

BIMONTHLY
VOLUME 2
OCTOBER 2024

EMERGING SOLIDARITY NEWSLETTER

EMERGING SOLIDARITY

INSIDE THIS ISSUE

- You will discover How to advocate for your loved one
- You will hear the specifics of a case that could change the way Pennsylvania sentences people for a crime they didnt commit
- You will receive updates on all legislation and cases that can help us achieve freedom and justice. Each piece of news, every legal development, brings us one step closer to righting this wrong. Together, we will stay informed and empowered, turning every bit of information into a beacon of hope and a tool for change

Be Empowered

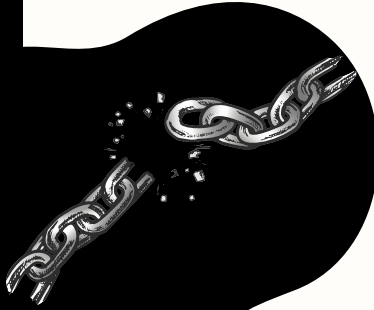


FREEDOM IS ON THE HORIZON!!

ABOLISH FELONY MURDER NOW!

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Felony Murder Reform In PA



As of May 20th, 2024, Pennsylvania lawmakers are considering reforming the state's felony murder statute, which is also known as second-degree murder. The current law mandates a life sentence without parole for anyone convicted of felony murder, even if the participants didn't intend to harm anyone. Some say this penalty is among the harshest in the country. This bill is introduced as HB-2296

Reform in California's Felony Murder Statute

Senate Bill (SB) 1437, which took effect on January 1, 2019, aimed to reform the previous statute governing convictions for felony murder, or murder committed during a felony act. Reform focused largely on intent, specifically the need to prove a defendant's intent to kill.

Under the old law, a person could be convicted of felony murder simply because a victim died during the perpetration of a felony, even if:

- The defendant did not intend to kill a person
- The defendant didn't even know a homicide took place
- The homicide was an accident

SB 1437 prevents a murder conviction against someone who "is not the actual killer, did not act with intent to kill, or was not a major participant in the underlying felony who acted with reckless indifference to human life."

SB 1437 asserts a felony murder can be charged if someone commits, attempts, or participates in a felony, and one of the following is true:

- That person kills another person
- That person aids or abets in the commission of murder in the first degree with intent to kill
- That person was a "major participant" in the felony and acted with "reckless indifference to human life"
- A peace officer was killed in the performance of his or her duties due to that person's acts

PA NEEDS TO FOLLOW SUIT

POLL CONDUCTED BY FAMM SHOWS VERY STRONG SUPPORT FOR CHANGING PENNSYLVANIA'S FELONY MURDER LAW

An overwhelming **79% of Pennsylvanians** support changing the state's mandatory life without the possibility of parole (LWOP) sentence for people convicted of felony murder, according to a **Susquehanna Polling & Research** poll commissioned by FAMM.

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Fighting for Justice: Advocating for Your Wrongfully Convicted Loved One

By : The Editor of this Newsletter

Imagine the heart-wrenching moment when you learn that someone you love has been convicted of a crime they didn't commit. The world seems to crumble around you, but amidst the despair, a spark of hope ignites. You know in your heart that they are innocent, and you are determined to fight for their freedom. Here's how you can turn that determination into action.

Understanding the Legal Maze

The legal system can be an intimidating labyrinth, especially when your loved one's future hangs in the balance. Start by immersing yourself in the details of the case. Understand the charges, scrutinize the evidence, and familiarize yourself with the legal procedures. Partnering with a compassionate, experienced attorney specializing in wrongful convictions is crucial. They will guide you through this complex journey, helping you uncover potential avenues for appeal or retrial.

Gathering the Truth

Every piece of evidence, every overlooked detail, could be the key to proving your loved one's innocence. This might mean hiring private investigators, forensic experts, or other professionals to re-examine the evidence. Look for inconsistencies, gather new witness statements, and leave no stone unturned. The pursuit of truth is relentless, but every step brings you closer to justice.

Building a Fortress of Support

You don't have to face this battle alone. Rally your family, friends, and community to build a strong support network. Their emotional and practical support can be a lifeline. Joining or forming advocacy groups can amplify your efforts and provide valuable resources. Organizations like the Innocence Project are dedicated to helping those wrongfully convicted and can offer guidance and support.

Raising Your Voice

Public awareness can be a powerful tool in your fight for justice. Share your loved one's story on social media, create a website, or start a petition to garner public support. Engage with journalists and media outlets to bring attention to the case. The more people who know about the injustice, the greater the pressure on the legal system to re-examine the conviction.

Navigating Legal Waters

Work closely with your attorney to explore all legal options. This might include filing appeals, seeking post-conviction relief, or applying for a pardon. Each legal avenue has its own set of requirements and deadlines, so it's essential to stay informed and proactive. Your attorney can help you chart the best course of action based on the specifics of the case.

Staying Strong

The journey to exonerate a wrongfully convicted loved one is often long and fraught with setbacks. Maintaining emotional resilience is crucial. Seek counseling or support groups to help manage the stress and emotional toll. Remember to take care of your own well-being, as your strength and perseverance are vital to the advocacy efforts.

Conclusion

Advocating for a loved one wrongfully convicted of felony murder is a profound act of love and justice. It requires a multifaceted approach, combining legal action, public awareness, and emotional support. While the path is challenging, your dedication and efforts can make a profound difference in seeking justice for your loved one. Together, you can turn the tide and bring them back home where they belong.

I KNOW WHY THE CAGED BIRD SINGS

-MAYA ANGELOU

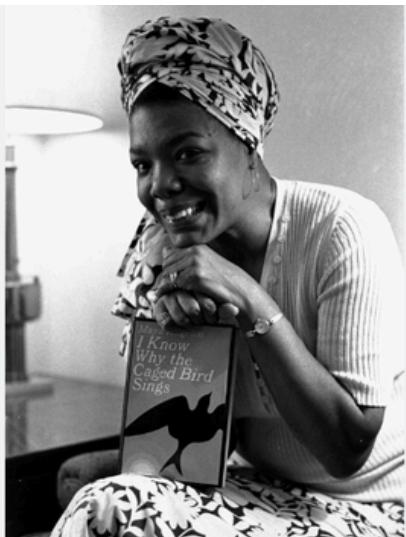


Maya Angelou's poem, "The Caged Bird," speaks volumes about the experiences of incarcerated individuals and their loved ones. It resonates deeply with Myself and others who have faced oppression and long for freedom. Angelou masterfully addresses themes of oppression, freedom, and the importance of using one's voice for the voiceless.

The Caged Bird symbolizes the oppression faced by Black, Brown, and less fortunate Americans. It represents the cultural, emotional, societal, and legal limitations imposed on them. Trapped in a restrictive society, the caged bird can only express its longing for freedom through its song, a poignant metaphor for the struggle against systemic barriers.

The Free Bird, on the other hand, embodies the freedom to live and thrive in nature. Angelou uses dynamic verbs like "leaps," "floats," "dips," "dares," and "claims" to highlight the boundless opportunities available to those who are free. This stark contrast underscores the disparity between the oppressed and the free.

The poem conveys a powerful message of hope and the transformative power of self-expression. It invites readers to recognize freedom as an essential component of human expression and to listen to the voices of those who are still fighting for their liberation.



Commonwealth v Derek Lee



October 8th 2024: PA Supreme Court to Hear Landmark Case Challenging Life Without Parole for Felony Murder

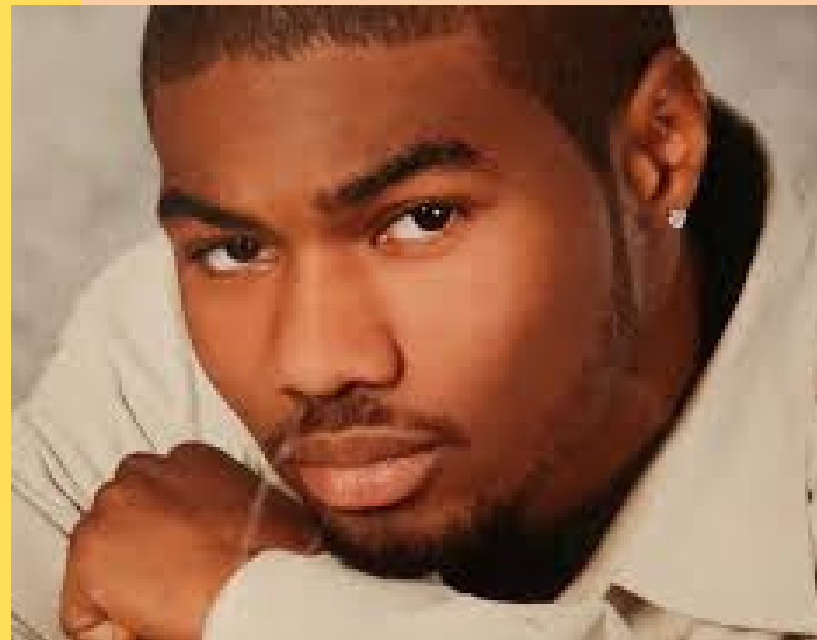


HEARING BEFORE THE PENNSYLVANIA SUPREME COURT IN THE CASE OF COMMONWEALTH OF PENNSYLVANIA V. DEREK LEE, WHICH CHALLENGES THE CONSTITUTIONALITY OF LIFE IMPRISONMENT WITHOUT PAROLE FOR FELONY MURDER.

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Oral Arguments Outcome

For Derek Lee Case 10/08/2024



ON TUESDAY, OCTOBER 8TH 2024, A HISTORIC CASE WAS HEARD BEFORE THE PENNSYLVANIA SUPREME COURT WITH OVER 200 PEOPLE IN ATTENDANCE MANY OF WHICH TRAVELING FROM FROM PHILADELPHIA AND MANY LISTENING AT HOME IN SUPPORT OF MR LEE. IN MY OPINION THE ARGUMENT WAS WELL ARTICULATED. IT WAS RECEIVED WELL BY THE JUDGES. BRET GROTE THE ATTORNEY FOR MR DEREK LEE ARGUED AND ANSWERED QUESTIONS FROM THE JUDGES FOR APPROXIMATELY 50 MINUTES AND THEN THE ASSISTANT DISTRICT ATTORNEY MR KEVIN MCCARTHY STATED HIS ARGUMENT. IN A HEARTFELT MOVE THIS APRIL, SHAPIRO STEPPED FORWARD TO FILE A FRIEND-OF-THE-COURT BRIEF FOR LEE. HE PASSIONATELY ARGUED THAT THE HARSH PUNISHMENT FOR FIRST-DEGREE MURDER, WHICH INVOLVES INTENTIONAL KILLING, SHOULD NOT BE THE SAME AS FOR FELONY MURDER, WHERE THERE IS NO INTENT TO KILL. THIS DISTINCTION, HE BELIEVES, IS CRUCIAL FOR JUSTICE AND HUMANITY. IN THE BRIEF GOVERNOR SHAPIRO CALLED THE SENTENCING SCHEME UNJUST. NOW WE HAVE TO WAIT UNTIL A DECISION IS MADE IT CAN BE SEVERAL MONTHS BEFORE THAT HAPPENS. I BELIEVE THIS IS GOING TO BE A BEAUTIFUL THING WE JUST HAVE TO WAIT FOR A DECISION TO BE WRITTEN BY THE JUDGES.

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FELONY MURDER LEGISLATION



Introduced By
Representative Tim Briggs



HB 2296



HB 2296 offers a glimmer of hope in a seemingly hopeless situation. This bill will create parole eligibility for individuals sentenced to second-degree murder, also known as felony murder. These individuals did not commit or intend to commit murder; instead, they were involved in a felony where someone was unintentionally killed. This could mean they were the getaway driver for a robbery that went wrong, part of a robbery where someone was unintentionally killed, or involved in a robbery where the victim had a heart attack shortly after.

In Pennsylvania, over 5,000 people have been sentenced to die in prison with no possibility of parole. Our state has the second-largest number of people serving such sentences in the country. Shockingly, 70% of those convicted to Life Without Parole (LWOP) in Pennsylvania are Black, and 80% were under 30 when they were convicted. Many have been incarcerated for so long that we are rapidly approaching a majority LWOP population that is now geriatric. Within this context, 1,100 individuals were sentenced to die in Pennsylvania prisons due to the felony murder rule.

HB 2296 represents a chance for redemption and a step toward justice for those who have been given no hope. It acknowledges the harsh realities of our current system and offers a path forward for those who have been unjustly condemned to a life without the possibility of parole.

PASS HB 2296 NOW !!!!

Abolish Felony Murder in PA

LIFE FOR A LOVED ONE

Close your eyes and imagine yourself in a 6x9 bathroom, having to live there with another person, all your belongings, a set of bunk beds, and iron bars. This is what our loved ones endure daily. This doesn't even begin to touch on the agony of being away from the family you love and care for, the turmoil of being taken away from the world for longer than you've been alive, and the heartbreak of losing cherished loved ones without being able to say goodbye or hug them one last time.

All of this happens because, too often, a detective or police officer, officials with badges as I refer to them fabricates a case against your loved one. They are made to serve years, all because of where they come from, their economic background, or the color of their skin. This injustice almost always targets the Black, Brown, and less fortunate among us.

We need a justice system that isn't designed to protect the better-off and tear down those who are not. I know firsthand what the system does, having two loved ones who were made to spend time in the belly of the beast. My uncle was made to spend 22 years for a crime he had no involvement in. Many years later, he was proven innocent, but not before he passed away, his spirit broken because he was not capable of the things they said he did. The detectives involved in his case preyed on his intellectual disability. My uncle did all this time, only to find out many years later he had nothing to do with it.

Another loved one is caught in the same heartbreaking struggle, convicted of a crime he could never have committed. Knowing him for over 40 years, I can say with absolute certainty that he is incapable of such actions. He is the kind of person who would give you the shirt off his back if you needed it. His kindness and willingness to help others are unmatched. Despite not having a trained eye for criminal justice, looking at paperwork and knowing him well enough, I am 100% certain of his innocence. Yet, he has been torn away from his family for 27 years, not for any crime he committed, but because of the color of his skin and the community he lived in. His conviction served only to boost the detectives' records, allowing them to claim another closed case, for example Frank Jastrzembksi who led my loved one's case is going to trial for perjury in November. This injustice is a stark reminder of the systemic issues that continue to plague our society.

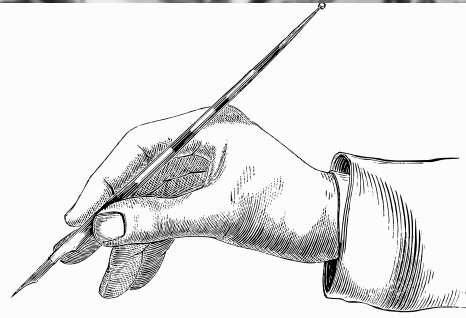
Our families have yearned for our loved ones, and it feels like this system was designed to tear down Black, Brown, and less fortunate communities while giving a slap on the wrist to those who are well off. In my eyes, this is not liberty and justice for all. Isn't that what we live by as a nation, as humans, as good, God-fearing people?

Come on, Pennsylvania, we have to do better. We must do better. Our families, our generation, our nation depends on us to create a better system that is not designed to fail us. We need a justice system that truly embodies fairness and equality, one that uplifts the oppressed and holds everyone accountable, regardless of their background or status.

Let's strive for a future where every person is treated with dignity and respect, and where our loved ones can live without fear of being wrongfully torn from their families. Together, we can build a system that reflects our highest ideals and ensures fair justice for all.



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EDITOR'S NOTE:

We hope that you have gained some valuable information and a sense of empowerment from our website and newsletter. Our mission is to advocate for freedom and to educate our loved ones on how to do the same. We invite you to fully utilize our site, and if you have any questions, please feel free to reach out via our website chat. Our site administrator will get back to you at their earliest convenience. Stay Empowered!

-EMERGING SOLIDARITY

We will always fight for our loved one and yours as well.

