

STATEVILLE

SPEAKS HJR80

VOICES FROM INSIDE... SPECIAL HJR-80 ISSUE

AUGUST 2006

A View from Behind the Wall

George Goodman



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After being asked to write about HJR80, I read the resolution with the skepticism and apathy of one who has endured the soul-crushing daily grind of a long-term sentence. I am into the 16th year of my Natural Life sentence.

The proposals set forth in this measure stirred the glowing ember of hope deep in my heart. Hope in itself can be a dangerous thing if not held in check by the harsh realities of life. As I studied HJR80, it occurred to me that it directs the Committee to study and research the very heart of the ills affecting the legal and penal systems in Illinois. Being exposed to these shortfalls on a continuous basis 24 hours a day, 7 days a week, 365 days a

Continued on page 3...

What is HJR80?

Frequently Asked Questions about House Joint Resolution 80 (HJR80)

Shaena Fazal

○ WHAT IS HJR80?

HJR80 is a House Joint Resolution that State Representative Art Turner introduced to the General Assembly in the last legislative session. The Resolution calls for a Committee to study long-term sentences and life sentences in Illinois, including: costs of confinement; warehousing prisoners; life without parole; truth-in-sentencing; recidivism, and; whether long-term incarceration is the best use of state funds to further the goal of public safety.

○ WHAT IS THE DIFFERENCE BETWEEN A “RESOLUTION” AND A “BILL”?

A bill, if passed by legislature, must be signed by the Governor and then becomes a law. A resolution is passed by either or both houses of the legislature (“joint” means both houses voted to approve it), but it does not have to be signed by the Governor. A resolution does not create a new law or change any existing laws.

○ WHO WILL BE ON THE COMMITTEE?

The 17 committee members will be appointed by various government officials from both sides of the aisle. The people who

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hope / change / redemption

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Coverage

WHEN YOU NEED IT

INMATES IN EACH DOC PRISON CAN SUBMIT ARTICLES TO
STATEVILLE SPEAKS

Reasons to Reinstate the Parole Board

William Peoples



The State of Illinois is in a fiscal deficit. 10% of its current population has life without parole. It costs the state upwards of \$30,000 dollars to house, clothe and feed each convict. Factor in the exorbitant cost of health care for a segment of the prison population whose health is declining, and you have a financial drain on the state coffers. With the rate of crime and conviction, these problems can only increase. Add to this the segment of the prison population with 20, 30, 40, 50 years serving 100% of their time, and the state will be in dire straits financially. It stands to reason that more and bigger prisons will be necessary to house the newly convicted. Illinois has 2 prisons right now that it cannot afford to open.

I would like to preface my plan by saying that parole is not about being soft on crime or coddling criminals! I propose a stringent parole mechanism designed to: a) protect the public; b) reintroduce reformed men and women back into society; c) ensure that these men and women will be valuable and constructive components of their communities.

Criteria for Consideration of Parole

A) Applicants must demonstrate through word and deed that they denounce all gang affiliation and criminal activity. Reason: Gangs play a major role in the deconstruction and demoralization of our society. The distribution of drugs contributes to and exacerbates the drug problem in our communities, the loss of

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year, I have had occasion to identify the problem at length. These are my thoughts from behind the wall.

As I said, hope can be a dangerous thing. Although dangerous, hope is necessary for the human psyche to endure the horrific and remain intact. It is basic human nature to have hope for equality, hope for peace, hope for love, hope for security, and above all hope for a brighter tomorrow. In fact, this is the foundation that both the United States and Illinois Constitution is built upon. HJR80 would seem to be an attempt to determine if Illinois criminal corrections can be what it was created to be. Somewhere along the line, we have lost sight of the CORRECTION aspect of prisons. Instead of a necessary evil needed to correct wrong actions and the underlying flawed thinking contributing to these acts, prisons have too often become a political platform for politicians seeking re-election, a financially motivated industry, and an unnecessary drain on society. Illinois has hung a sign above its courts and prisons which identifies its message loud and clear: "Abandon ALL hope, those who enter here!" Through the increasing use of long-term sentences, Illinois has created vast warehouses of the hopeless, spiritless walking dead. Now that the population is expanding exponentially, prisons are filled beyond capacity and threatening to burst.

Statistics show that these long-term sentences do not deter crime. Although they may look impressive to the public on a superficial level, this is a facade. The reality it disguises involves extreme overcrowding, lack of basic services and necessities, and dangerous environments permeated by mental illness and despair. Rehabilitative programming is virtually nonexistent. Medical treatment, when available, is substandard and conditions as a whole are below the basic standards of human decency. In support of this, I can attest to the loss of programs and policy providing for basic needs. Over the past decade I have seen the loss of exercise and recreation, access to job assignments, counseling, education, and even excessive delays in mail of up to two months, and one shower a week, maybe! Time out of the crowded cells and smoke-filled cell houses has been cut to one or two hours a day and is often nonexistent on lockdowns. In its wisdom, the state

legislature has enacted a law requiring 75% of all cells in maximum-security facilities be made one-man cells by 2004. There have been almost no steps taken in this direction. The answer that they offer to us is that there are no funds to implement these programs or comply with state law.

The costs of long-term sentences are not just financial. They touch nearly every facet of our society. By continuing to keep rehabilitated offenders confined, astronomical sums of money are squandered which could be better used on basic education, higher education, health care, senior care, highways and superstructure.

The Constitution of Illinois and Illinois Law require that all sentences be imposed and implemented with the intent of restoring and returning the offender to useful citizenship. Like it or not, offenders are still citizens and constitutionally guaranteed the full protection of the law. Somehow this concept has been confused and drowned out. Vengeance is neither justice nor just.

I have experienced first-hand the danger and chaos of Illinois maximum-security prisons before the 1996 "crackdown" to "regain control." Conditions were extremely dangerous for inmate and staff alike, and there is no question of the need to restore order from anarchy. Since then, many steps have been taken in the name of "safety and security," some logically thought out, some not as much, and many with no legitimate penological purpose at all.

Illinois has cut nearly all rehabilitative programming and severely curtailed beneficial past-times, such as recreation opportunities, jobs and job training and increasing the overall time prisoners spend languishing in cells. Overcrowding and double-celling within maximum facilities is an unfortunate fact in Illinois. Two men in 6 x 9 cells for 23 or more hours a day can create untold anger and animosity in itself. Celling together rival gang members, mental patients on heavy medication, racially intolerant inmates, and inmates stricken with contagious and sometimes fatal diseases with healthy individuals only adds to this frustration.

Presently there is no incentive for those with lengthy sentences to adjust their behavior to comply with social norms, let alone engage in rehabilitation. Yet there are those here who have done that very



thing. Through introspection, increasing maturity, self-realization, education, and other means, these men have grown in mind, spirit, understanding, and compassion. Most have striven for this lofty goal with no other incentive other than inner peace and self respect. It makes perfect sense to allow those who have earned it, access to environments and programs to acknowledge their efforts. This not only makes sense on the humanitarian level, it is economically sound to remove those who no longer require the more expensive and restrictive maximum security settings and place them in cheaper less restrictive environments.

When HJR80 first came to my attention, I read with skepticism. I've seen the call for reform, and seen how these efforts languished and died unfulfilled. That in itself was a terrible thing to see, but what was worse is how the hope these efforts produced at their onset was torn from the hearts of those who would
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C# Prayer Breakfast **Church of the Good Shepherd**

5700 S. Prairie

Saturday, July 29, 2006

9:00 a.m – 12:00 noon

Reverend Dr. Ozzie Smith, Jr.

Reverend Paul Ford

Reverend John Crawford

Tickets \$15.00

Essays and Insight

PROPOSALS AND PERSUASIVE EDITORIALS

On Life and The Long-Term Sentence Delimma



Cornelius Bobby Lewis

Yet, we readily accepted and responded because we understand that it's not the mere presence of conflicts that is feared, but it's destructive management. And because we care! These positive changes will continue after release simply because these positive changes have become an integral part of our being.

There is very little recidivism data regarding lifers and long-termers because very few such offenders are released. However, it is commonly agreed that offenders who serve 25 years or longer and are 50 years of age or older have the lowest recidivism rate of all released offenders. Reports from various studies have determined that older offenders who have served longer sentences are less likely to be returned

to prison for the commission of new crimes than younger offenders who serve shorter sentences. In addition, the founder of Project for Older Prisoners (POPS), a volunteer program in Washington, D.C., has secured the release of almost 100 older inmates without a single act of recidivism. Illinois would benefit from such a program for its lifers and long-term offenders. An additional consideration is the matter of several states that (Florida, Texas, California, and Louisiana, to name a few) over the past 15 years have released large groups of inmates to relieve overcrowding with no high recidivism rates.

The long-term psychological effects of excessive prison terms are also undocumented. It is very difficult to maintain positive health when confined to cells 22 to 24 hours per day. Stress is inevitable! And stress is a leading cause of poor health.

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It has long been accepted that the primary purpose of incarceration is punishment. Very few in position of power will utter the word rehabilitation. Why? Because to acknowledge rehabilitation would also be to acknowledge that those in power are in direct violation of the 1970 Illinois State Constitution which states in part that: "all penalties shall be determined both according to the seriousness of the offense and with the objective of restoring the offender to useful citizenship." Sentencing offenders to natural life without parole and to terms of fifty years or more seems to abuse state constitutional mandate as a means to warehouse inmates under the guise of punishment.

Unreasonable sentences create an older group of inmates, some of whom will become terminally ill and many of whom will acquire medical problems that come with aging and place a tremendous strain on the medical budget.

Older inmates, lifers and long termers, have already served 20 to 25

years or more. We are outraged, heartbroken, in many instances (I personally have lost 18 family members to death since my incarceration in 1978), bruised and bleeding. We are God-fearing, faithful in our causes, industrious and full of potential. And we have certainly paid our debts to society. We are alive, but our lives are in danger. We have survived only because of our character, determination, self-discipline and our belief that we can still make a contribution to society. Because of our age, illnesses, and self-rehabilitation status, we no longer pose a threat to society. Our culpability is no longer what it used to be. And as lifers and long-termers we have developed and gone through a series of positive programs (education, anger management, critical thinking, conflict resolutions, etc.) for 20 years or more. And what we have learned has become a part of us. Possibly the most significant role bestowed upon lifers and long-termers is one provided by prison staff as "voices of reason" during periods of disturbances. We did not ask to be placed into this oftentimes uncomfortable and compromising position.

A View from Behind the Wall Cont...

benefit. To have hope smashed one too many times invites madness. To live without hope means to give in and join the ranks of the hollow-eyed walking dead that shuffle through their meaningless existence. Even here behind the wall, we don't see HJR80 as an initiative to throw open the gates of our prisons and lead us all to freedom. We see it for what it says it is, a possible opportunity to research and study the possibility for those who are rehabilitated to rejoin society as productive citizens. After all it is their constitutional right. It is also a push toward more humane treatment for those who have not yet reached the end of their journey of rehabilitation.

In closing, I would like to thank those who have put in their time, dedication and Herculean efforts in an attempt for there to be an in-depth study of all issues facing us lifers/long termers. These people restore the spark of hope and faith for redemption. |

HJR80 FAQ Continued...

have power of appointment and the number of people they are authorized to appoint are: the President of the Senate (3), the minority leader of the Senate (2), the Speaker of the House, (3), the minority leader of the House (2), Attorney General (1), Governor (1), Cook County State's Attorney (1), Cook County Public Defender (1), State Appellate Defender (1), State Appellate Prosecutor (1), Department of Corrections (1).

○ **WHEN WILL THE COMMITTEE BE APPOINTED?**

The members of the Committee can be appointed at any time beginning now, and not necessarily all at once. The best guess is that they won't begin to be appointed until after the November election.

○ **WILL THERE BE PUBLIC HEARINGS?**

Yes, the resolution states that the Committee shall hold public hearings. As soon as the Committee is formed, and we find out when and where the public hearings are, we will let you know.

○ **WILL THE COMMITTEE HOLD A HEARING IN A PRISON?**

We don't know. We will suggest it to them,

as it could be a great opportunity to hear from long-termers directly. Once we know who the members are, any members of the public or the prison population may write to them suggesting the idea.

○ **WHAT IS THE COMMITTEE CHARGED WITH DOING?**

The Committee is charged with holding public hearings and submitting a written report about long-term prisoners to the General Assembly by June 2007. The Committee's report may include recommendations to the General Assembly to change conditions or sentencing through legislation; it may also include broader policy changes which do not require legislation.

○ **WILL THE COMMITTEE LOOK AT INDIVIDUAL CASES?**

No. The Committee is not authorized to evaluate individual cases. The focus of the Committee is on broad public policy issues rather than on an analysis of individual cases. However, the committee may consider individual cases as examples of public policy issues.

○ **CAN I GET SENTENCING RELIEF THROUGH HJR80?**

The HJR80 Committee is not authorized to change any laws. When the Committee has held its public hearings, it will issue a report which will include recommendations to the General Assembly. It will then be up to the General Assembly to draft and sponsor legislation which reflects those recommendations, which may include sentencing relief (e.g., reintroduction of parole, and / or meritorious good time), which may or may not be retroactive.

○ **HOW WILL THE COMMITTEE'S WORK AFFECT ME?**

It may or may not affect you. The Committee may decide not to change any current law or policy. On the other hand, it may recommend improving conditions by increasing educational opportunities, reducing sentences, or restoring good time eligibility for all incarcerated people. It may or may not propose that such changes be retroactive. The Committee's work

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From the Publisher

Bill Ryan

This special issue of *Stateville Speaks* focuses on HJR80, which establishes a Committee to study issues related to prisoners with 30-year or more sentences. A copy of HJR 80 is included as an insert.

In this issue all but three pieces were submitted by Illinois prisoners. Some of these were edited for space and content. The complete articles can be found on website

www.Illinoisprisonstalk.com along with many others items of interest regarding Illinois prisons.

As is evident by the articles, sentencing is a top priority issue. However, it should be noted the HJR Committee will have the opportunity to study, research and make recommendations regarding a wide range of issues, including such topics as medical care, transfer, honor prisons, clemency guidelines, education and other programmatic concerns. |

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HJR80 FAQ Continued...

could also add its voice to calls to rewrite Illinois' very complex criminal code and recommend broad reconsideration of sentencing policy. Even then, there will be no effect on you unless and until IDOC acts to increase educational opportunities, and, more important, the legislature acts to increase appropriations for correctional staff, education in prison, to reintroduce parole, and to create new opportunities for good time.

The bottom line is that nothing will change unless and until the Committee, the Governor and the Legislature all agree that important changes need to be made for long-term prisoners in Illinois. But the Committee and its hearings provide an opportunity to have all these important issues discussed.

○ **WHAT CAN I DO TO HELP?**

You can help us to develop position papers on substantive issues that affect long-term prisoners. We have identified some issues to focus on, but could use your input on other issues that we may not have thought of. Some of the issues we have decided to focus on include: reduction in sentences; basic fact sheet about long-term prisoners (demographic information, etc.); health care in prison; mental health care in prison; programs in prison; clemency; transfer policy; special focus on Tamms; restorative justice, and; how long-term incarceration affects prisoners' families and loved ones. If you'd like to assist us in drafting these position papers, please contact us at the number below.

○ **HOW CAN I CONTACT THE COMMITTEE?**

We will let you know how to contact the Committee as soon as the members are appointed and the information becomes available to us.

○ **I HEARD WWW.ILLINOISPRISONTALK.COM HAS INFORMATION ABOUT HJR 80. IS THIS TRUE AND WHAT IS THIS WEBSITE?**

Yes. *Illinoisprisontalk.com* (IPT) does

have a section of its website devoted to information about HJR80. Postings about meetings and updated information are available on the website. They also post writings that inmates send in about HJR80.

www.illinoisprisontalk.com is a family support forum and information center for those interacting with the Illinois Department of Corrections. IPT members are comprised of family/friends of inmates, prison reform activists, ex-offenders, prisoner rights advocates and others interested in the well-being of Illinois prisoners.

○ **WHAT ORGANIZATIONS ARE INVOLVED WITH LT3P IN DEVELOPING POSITION PAPERS?**

LT3P, a project of the John Howard Association, is working in concert with a number of organizations, including Illinois CURE (Citizens United for the Rehabilitation of Errants), the staff of *www.Illinoisprisontalk.com*, NIV (Not in Vain Foundation), *Stateville Speaks*, the Campaign in Support of C# Prisoners and the Tamms' Families Committee. We also work closely with prisoners' family and friends. If you know of any other organizations we should reach out to, please let us know. |

Reasons to Reinstate Parole Cont...

life and the destruction of family. We need parolees who will help to ameliorate this condition, not add to it.

B) Applicants must demonstrate a willingness and ability to abide by institutional rules. Reason: prison is a microcosm of society at large. Societies have rules to ensure the safety of its citizens and to maintain order. Those of us in prison (except the innocent who have been wrongly convicted) are here because we failed to adhere to rules of conduct called "laws." If we can not obey the relatively simple rules in prison, what chance do we have in the "real world"?

C) Applicants must agree to actively participate in any support group programs recommended by the parole board, i.e., A.A.,

Anger Management. Failure to do so would result in automatic revocation of parole.

Parole Model

The parolee would be integrated back into society in incremental stages.

Stage One: 3-6 months of "home monitored release." During this stage, the parolee would only be permitted to leave the house to go to work. Employment would have been procured prior to release. Parolee would be subject to random drug tests, forbidden to consume alcoholic beverages, and subject to random "house checks" to ensure that he/she is at home except during work hours. During this stage, 10% of the parolee's earnings would be given to the state to fund this program. This would generate revenue and alleviate the state's burden of incarceration.

Stage Two: 6 months-1 year. If parolee successfully completes stage one, he/she would be removed from "home monitoring" but would still be under curfew, 10:30 PM on weeknights and 11:30 PM on weekends. Parolee would be subject to drug tests and alcoholic beverages would be forbidden. In addition to working and donating 10% of his/her earned income, parolee would be obligated to contribute 20 hours per week to community service to be determined by his/her parole officer.

Stage Three: 1 year-3 years. During this stage the parolee would be re-evaluated to gauge his/her progress and to determine removal of curfew and further participation in recommended programs. Parolee's obligation of 10% earned income and community service would be binding for at least 3 years and no longer than 10 years.

In conclusion, I believe this model could work and though it might require modification it is practical. Many of us regret our crimes, not just being caught, and are remorseful for the harm we've inflicted on society. We desire to atone and make amends by becoming viable contributors to our communities. We profess to be a "Christian Nation." The doctrine of Jesus is redemption, atonement and transformation of the sinner, even when the sin may be punishable by death! Jesus said, "Repent, go and sin no more."

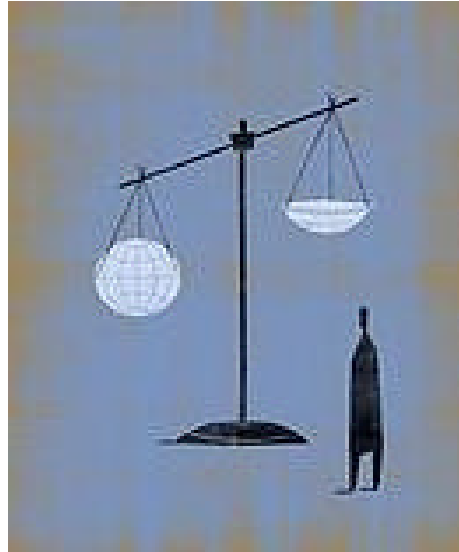
God is a God of second chances. Shouldn't a Godly nation afford its fallen a second chance? |

On Life and the Long-Term Sentence Continued...

Some solutions to addressing this travesty are as follows:

1. Changing the mindset of legislative, judicial, and penal authorities, urging them to adhere to the Illinois State Constitutional Mandate.
2. Instituting self-help programs geared towards lifers and long-term inmates to address the following issues: intensity and frequency of angry thoughts and feelings; depression; schizophrenia and related illnesses; sex-offenses; family support groups; criminal thoughts; grief and loss; addiction; other medical problems. There should also be service projects, narcotics anonymous, and religious seminars.
3. Meritorious good time should be available for completing certain programs, such as, obtaining GEDs, college credits or degrees, and by maintaining an exemplary conduct record.
4. An institution or section of a particular institution should be made available for lifers and long-term inmates who would excel in being among their own age group. Many lifers and long-term inmates hold most of the unsupervised prison jobs because they are trustworthy and reliable, traits that would allow these inmates to succeed on the outside if released.
5. Vocational shops should be provided that, in addition to training, allow inmates to accumulate funds prior to release, easing the strain on family members who will be assisting in their transition.

Most lifers and long-term inmates have already spent one-third, one-half or more of their lives in prison. Keeping these people incarcerated is no longer a matter of the "seriousness of the offense," but vengeance which should not be a factor in determining punishment or rehabilitation. It is a travesty of justice and humanity as well as a tremendous financial burden on taxpayers to continue the incarceration of lifers and long-term inmates. }



Uneven Sentencing

Jesse Hatch

If an Illinois trial judge finds that a crime was brutal and heinous and indicative of wanton cruelty, he or she can sentence the offender to natural life based on this brutal finding, (730 ILCS 5/5-8-1(a)(1)(b) (West 2000). However, if an Illinois trial judge finds that a crime was brutal and heinous and indicative of wanton cruelty, he or she can sentence the offender to natural life based on this brutal finding, (730 ILCS 5/5-8-2(a)(1) (West 2000). In the case of prisoners sentenced before 1988, a brutal and heinous finding for the crime of murder could be sentenced anywhere from 40 to 80 years in prison pursuant to Section 1005-8-2(a)(1), of the Code of Corrections. A natural life sentence could also be imposed for this brutal and heinous finding under Section 1005-8-1(a)(1)(b).

This great divide between natural life and an extended term of anywhere from 40 to 80 years for the crime of murder based on the same identical aggravating factor of brutal and heinous finding, allows a trial judge to impose such harsh natural life sentence on a first-time offender, such as myself. The trial judges discretion of whether to impose a natural life sentence as opposed to an extended-term sentence for the same element of brutal and heinous finding, allows the trial judge to act in an arbitrary fashion without any guidance as to how a brutal and heinous finding should be applied. It appears that our legislature has created a conflict in Illinois sentencing laws that allows for different punishments for the

same exact elements, then our legislature has determined that one of these penalties has not been set in accordance with the seriousness of the offense. The legislature has made two different judgments about the seriousness of the offense. This fact appears to violate the proportionate penalties clause of the Illinois Constitution of 1970, Article I, section 11.

I ask that when your group addresses the legislature that this issue be presented to our legislature and ask why Illinois laws allow for different punishments based on the same identical element/aggravating factor, without any guidance on who should receive natural life or an extended-term sentence. I will be greatly appreciative if this issue is discussed before the legislature. }

Solution Found in Correct Question

Joseph Dole

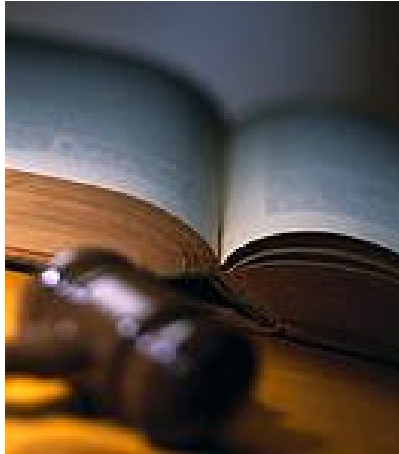
It seems that every time a person re-offends and goes back to prison, the question asked is, Why was this person let out of prison? The question should be, Why did rehabilitation fail? After all, isn't the objective of punishment to deter crime, and the objective of imprisonment to reduce recidivism?

The path to rehabilitation has long been known, and clearly one of the most important steps is education. Without serious and sustained efforts to increase educational opportunities as well as positive programs for self-improvement, we will continue to see an absurdly high rate of recidivism, currently about 55% in Illinois. Compare that to the less than 5% recidivism rate of people paroled after receiving a college degree.

Some people may oppose serious rehabilitation efforts. Some may fear the loss of jobs in prisons, or believe the "tough on crime" rhetoric used by some politicians to sway voters. However, getting to the right question is only the beginning. What we need are fewer "politicians" and more public servants in government, willing to do what is needed to reduce recidivism, no matter how unpopular it may be. "Tough in crime" isn't best for the state, reducing crime is. }

A Proposal to Amend the Post-Conviction Hearing Act

Joe Dole



In the 1970s a person convicted of a crime had 20 years from the date of his conviction to timely file a petition for post-conviction relief. The P.C.H.A. was later amended in the mid-1980s to shorten that time limit to 10 years. In 1992 it was again shortened to allow only 3 years in which to file a petition for post-conviction relief, or as little as 6 months after the courts decision on direct appeal.

A state confident in its judicial system should not be fearful of allowing a person sufficient time to learn the laws and procedures of that system in order to defend himself.

- Whereas numerous people on Illinois' death row were shown to have been wrongly convicted due to a dysfunctional and discriminatory judicial system;
- Whereas thousands of lifers and long-term prisoners have gone through that same dysfunctional and discriminatory system, but without the added safeguards that a death sentence imposes on the courts;
- Whereas upon entry into the system prisoners must deal with not only an overwhelming adjustment to a new environment but also frequently with conditions like depression, anxiety, and nervous breakdowns;
- Whereas a much larger percentage of the prison population than the general population have educational impediments such as dyslexia, attention deficit disorder, and other mental health illnesses;
- Whereas half of the adult prison population is either completely illiterate or functionally illiterate, meaning they would be unable to write a letter explaining a billing error, let alone write up a competent petition for post-conviction relief;
- Whereas prisoners are rarely allowed to spend more than a few hours per week in a law library and are almost uniformly overwhelmed as to how to start working on their case;
- Whereas pro-se petitioners almost

universally have a difficult time obtaining their own trial transcripts and other paperwork and discovery, whether from the appellate lawyers or the courts;

- Whereas it takes a lawyer close to a decade of education and experience to enable him to adequately represent a defendant on a petition for post-conviction relief in a murder case and to be able to navigate the procedural maze involved;
- Whereas the majority of prisoners haven't graduated from high school;
- Whereas it is unrealistic to expect that an uneducated prisoner can learn, understand, recognize, and argue what mistakes constitute reversible error and be able to navigate the procedural maze in less than 3 years or 6 months, when it takes a trained lawyer close to a decade to acquire the same knowledge of law and familiarity with the judicial system;
- Whereas a defendant is never notified of the P.C.H.A. time limits, but must learn of them, as well as the existence of the P.C.H.A. itself, on his own, and the Illinois courts have ruled that ignorance of the law is no excuse for missing the filing deadline;
- Whereas the courts have decided that even if the defendant's paid lawyer never notified him of the time limits of the post-conviction hearing act while representing him on direct appeal, it is still no excuse for missing the filing deadline;
- Whereas meritable issues are being disregarded by the courts because of procedural mistakes made by untrained

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What Can You Do?

Stay Informed.

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Attend the...

C# ANNUAL PICNIC

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See article What is / Who Is N.I.V. on page 11 for more information

Letters Updates and Announcements

PRODUCTIVE NEWS AND ACCOMPLISHMENTS



Let's rehabilitate the Idea of parole

Letter to Editor: Chicago Sun-Times

Shaena Fazal

From May 17, 2006

Patricia Columbo and those supporting her plea for parole attribute her rehabilitation to having successfully obtained a college degree and participated in other programs which, as she correctly observed, have virtually disappeared in today's correction system.

Some may wonder why we should care to spend a nickel on rehabilitating the incarcerated. But there are sound reasons for Illinois to consider restoring meaningful programs and educational opportunities for its entire prison population.

First, rehabilitation of all prisoners makes prisons safer for the people who work there. Second, 95 percent of all those serving time leave prison at some point. Investing in their rehabilitation improves public safety. Third, long-termers and lifers should not be excluded from rehabilitative programming because the way they serve their time affects other prisoners who will be leaving.

The Sun-Times series raises a second important issue. Whatever one thinks of

the merits of Columbo's case, parole, which is not available to inmates sentenced today, should be reintroduced in Illinois. Over time, some of the worst offenders end up turning their lives around in prison, are no longer threats to public safety, and have a lot to offer to the outside world. The parole process provides a mechanism to decide whether continued incarceration is necessary or desirable for an individual inmate.

There are men and women in prison whom none of us would want to see released. But the system should not be designed to treat every prisoner as if they were the worst of the worst or, for that matter, the best of the best. We should have a system that can release prisoners who have served substantial time, based on equity, fairness, and the individual.

Shaena Fazal, Director,
Long-Term Prisoner Policy Project
John Howard Association of Illinois |

Dear Stateville Speaks,

I am writing this letter in regards to the "Truth in Sentencing Law." This law is excessive and cruel for some individuals, and designed to keep families separated. If this law is kept, all relatives will be out of contact with their loved ones. There are many incarcerated women in Lincoln Correctional Center. Some have been rehabilitated and some have not. I believe that those who have should be given a chance at useful citizenship. The whole concept of imprisonment is to establish rehabilitation. What good is rehabilitation if you're unable to put it to use?

Recidivists are not rehabilitated. Penitentiaries continue to overflow with repeat offenders, but there are many who follow the rules and regulations of the penal institution and who spend much of their time in school and other activities. No one has taken the consideration to give a person that has been rehabilitated a chance, especially

women! Knowing what's ahead of you can make a difference in one's life. And what about the men/women who were/are wrongfully convicted?

What does it take to change the essence of man? Time! Not so much time that will diminish all hope, but time to think about what has happened and a chance to make it right.

I'm hoping the 100% sentencing range is taken into consideration. I hope that something can be done to exclude these penalties so that more programs will be administered. Those who are diligently helping this cause are much appreciated. Also, I hope this will increase the oversight of an unwarranted usage of taxpayers' money.

Janene Clay |

Open Letter to Illinois' Officials and the Future Committee of the Long-Term Prison Study

I am a 58-year-old male of Afrikan descent, father of 3 children, grandfather of 8, and a practitioner of a form of Afrikan Spirituality that has at its foundation the building of character, but is not "recognized" by the I.D.O.C. I am serving a natural life sentence.

I realize that the selected Committee persons' mission will be to ascertain whether it would be economically feasible and safe for society to release long-term prisoners on parole. On the first point of economics: the yearly savings of the cost for my medications would make it feasible. The second point is the tricky one. How will you establish whether a prisoner is

Continued on page 10...

Open Letter to Illinois' Officials and the Future Committee of the Long-Term Prisoner Study Cont...

"rehabilitated" and safe to return to society? What will be the criteria? What will be the litmus test?

I won't drag this out, I'll confess! I'm not "rehabilitated!" By definition, to rehabilitate is to "restore to former capacity . . . to put into good condition again." Why would I want to restore myself to the capacity that got me in this [prison] in the first place? And what if I was never in "good condition?" In spite of and without assistance, I have transformed myself. Transform means "to radically change the outward form or inner character, to modify or adapt so as to serve a new or different use or function." Through years of reading and studying the works of the Master Teachers (which aren't in the penitentiary library), a search for Truth buried in lies, a search for God shrouded in cultural myths, and the practice of Afrikan Spirituality, I've become a conscious human being aware of WHO I AM and THAT WHICH IS BEYOND THAT WHICH IS. I now comprehend how to live in harmony with the Universal Plan and how to coexist in this westernized social plan. The only people in society that I would be a threat to are my grandchildren and that would be in a positive manner!

Committee persons, will your determination for parole be evaluated upon how remorseful we are for the crimes of which we are convicted? Do you know the victims of our crimes or their families? Can you assess our pain and the families' capacity for forgiveness? Do you have the perspicacity to weigh the hearts of men and read their minds? I know you all have a difficult task ahead of you, but if you are a people of faith or religion, call upon your Most High for guidance. Remember Moses was a murderer, but it took a God to recognize his quality and uniqueness to be redeemed. Ra' Shekum Ma'at |



ANNUAL PICNIC

Come to the Annual C-Number Picnic!

**August 26, 2006,
at Washington Park, Chicago, Near the Statue 12:00-6:00 PM**

**Meet state legislators and members of NIV, CURE, and HJR-80 Committee
Join us for games, food, information, rally, and voter registration! |**



A proposal to Amend the Post Conviction Hearing Act Cont...

prisoners, thus exacerbating the risk that innocent people are serving life sentences for crimes they didn't commit;

- Whereas the number of lawyers assisting prisoners on petitions for post-conviction relief on a pro-bono basis is practically zero, and the number of people serving life sentences or the numerical equivalent is constantly growing;
- Whereas the avenues for someone to get a

wrongful conviction overturned are disappearing at an alarming rate, and the chance of innocent people spending their lives in prison is growing exponentially;

• Be it resolved that, the P.C.H.A. time limits be amended to give a person 10 years from the date of sentencing to file a petition for post-conviction relief to give him sufficient time to learn both how to properly file said petition and what mistakes were made or rights violated during his trial;

• That this amendment be applied retroactively and that those whose petitions were dismissed as untimely due to the 3 year/6 month time limit be given an extra 2 years from the date of amendment to amend and refile their petitions; and,

• That all defendants be notified at sentencing of the time limits of the P.C.H.A.

and provided with a lawyer to assist in preparing his petition or at the very least publish and provide each defendant with an in depth manual containing instructions on how to prepare a petition and guide them through the procedural maze. |

Dear Stateville Speaks,

My name is Millie Lee. I am writing you at this time with the hope of receiving more information on HJR 80. Can you help me? I am one of those inmates who will benefit from its passing. You see, I have been incarcerated for almost 24 years. I will be 56 when I get out, if relief doesn't come soon.

I had almost to give up hope until I read the articles in *Stateville Speaks* about lifers/long-termers. We are the forgotten class of inmates who have, for the most part, committed a crime and ended up spending the rest or most of our life in prison. We feel doomed. How many years in prison will render justice of any sort to a society that does not know how to forgive?

I am one of those inmates who chose to continue her education rather than self-destruct. How did I do it all these years? Living in a cell? I go crazy and come back. I say this because it ain't easy trying to act normal in an abnormal setting. That is how it is for me.

So, I ask you for a breakdown of HJR 80. It may just save my life. Anything you can do for me will be greatly appreciated. |

What Is, Who Is N.I.V.?

Ibi Cole, N.I.V.



The Campaign in Support of C# Prisoners

David Saxner

The C# Campaign is a not-for-profit organization comprised of family members of C# prisoners, former C# prisoners, clergy and other concerned persons. The group was formed more than five years ago to focus attention on C#'s, those prisoners sentenced before 1978 under the old indeterminate sentencing law.

Since its inception, the C# Campaign has been involved with legislation, litigation and policy initiatives. We have worked with C#'s and their family members in an assortment of ways, with our primary objective being to get those C#'s who have rehabilitated themselves out of prison.

Much of our work is centered on the Prisoner Review Board (PRB). We monitor the PRB closely; going to hearings they conduct, monitor their rulings and challenge their practices. We have tried to advance a number of different pieces of legislation, and currently have two active lawsuits.

In addition, we have recruited law students and lawyers to take on some of the cases. We have recruited 40 people so far, but there are still approximately 300 C#'s so we need more legal resources. However, we have developed a training program that is on the Internet, and it includes six hours of training and three manuals totaling 100 pages. We use this training program to provide these legal representatives the knowledge they need to represent C#'s skillfully.

We also assist C#'s to get off parole once they are out and have clean records for three years.

Lastly, our organization is about educating people about the plight of C#'s. We hold Town Hall meetings, and speak at schools, churches and community meetings. We also hold a family picnic in August, and a fundraiser in December. We have a web site, put out position papers and leaflets, and work with the media. Wherever possible we raise the injustices C#'s experience, and try to find solutions to the problems they face. |

Join the N.I.V. Foundation

No dues, no commitment. Inmates, encourage family and friends to join hundreds as a collective force to make an impression on legislature.

N.I.V. Change the World with the Force of Your Pen.

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Mail slip to: N.I.V. P.O. Box 8546, Chicago, IL 60680.

WHAT IS N.I.V.?

The N.I.V. is an organization comprised of 600+ (and growing) supporting family members, lawyers, students, community citizens and religious leaders, whose **Mission Statement** is to better society by assisting to reduce overcrowding of prisons, reduce recidivism and improve societal productivity by strengthening rehabilitation, reforming sentencing and implementing programs to advocate positive change, productivity and restorative justice for the benefit of society as a whole. *N.I.V. is not an advocacy program.* We do not take on cases or appeals of individual inmates. For lack of resources, N.I.V. cannot reply to all correspondence. We focus 99% percent of our efforts on our mission.

HOW IS N.I.V.

N.I.V. is taking action by:

- ✍ **Lobbying** – With your help and hundreds of signatures, N.I.V. is able to use our lobbying force to support Bills proposed to legislature. N.I.V. also seeks to motivate followers to contact congress and support those bills so that they may be passed to law.
- ✍ **Educating** – spreading awareness and information through Stateville Speaks, other press avenues and public speaking
- ✍ **Proposing Programs** – Proposing effective programs to IDOC to reduce recidivism
- ✍ **Proposing Bills** – N.I.V. is working directly with the Long Term Prisoner Policy Project (LT3P) and Stateville Speaks to propose realistic bills in order to improve the current system
- ✍ **Ways to assist N.I.V.** in our efforts would be to subscribe to the Stateville Speaks newsletter and assist us in spreading the information in order to gain the support of the bills we present to legislature.

WHO IS N.I.V.

N.I.V. was started in honor of A.F. by I. Cole. The foundation principles of N.I.V. are that of redemption and restorative justice. |

AUGUST 2006

Attend the C# Annual Picnic!

**Food
Vital Info
Games**

**SATURDAY
AUGUST 26 '06**

at Washington Park, Chicago, Near the Statue

12:00-6:00 PM

Meet state legislators
and members
of NIV, CURE,
and HJR-80
Committee

FREE

Information, Rally, and Voter Registration!

Tamms Committee Serves as a Support Group

Cynthia Kobel

The Tamms Committee was formed as a support group for those who have loved ones in Tamms Supermax Correctional Center in Tamms, Illinois. The Committee also came together to inform the public about the Supermax Prison and how it affects the prisoners as well as family and friends.

The group's ultimate goal is to see to it that Tamms is utilized for the purpose for which it was built: to be a holding facility for prisoners for one or two years before they are moved back to general population in at another facility. Many prisoners they have been incarcerated there since it first opened in 1998.

Tamms holds men in solitary confinement (23 hours a day), allowing the prisoners into a "recreational area" alone for one hour a day. The men at Tamms never have contact with another human being. Most can have a shower once a week. Meals are taken alone in their cells. The men cannot make nor receive phone calls.

Prisoners in segregation may have only one visit a month. Although others

may have more visits, the remote location of Tamms prevents many people from making the trip. Tamms is seven hours south of Chicago. It is also made more difficult to visit because of the procedures required. A visitor must apply for a visit at least two weeks ahead of time after being approved to be on a prisoner's list. Most often, a visitor does not know if the visit has been approved until two to three days before the scheduled visit. The short notice that has been built into the scheduling process creates a hardship for family members who cannot get time off from work within that time frame.

When the Committee was first formed, it tried to organize bus trips to Tamms. This became much too costly and too difficult to coordinate because of the scheduling process. Many people signed up for trips and then were not approved or plans changed because of work schedules. The Committee could not afford the lost revenue for empty seats. Now, the group is working on carpools of two to four members at a time.

In the last two years, local lawyers have been attending meetings and helping with the immediate questions of some family members. Uptown People's Law Center has been assisting Tamms prisoners for quite some time as has the MacArthur Justice Center. The Bluhm Legal Clinic at Northwestern University School of Law has advised prisoners at Tamms and is helping with a few cases. |

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