  
ical, mental, and emotional sense of protection away  
from me in my home and in society.

Why me...Why didn't you protect me as well as love  
me like I was supposed to be loved.

Why me...Why did you take your anger and madness  
for someone else out on me.  
Please tell me,

Why me...Why did you take my comfortability around  
family as well as friends away  
from me with your acts of abuse and violence towards  
me. Why would you hurt someone you were supposed to  
love, please tell me.

Why me, why me...

### THE CORRUPTED PRISON BUREAUS, INSIDE LOOKING OUT

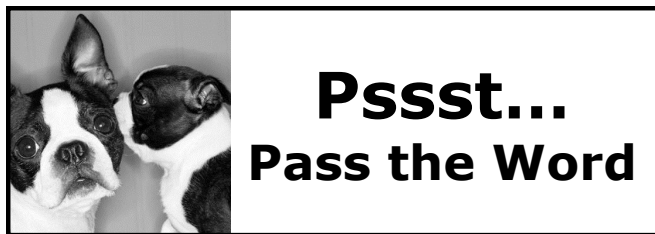
*Maruerite Mason, ON-9183 SCI Muncy*

1. We work in many offices, for over many years.
2. We help distort state prisons, make convicts live in fear.
3. These inmates have no future; we'll make sure of that.
4. The lies we put into their files, is bound to set them back.
5. The hits we put before they leave, will give them much more time.
6. To sit and rot in prisons and waste precious minds.
7. We'll get back together from time to time, to vote on whom we can free.
8. But we don't want to free no one, as far as we can see.
9. This job we get is our bread and butter, the smoothest job we'll have no other.
10. We'll fill their heads with lies and deceptions that have no mean of legal corrections.
11. We'll crush the hope of the poor and lonely; give them a choice of prison only.
12. They are so hopeless, they confide in us, hoping some way they can earn our trust.
13. But as long as we get a lot of money to ruin their lives, we think it's funny.  
That they can't voice their own decisions and that's the reason... they're still in prison!

### LIFE OF CRIME

*by Jaharee Charles, AN0539, Valley State Prison  
Chowchilla, CA*

It all started at the age of twelve  
When I was introduced to Crime.  
I quickly fell in love with her  
Because I felt she was all mine.  
The thought of possessing anything  
Whatever your heart desired,  
Not ever having to buy a thing  
Was something I admired.  
I later met a friend of Crime's  
Which was this tough guy named Jail  
The police introduced us  
When they locked me in a cell.  
Guess what's next, another friend,  
This man's name was Time.  
His friendship you wouldn't forget  
Which was the consequence of Crime.



## **NOW THAT I HAVE EVERYONE'S ATTENTION**

*by John Hall, AS-2820, SCI Frackville*

There are at least six or seven articles concerning one of the most pressing issues in the [March/April Graterfriends](#). Yes, I said one of: most articles spoke about being taken advantage of by high prices and price gouging. Everything from merchandise, commissary, tele-phones, TVs, and now the much anticipated “tablets” by Global Tel-Link and JPay, too. Get involved. In an article by prisoner R. Rezzeca, he stated he wrote to the Better Business Bureau and the Bureau of Consumer Protection, and they both said they have no control of this and we (prisoners) can file a grievance. Isn't this the same response “we” get from just about everyone nowadays? Is everyone who once fought for our rights now co-opted by the DOC and corporate big wigs? Get involved.

Now that I have your attention, listen to this. Back in 1995 I and a few others from Pennsylvania were the ones who kept the full pressure on the phone company that was ripping our families off for years with those over-priced phone calls. We pressed and pressed guys in all prisons to please help in this worthy cause, to put a stop to what amounted to our being outright exploited, our families being exploited. Very few of you showed any real interest. However, now everyone has benefited from the low cost of phone calls. Thank guys like George Brooks when you see him. He is almost 70 years old.

For many years, I've warned you guys that such things are coming our way. First they push it down midwest prisoners' throats, than they slowly push it on the eastern regional. Always!

Anyhow, here's what is happening here in the RHU. Prisoners are now made to pay for razors, toothbrushes, prison soap, etc. All things that were once given to you, you now must pay for. Sounds unbelievable? Well there is more. The new razors are half the size of the old orange RHU razors which were most times ineffective. These new razors are half the size of the already small orange ones, and don't shave well at all. And get this: these cost three times as much as the 18-cent razors in general population. Three times as small yet three times as costly. Have prisoners become that gullible? Stop complaining and lets all-get involved.

Ok, heads up young guys, tough guys, nice guys, religious guys, visit-getting guys, killers, etc. The same folks

**[\(See Attention continued on page 17\)](#)**

## **[Parole for Lifers, continued from page 3](#)**

Japanese auto makers. And here is why.

On May 20, 2015 the U.S. Department of Transportation announced that upwards of 34 million cars were being recalled due to malfunctioning airbags. And Toyota, now the world's largest auto maker recalled millions of cars due to malfunctioning accelerator pedals. The success rate of less than one-tenth of one percent of commuted lifers re-offending is phenomenal by comparison. Those who gamble and/or play the lottery have a better chance of winning.

It is often said that numbers don't lie, or that they prove themselves. If this is the means test for success, then granting parole eligibility is a safe bet. And further, we can take page from those sacred books and history's examples. History is and always has been the best teacher. Granting parole eligibility is not unreasonable.

## **PARALEGAL CERTIFICATE PROGRAMS**

Hello, my Brothers and Sisters. I am looking for your input on this. Many of you, when you write to *Graterfriends* say you are paralegals. I have been looking into the correspondence certificate program offered by Blackstone Career Institute. Has anyone had any experience with Blackstone? Are there other programs that you would suggest, and why?

Thank you for your insights and suggestions, they are very much appreciated.

Bernie Shero  
LB-2004, SCI Houtzdale

**“Imprisonment has become the response of first resort to far too many of our social problems.”  
—Angela Davis,  
American political activist**



### **Inmates diagnosed with psychological or psychiatric disorders after you were sentenced:**

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

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

### **If you are a prisoner who has**

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

Prisons Foundation  
PO Box 58043  
Washington, DC 20037

### **Fight For Lifers West In**

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

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

### **Answer, continued from page 3**

To sum everything up, we are the answers to our questions and the solution to the majority if not all of our problems behind these walls. Instead of blaming each other for “how it is” to “how it was,” we should be helping each other by uniting to find our solution. You all think that it’s bad now? Well what do you think the future holds if we continue to do nothing? We are not each other’s enemies. Wake up before its too late brothers and sisters of this quest. United we stand, but divided we will continue to fall!

### **Pacifiers, continued from page 3**

are anxious to get that pacifier as well and smile like a child in a candy store. We become that protected pullet eating our allotment of feed while under the cover of safety, while the DOC hawk finds another way to scare us into running into our cells or skipping meals — all because we have pacifiers and don’t complain about the lack of good food and the lack of quality of food.

So, I guess as long as the many keep buying pacifiers, the few who try to fight will be eaten up by the DOC hawk. The hawk will keep taking our money as it swoops in for the kill..

I guess things will never change until the many stop falling prey to all the pacifiers that keep us quiet — and yes, I did say “us,” as I am just as guilty. But no more will I allow myself to fall prey to the hawk. I will just make do with what I have and will only purchase what is needed for my trivial wants and needs.

### **Please Remember our Submission Guidelines**

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

These guidelines include:

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

**Sloane, continued from page 2**

bers of a diverse group are more lenient towards black criminal defendants. This leads to the conclusion that the benefits of a diverse jury are broader than just the information exchange between members of a diverse group.

The U.S. Supreme Court has held that a potential juror cannot be eliminated from serving as a member of a jury because of his or her race, gender or ethnic origin. Here in Pennsylvania, the Pennsylvania Supreme Court recognizes that a citizen-juror has a right not to be discriminated against and when purposeful discrimination occurs, relief may be granted regardless of whether the discrimination produces an “unfair” jury. *Commonwealth v. Hackett*, 956 A.2d 978 (Pa. 2008) When the defense suspects a prosecutor has used a peremptory strike to remove a juror based upon that juror’s race, gender or ethnic origin, then the defense must raise a “Batson Challenge” which is aptly named after the landmark U.S. Supreme Court case of *Batson v. Kentucky*, 476 U.S. 79 (1986). The Pennsylvania Supreme Court recognized in *Commonwealth v. Sneed*, 45 A.3d 1096 (Pa. 2012), that it is the defense’s burden to show that the prosecutor “purposefully struck potential jurors based on their race [or gender or ethnic origin].” If the defendant makes what is called a *prima facie* showing, the prosecutor must then provide a race-neutral explanation lest the objection be sustained and the juror seated.

It is important for attorneys to understand that racial identity between the excluded juror and the defendant is not required to challenge a prosecutor’s use of a peremptory strike. *Powers v. Ohio* 499 U.S. 400 (1991). In other words, the juror and the criminal defendant do not have to be the same race, gender or ethnic origin for the defense to argue that the prosecutor’s use of a peremptory strike was unlawful.

In the case I referenced above, in which three African-American women were removed as potential jurors by the prosecutor, I argued that the prosecutor struck two of the three women based upon race. Erie Common Pleas Judge John Trucilla agreed that the prosecutor failed to provide a race neutral explanation and sustained the objection for both women.

In an unrelated trial, a welfare fraud prosecution of a white defendant prosecuted by a different assistant dis-

trict attorney, I again challenged the prosecutor’s use of peremptory strikes to remove two African-Americans from the jury. The prosecutor provided what he argued was his race-neutral explanation, “She is a single parent with three children. That is the reason I struck her.” The prosecutor continued, “I was concerned about bias because there’s a possibility that she [the African American single mother] is on food stamps or some other form of welfare.” Unimpressed by the young prosecutor’s assumption that the African-American single mother was likely on food stamps and would therefore be biased against the prosecution, Erie Court of Common Pleas Judge John Garhart ultimately sustained the *Batson* challenge for both African-American jurors in that case.

I want the reader to know that making a *Batson* challenge is not always easy for a criminal defense attorney to do, even when it is clearly the right objection to make, both for the criminal defendant as well as the juror who was removed. It was an especially difficult objection for me to make in the first case described above, in which the three African-American women were removed. You see, the prosecutor in that case is an individual who I know and respect, having been involved in numerous cases with him. In alleging that he had removed the women from serving on the jury because of the women’s race, I was in essence accusing him of being “racist,” at least when it came to jury selection. I suspect that the awkward displeasure that I felt may be why so few attorneys properly raise *Batson* when a juror is struck for what appears to be no other reason than the juror’s race, gender or ethnic origin. Nevertheless, I set aside my personal feelings about my colleague and I made the objection. I did so because it is my job to protect the right of my client to receive a fair trial and according to the studies referenced above, selecting a diverse jury makes it more likely that my client will receive a fair trial.

It appears that the prosecutors learned their lesson from my successful *Batson* challenges. Last week during a trial with the same assistant district attorney who previously struck three African-American women, we were presented with a jury pool that included two African-American men. I am happy to report that both men successfully served as members of the jury.

**Consequences, continued from page 6**

suggesting that all internally implemented rules need to be abolished, but I wonder when issues like the one raised above will be appropriately addressed.

Do hearing examiners not comprehend that there are consequences to the consequences they impose? This man, he understands. He received his response to his appeal and ran to my cell. “Dey do let me in school again,” he uttered, showing the response to me. I read it and told him what it said. He stared at me like I’ve failed him. “Why dey don’t wanna let me learn,” he asked, turned away, and walked back to his cell.

**Scalding, continued from page 8**

not to help him seek release. Her gulag is forever. Her scalding will come in hell.

DB will not ask, so I ask: “When is enough, enough?” When will you contact your legislator and ask that compassionate medical release for prisoners be implemented? When will you disavow the abuse of the gulag jailer and seek to refresh our kind and caring nature as free people? Look in the mirror; the day is today!

**Redeemed, continued from page 7**

Sadly, this is not the case for 90 percent of the young men condemned by the criminal justice system to a bleak, painful, agonizing existence. It is not in the interest of the DOC to aid in maintaining the humanity of the men, women, and children in their care. Justice and humane correction are nonexistent in “the system.” The prime directive of the system and the DOC is to exploit the fears of society and the voting public in order to sequentially contain the impecunious, desperate masses inside a warehouse that sustains a for-profit-only enterprise.

After filing the motion to correct this illegal sentence, after more than 20 years served, Edwin Ikey Mare’s sentence was changed from one of life imprisonment without the possibility of parole to one of life with the possibility of parole in 25 years. This past March, after giving high praise to Ikey’s latest works of fine art, the parole board stated that his parole was “imminent” within the next few years.

I sat down with Ikey this April to ask him some questions about his deliverance and his plans for the future.

Q. What’s up Ikey? How are you today?

A. Just livin’ the dream man, one day at a time.

Q. I’m just going to come out swinging with the big questions, OK?

A. Lets do this, Granmah.

Q. Did you ever think you were going to die behind bars?

A. I had hope in the beginning until my appeals ran out. Then I guessed that death in this place was just my fate. I accepted it.

Q. Do you feel that the criminal justice system has stolen from you a life that could have been?

A. I feel like if the cops and lawyer had done an honest job instead of running on hearsay, maybe I coulda had a good little life. Like a happy one, wife, kids, dog, career, ballgames, barbeques.

Q. Are you worried about the less than fair conduct and opinions of parole officers and the biased public?

A. A part of me, yeah, but I’m going to do everything in my power not to come back. I’m going to get my tattoo career up, and just focus on my art, you know? Make love, make my masterpiece!

Q. Do you have any regrets about the self-preservation type of survival tactics you utilized while doing your time?

A. Not all the time, but it’s like a dog-eats-dog thing, you know? When you see someone getting stomped or stabbed up you think, “Better them than me.” If you have to go to war to protect your own, or make a point, you get your knife wet and you never look back. That’s just the way this life is.

Q. What do you say to the thousands of kids who are stuck in the same position that you were in?

A. No matter what you’re up against, keep some kind of hope, believe in yourself, and remember that there isn’t a hard time that you can’t get through. I did it, so can you.

When the day finally comes and Ikey walks out of this barbed wire file cabinet that has held him in a Twilight Zone type of bad dream for his entire adult life, he will be walking into a world that has not known his face since it was that of a child. He will be greeted by an unfiltered sun, and his lungs will breathe air that is solely his. Society will regard him as a third class citizen, if that.

His place in the free world will be valid, and the fascists will scramble fervently to take this away. Nevertheless my friend will be free.

**Planning, continued from page 1**

reading. Laws have changed for the worse, yet none have been put in place to help any of us get out. There are so many lifers now. Is this what you want for yourself? I should hope not!

Time has rolled on and will keep on rolling, with or without us, while we continue to go back and forth to prison. Family members have passed on. Our children had children. Nothing we knew is the same anymore. If you and I don’t make the choice to do something different and make a plan while we’re here, our futures are bleak, and we will return again. If nothing more, our purpose in planning should be that we live free and not deliberately give away our freedom to this system.

Personally, I came in illiterate of the law and still wild at 46 years old, not knowing society was tired of my bad self. Their plan was to lock me away for a nice period, where they hoped I’d get old and gray by the time I came up for parole. I was sentenced five years ago to 11-20 years on a third strike. I was lucky that I had determination and the will to fight. I learned the law, realizing that I was about to grow old in this horrific place that I know to be a mental institution and nothing more.

Here at SCI Mahanoy, the younger generation has a saying about oldheads like myself. They say, “You’re a finished oldhead!” At first, I began to say, “I’m not finished!” Then I stopped to think about just what they were saying to me. I should be finished, it’s really not a bad thing. If I am finished, that should mean that I won’t be running in and out of prison anymore. So, I humbly accept this “finished” role in criminal activity. I will hold on to the attribute to my end as you also should, if you’re anything like I am perceived to be now. My message is clear: Let’s all use this time not to complain about all we don’t have, but relish the time to learn from our actions and to stop making the same poor choices many times over. Look into yourself. I know you all have a skill or a benefit to our society. Let’s use those tools and skills locked in your mind to stay free. Plan, plan, and plan again. If nothing changes, nothing changes!



**Gideon, continued from page 1**

see on various TV shows, our homes like those on *The Cosby Show* or *Blackish*, and we should be wheeling and dealing like those on *Empire*.

We are disappointed when the media's projection of the "good life" conflicts with the truth of our "real life" and we perceive ourselves as coming up short. Even with all of their supposed inadequacies, our mates, siblings, children, jobs, place of residence, friends, and even our places of worship are in most cases a blessing in our lives and we are a complementary blessing to them. So, given all of life's conflicting signals, how do we develop an attitude of gratitude? Good question!

The first step in developing an attitude of gratitude is to put our lives and goals in perspective. I once witnessed a prisoner teasing another prisoner because he had to take his GED for the third time. I asked the prisoner talking the test, "Did you learn something new each time you took the test?" He told me that he did, then said: "I could barely read or do math when I first came to prison and I'm going to take my GED test until I pass it!" His goals and performances were in sync with his perceived goals, skills, and abilities because he was striving to be better; he was grateful that he had learned much more than he knew before coming to prison and he was determined to get his GED!

The next step is to count your blessings. To be able to see is a blessing to the blind; to be able to read and comprehend and articulate is a blessing to the illiterate. Our challenge is to finish what we have started and to preach what we practice. A healthy perspective is the key to developing a winning attitude.

Start counting your blessings right now! If you are able to read the *Graterfriends*, you're more fortunate than almost 2 billion people in the world who cannot read. Get a tablet and start your list. Start first with yourself. Next, look at what you must do to change the things in your life that are causing you to complain, to feel pain and inadequacy. Next, look at what must be done to better the relationship with your mate, your siblings, your family. Look at what your life and future will look like if you start correcting the things that cause you to complain and suffer in the first place. For most people, their blessings far outweigh their hardships.

Finally, give thanks to the creative force and share your blessing with others. Having an attitude that will bring fulfillment and joy to your life is rewarding. When you get in bed tonight, be thankful for that! Then count your blessings, and if you are awake that's a blessing within itself because it allows you to be a blessing to those around you as I was a blessing to those young men I talked to in the prison yard.

**Attention, continued from page 13**

(activist organizations) who help us fight the greedy (corporate) big wigs are asking us all to send our name, stories, and how "you and your family have been exploited." Join Stop Prison Profiteering [a campaign of the Human Rights Defense Center] at [www.stopprisonprofiteering.org](http://www.stopprisonprofiteering.org), or call 1-877-410-4863 and leave a voice message. Write to *Prison Legal News*. Get involved!

**Perjury, continued from page 6**

take, they targeted the fragile state of my family and exploited their trauma. There was no turning back. They aggressively initiated the process of turning my family against me with known lies, as documented in their reports, and in letters received from my wife.

I would die thousands of times since that fall day in 1997, even after two autopsies they called "trials" in 1998. They dissected me as I watched in their kangaroo court, removing my organs one at a time. They saved my heart for last. With demonic precision, they sliced it into pieces.

I observe now from my corpse, as I ask questions that only a dead man can answer. The manner of my death was homicide. The official cause of my demise is multiple rounds of perjury. No one has been charged. The case remains open.

**The Prison Society does not provide compensation for overcrowding in the Philadelphia Prison System.**

**It's a rumor.**

Contrary to what you may have been told, no compensation is available from the Prison Society — or any other agency — for individuals who have experienced overcrowding at the Philadelphia Prison System

*It's simply not true.*

The Pennsylvania Prison Society is a non-profit organization advocating for and providing initiatives that promote a humane, just and constructive correctional system.

**Mailroom, continued from page 5**

state’s system, unfortunately, come from Philadelphia County. In saying that I say this, everyone’s constantly saying we need to put back. For the sake of conversation, let’s say I agree: why can’t I/we put something back into the community(s) in which we have committed various offenses? One might even consider such actions as a revitalization program designed to replace some of what many have been taking for so long from various communities. I don’t know too many troubled kids that come through the state’s penal system by way of Centre County, and from what I’ve seen, they are not in such dire need of help as Philadelphians.

It was said that all funds must be donated to this county. Who determines whom we are able to donate funds too, providing it’s a legitimate charitable organization? What about the Pennsylvania Prison Society, who has provided inmates with invaluable services for over a hundred years, or the Philadelphia Boys and Girls Club, where one additional donation could make a tremendous difference in a child’s life.

I think this is another one of the state’s and/or SCI Rockview’s many scams they have forced upon us. This one has to be just as good as, if not better than, the bootleg new televisions they force inmates to buy if one should desire to watch TV.

Has any other organization experienced this problem? Or, is SCI Rockview so clever that they can pull that one off, too! I welcome any and all assistance regarding the matter. I’m just not going to pay a lot for this muffler.

S. Naiym Harper  
GC-5717, SCI Rockview

**WELCOME POPE FRANCIS**

People of all faiths should welcome Pope Francis to Philadelphia. He has restored the relevance of his church and has had a positive influence worldwide. Both President Obama and Cuban leader Raul Castro credit the Pope for their renewed diplomatic ties: An Atheist Communist and a Protestant President brought together by a Catholic Pope.

Many of us at Graterford wrote to the Pope, asking him to come here. He has visited many prisons in his travels, and intends to visit CFCF in Philadelphia this September.

Pope Francis has spoken out against LWOP (Life without Parole), calling it a slow death penalty. He has also spoken against economic inequality saying his dream is to lead a “poor church for the poor.”

While not Catholic myself, I see the new Pope as a powerful champion of human rights. We should all welcome him to Pennsylvania as a powerful champion of human rights. We should all welcome him and listen to what he has to say. The world has been blessed with a leader who cares about the least among us.

Richard Cross  
FF-9878, SCI Graterford

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***Collateral Consequences, continued from page 20***

This is part of a disturbing pattern in neighborhoods that are witnessing high rates of incarceration and subsequent high rates of reentry. Many of those who stay in the neighborhood are children and grandparents, while the able-bodied men and women are in the system or rotating in and out. When they return, finding stable work can be a daunting obstacle due to few skills, long times away, and the branding of “former offender” that they encounter with their backgrounds. This undermines the future of the neighborhood as unemployment may be high, more crime may exist, and the cycle begins again.

The unforeseen and unintended consequences of the growing criminal justice system are impacting more and more people caught up through no fault of their own. There are now at least two million children across the United States with an incarcerated parent. The number jumps to seven million or more when you add up parents who are in jail, in prison, on probation or parole — under some form of correctional supervision.

In addition, more and more women are now being incarcerated. Six percent of the women going to prison are pregnant, and more than two-thirds are already mothers. Many are mothers to young children under five, and most were the primary caretaker of their children prior to incarceration. A large number of them are young, with little or no parenting skills themselves. Clearly, programs for parenting are needed in the jails and prisons, but also in the communities, both before and after imprisonment.

Support is needed from a multitude of agencies and departments. There is no system, no specific agency that focuses on these children. Who are they? Where are they? How many children are falling through the cracks? What is happening to these children? If these at-risk children’s needs are not met, if they don’t receive the services and the security they crave, they may be the newest members of the criminal justice system in years to come.

We applaud efforts by State Senator Greenleaf ([SB 163](#)), State Representative Murt ([HB 807](#)), and State Representative Parker ([HB 763](#)) for introducing legislation focusing on the needs of children of incarcerated parents. SB 163, which provides for language excluding parental termination based solely on a parent’s incarceration and an arrest policy that would help prevent the trauma often experienced at that time, is of critical importance to children impacted by incarceration through no fault of their own.

The pain of losing someone is compounded by the reality of incarceration- there are still bills to pay, children to take to school, groceries to buy, doctors’ visits to schedule, and perhaps older parents to care for. Life often changes dramatically in a split second, but little focus has been placed on the family left behind.

A wife I spoke to recently in a prison visiting waiting room stated that she could not pay her next month’s rent. In spite of working two jobs, she could not make

ends meet. Her husband, now incarcerated, had been the breadwinner and he paid the bills. Her new part time jobs don’t pay much and it makes her nervous about the children she is leaving home alone. She is afraid of being tossed out and homeless. She has three children to care for and few skills.

An older mother called on the phone crying. Her son took care of her. He took her to doctor’s appointments. He kept track of all the household issues. She does not drive and uses a wheel chair. She lives in a rural area and has no clue as to how she will survive now that he is away for years to come. She cannot visit — it’s too far and too expensive. She is afraid of what he is experiencing and she hopes and prays he will be alright.

A few years ago in a parenting class, we heard muffled cries from the side of the room. One of the fathers realized that he had missed 13 birthday parties of his two children. He spoke of how painful those missed birthdays must have been for them and how he wanted to be a better father. He was not sure how, though, as he never had his own father at home.

And just last week, during a Day of Responsibility we coordinate with the prisons, an inmate stated that he had been so busy in his own case that he did not consider the hardships his family was facing. The Day of Responsibility made him consider the cost of a visit for them to see him and the time commitment. His mother is getting older and still works to help support the family. She has to take time off of work to visit. This burden is hidden as she never complains, but it adds to the stress she deals with every day.

To survive the time of incarceration and reunification, the remaining family needs support, both emotional and financial. They also need help navigating the rules and demands of the prison world. Traveling to prisons that could be nine hours away (from Philadelphia to Albion, for example) is also costly and time consuming. Taking time from work may be a problem, as well as taking children out of school for the day. Some prisons can only accommodate two children at a time due to space. What does that do to a mother with five children who is working two jobs and trying to maintain ties with her husband in prison?

Families also often bear the cost of purchasing commissary and paying for phone calls. More and more costs are being transferred to inmates, who may not earn enough at 19 cents an hour to afford specific items such as underwear or food. That burden then transfers to the family. As technology advances, companies play a role in providing ways to pay directly, most often with surcharges. JPAY offers many services but charges a fee for transactions. Older family members are often limited in their computer abilities and have difficulty navigating the internet to make these purchases or deposits.

These are some of many issues that need reform. One recommendation is to bring a new focus to collateral consequences with a statewide, collaborative task force. This will bring a coordinated approach to these issues that are ripe for solutions.

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## COLLATERAL CONSEQUENCES OF INCARCERATION

*Abridged version of testimony by Ann Schwartzman, Executive Director, Pennsylvania Prison Society to the Pennsylvania Senate Judiciary Committee on June 23, 2015*

*We have a serious problem with incarceration in this country. It's destroying families, it's destroying communities and we're the most incarcerated country in the world."*

*—John Legend, [The Huffington Post](#), 4/13/15.*

The Pennsylvania Prison Society is pleased to have the opportunity to submit testimony on the collateral consequences of criminal convictions. We applaud Senator Stewart Greenleaf, Chair of the Pennsylvania Senate Judiciary Committee and Minority Chair Daylin Leach, as well as the Committee, for holding the hearing on a topic that is important but often missed. Incarceration is at all-time high levels in the nation and in Pennsylvania with over 2.2 million behind bars nationally and nearly 100,000 in Pennsylvania with county, state, and federal inmates. Add those arrested, pending trial, on probation and parole, and those in substance abuse treatment or rehab, the numbers skyrocket. The impact of this multi-layered system can be seen far and wide, impacting neighborhoods, cities, families, and children.

When an individual is incarcerated, they remain in their role of mother or father in addition to inmate. They are often loved by family and friends and have been part of a family unit. Their absence creates a void for the remaining members. That void brings hardship and struggle for many families, and can be devastating.

Whether it is the mother, father, sister, brother, child - other individuals feel and experience effects of impris-

onment. They often experience the loss of income, loss of self-esteem, grief, and blame. They may be ostracized by their community or their friends. Children, in particular, are affected. They may not understand the circumstances, and suddenly lose their loved one — who may be their sole supporter and provider. They may experience loss of their mother or father as well as their home, their school, their friends. Their lives can be completely changed in an instant. Family members enter a world not familiar to children – a world of barbed wire, security searches, vending machine food, and new and confusing rules.

During incarceration and upon reentry, the consequences felt by the offender also impact the family. While their loved one is in prison, family members may be anxious about conditions in the prison, such as medical care and food. When returning to the neighborhood, issues such as economic stability arise: Difficulty in securing employment, complications surrounding government benefits, subsidized housing, student loan issues, and support issues shake the essence of the family.

[\(See Collateral Consequences, continued on page 19\)](#)