Michigan Lifers Association, Inc. and National Lifers of America, Inc.

### **MICHIGAN**

# Lifers Report

**Newsletter** 

APRIL 2023

### MOTHERS ARE CRYING OUT TO THE MICHIGAN PAROLE BOARD PLEASE RELEASE OUR SONS AND DAUGHTERS!

Willis X. Harris

The Michigan Lifers Association, Inc. and CURE Life-Long, Inc. constantly receive letters and phone calls from mothers, fathers, and their adult children crying angrily for the release of their husbands, wives, and siblings incarcerated in the Michigan prison system over 25 years, some over 40 years and giving pre-written form letters from the Parole Board alleging what they look for when considering release of a prisoner in general and lifer in particular.

Every lifer, LWOP or parolable, in Michigan is not necessarily guilty of the offense they were convicted of. This is proven

often by The Innocence Projects and retrials.

Neither our Legislature, Parole Board, nor Governor Gretchen Whitmer take this matter seriously.

Concerning juvenile lifers, research is being ignored or not taken seriously. Research scientists say the juvenile brain is not fully matured/developed until age 25. Do our Legislators, Parole Board, or Governor believe and accept their findings?

How does excessive incarceration benefit society? Is this economically, financially, and socially beneficial to the state and taxpayers? Are Michigan citizens afraid to challenge and question their Districts' Representatives and Senators?

Consider what former directors had to say about lifers prior to 1990:

#### PERRY JOHNSON

"To the best of my recollection, the Parole Board policy when I was director was to begin interviewing 10-year lifers and ... (Cont. on p. 3)

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### MICHIGANS LIFERS REPORT NEWSLETTER

Michigan Lifers Association, Inc. 4417 2<sup>nd</sup> Ave., Ste. 211
Detroit, MI 48201-1214

National Lifers of America, Inc. P.O. Box 18023 River Rouge, MI 48218

Willis X. Harris
President
Michigan Lifers Association, Inc.

Gina DeAngelo
Executive Assistant
Michigan Lifers Association, Inc.

Eddie "Malijah" Gee Chairman, National Board National Lifers of America, Inc.

Constance Garner Vice-Chairwoman, State Board National Lifers of America, Inc.

> Jamie Meade Editor

Writers
Mario Cavin
Michael Fletcher
Dwight Henley
Richard Kilbourn
Jerry Metcalf
Bruce Micheals
Bryan Noonan
Sybil Padgett
Scott Wynne

<u>Cartoonist</u> Terry Young

Send articles to:

Michigan Lifers Association, Inc. Attention: Willis X. Harris 4417 2<sup>nd</sup> Ave., Ste. 211 Detroit, MI 48201-1214

(Limit articles to 600 words)

### MICHIGAN HAS SENTENCED MORE KIDS TO DIE IN PRISON THAN ANY OTHER U.S. STATE

Ronnie Waters and Jose Burgos

Michigan has sentenced more children to life without parole than any other state in the United States. Considering that the U.S. is the only nation that permits this barbaric practice at all, this means that the State of Michigan has condemned more children to die in prison than anywhere else on the globe.

The rest of the world and the majority of U.S. states agree that sentencing children to die in prison is wrong. It is also wrong that 90% of life without parole sentences imposed on children in Michigan since 2012 have been imposed on children of color. It is wrong that Michigan has failed over the past decade to end this sentence despite the fact that polls shows overwhelming support against sentencing children to die in prisons.

But we are happy to report that with the introduction in the Michigan Legislature of Senate Bills 119-23 and House Bills 4160-64, this year our state has an opportunity to right these wrongs.

We both know a little about righting wrongs.

We are two of the hundreds of children that were once sentenced to die in Michigan prisons, serving a combined 67 years as we were each convicted of first-It pains us to say that when we were degree murder. kids, we were separately responsible for the loss of lives, lives we can never give back. Our actions are tragic examples of harm committed by children and representations of the ways in which youth with high levels of trauma are more prone to committing serious Yet today, we stand as shining examples of the ways children can transform their lives. remorseful for the harm caused by our crimes. accept full responsibility for our actions and have asked both God and humankind for forgiveness. fully rehabilitated and mature adults, we stand ready to be a positive influence on the communities we serve and society at large.

Brain science tells us that there is plenty of hope and tremendous potential for children to transform over time and ultimately choose a path of moral fortitude. It is up to all of us to ensure our laws and systems extend hope and the possibility of a second chance to those children.

When the U.S. Supreme Court ruled through Miller v. Alabama that mandatory life without the possibility of parole was unconstitutional, this gave each of us the incredible gift of hope with glimpses of freedom. Recognizing and encouraging our capacity for internal growth, it was the power of hope that made the two of us who we are today. Six years ... (Cont. on p. 8)

(Mothers Are Crying Out, from p. 1) ... long-indeterminate (LID) prisoners at seven years, and then every three years after that. The Board started interviewing even before the prisoners were eligible for parole in order to get to know the prisoners early. The interviews also gave the prisoners the chance to learn about the process—what the Board expected of the prisoners, what their realistic hopes were, and so forth.

These interviews would be conducted every three years until the Board became interested in paroling the inmate. For those 10-year lifers who were paroled, the average time they spent in prison was around 18 years.

When I was at the Department, the Corrections Commission was bipartisan, serving staggered terms, specifically designed to insulate the Department from adverse political influence. The Governors I worked under did not interfere with parole policy, Parole Board appointments or administrative procedures promulgated by the Corrections Commission or myself, nor did the executive office attempt to influence parole decisions of the Board. The Parole Board also acted in an advisory capacity to the Governor regarding commutation consideration for prisoners serving for murder in the first degree and on all petitions for pardon or clemency and this relationship was always respectful and amicable.

To some extent the Corrections Commission also insulated the Governors since the Governor could hardly be blamed for any mistakes the Parole Board made when the Board was under the control of an independent commission."

DECLARATION OF ROBERT BROWN, JR.

"In 1991, Governor Engler abolished the Corrections Commission--as well as all the other commissions that appointed Directors of their own departments--and from then on the Governor appointed MDOC directors. The MDOC had been very stable because from 1952 until 1991 there were only three directors, all of whom knew each other: Gus Harrison, Perry Johnson, and me. After 1991 it became political, because each new Governor can appoint a new director to carry out his or her political agenda.

During my tenure the Parole Board members were Civil Service employees. Most had some type of criminal justice experience before appointment to the Board, but ion a broad sense--usually corrections work, but including even social work. All had to pass the Civil Service Examination. At that time the members did not serve for a specific term, as they do now. It was like any other Civil Service job: A member could stay until he or she wanted to leave or was removed for cause, which prevented political interference.

In 1992 there was a chance in the way Parole Board members were selected. Governor Engler's office got a law passed that took the Parole Board out of Civil Service. The members were instead appointed by the new MDOC director, with the approval of the Governor and his staff. There were also specific spots for Board members with various backgrounds, for example, as I recall there always had to be a former State Police officer and a prosecutor.

The changes in the Board selection were the result of a political movement in the state towards getting tougher on crime. I suspect one purpose of the 1992 law was to keep people in prison longer, and it had exactly that effect, especially for assaultive offenders and sex offenders.

Before 1985 there was a procedure, applied about three times every two years, called the Prison Overcrowding Act. Under this Act, any time prison capacity was exceeded for more than 30 consecutive days, the Corrections Commission would notify the Governor who had a certain number of days to verify the 30 days of overcrowding. If there was overcrowding for 30-days, the Governor would declare a prison overcrowding emergency and the Department had to reduce the minimum sentence for all prisoners (except for lifers and those serving mandatory gun sentences) by 90 days."

SOURCE OF INFORMATION: The Michigan Lifers Association, Inc. is in possession (Cont. on p. 9)

### ATTENTION

### Criminal Justice Reform Legislation

The Second Look Sentencing, Ending JLWOP, and Good Time Bills are currently in the legislative process. To ensure these bills pass, we need to contact our State Representative and/or State Senator and to ask ALL our family and friends to contact their State Representative and/or State Senator expressing support for Second Look Sentencing, Ending JLWOP, and Good Time (below) and asking they vote yes to pass these bills.

Second Look Sentencing: Senate Bill Numbers 321-325. These bills make most incarcerated people eligible to petition their sentencing judge for resentencing after serving 10 years in prison.

Ending JLWOP: House Bill Numbers 4160-4164 and Senate Bill Numbers 119-123. These bills would eliminate life without the possibility of parole for anyone under the age 19.

Good Time: House Bill Numbers 4468-4471. These bills would restore Good Time allowing reduction in sentences for good behavior.

Contact your State Legislators (State Representative and State Senator) by mail, email, text, or telephone.

How do you find your State Representative and/or State Senator?

- · For your State Representative go to www.house.mi.gov
- For your State Senator go to www.senate.michigan.gov

For guys on the inside, you can find who your State Representative and/or State Senator are by asking for the Citizens Guide to State Government in your library/law library. You can also get help finding who your State Representative and/or State Senator are by asking a NLA or TARP representative in your housing unit.

### EXAMPLE LETTER TO STATE SENATOR

[YOUR FIRST & LAST NAME]
[YOUR STREET ADDRESS OR P.O. BOX NUMBER]
[YOUR CITY, STATE, AND ZIP CODE]

[DATE]

The Honorable [YOUR STATE SENATOR'S FULL NAME]
State Senator
State Capitol
P.O. Box 30036
Lansing, MI 48909-7536

Dear Senator [YOUR STATE SENATOR'S NAME]:

(Cont. on p. 5) ...

(Example Letter To State Senator, from p. 4) ...

As your constituent and as a registered voter [STATE THIS WHETHER YOU VOTED FOR THIS STATE SENATOR OR NOT, THEY LISTEN MORE TO ACTUAL VOTERS], I'm asking you to support Second Look Sentencing Legislation (Senate Bill Numbers 231-325) in Michigan.

Second Look Sentencing is smart, evidence-based criminal justice reform. It does not open a floodgate releasing violent offenders allowing them to escape punishment for their crimes. It allows the trial and sentencing judge to review a prisoner's sentence after serving years in prison to determine whether the prisoner is still a threat to society. It then allows the judge to determine whether a reduction in sentence has been earned and is warranted. This may be demonstrated by the prisoner's rehabilitation, education, conduct in prison, and health.

Second Look Sentencing also allows a trial and sentencing judge to keep a prisoner in prison if they are still a threat to society. This may also be determined by their lack of rehabilitation and their continued misbehavior in prison.

Michigan incarcerates men and women longer than any other state in the Great Lakes region. Keeping people in prison longer does not result in greater public safety. It is time for Michigan to rethink its antiquated lock'em-up-and-throw-away-the-key approach to crime and punishment by implementing smart, evidence-based reforms, which several other states in our country have already adopted, without compromising public safety.

Most prisoners serving life without the possibility of parole (LWOP), life with parole, or long-indeterminate sentences were under the age of 26 and were first-time offenders when they committed their crimes. How can anyone make the determination these teenagers, late adolescents, or emerging adults are irredeemable and should die in prison?

Fortunately, new brain development science contradicts this predisposed determination of young offenders. Extremely low recidivism rates of recently released juvenile offenders, who were once sentenced to LWOP, is evidence that lifers who serve over 20 years in prison are the safest category of prisoners to release.

Michigan spends approximately 2.3 billion annually on keeping people in prison. We can increase public safety by investing in our schools, vocational training, and colleges instead of prisons. In order to do this, Michigan must implement smart, evidence-based criminal justice reform, and Second Look Sentencing is just that.

I would like to speak to you in person regarding Second Look Sentencing. What are your office hours that you meet with your constituents? I look forward to hearing from you soon. Thank you.

Sincerely,

[YOUR FULL NAME]
[YOUR TELEPHONE NUMBER]
[YOUR EMAIL]

### EXAMPLE LETTER TO STATE REPRESENTATIVE

(YOUR FIRST & LAST NAME)
(YOUR STREET ADDRESS OR P.O. BOX NUMBER)
(YOUR CITY, STATE, AND ZIP CODE)

(DATE)

The Honorable (YOUR STATE REPRESENTATIVE'S FULL NAME) State Representative State Capitol P.O. Box 30014 Lansing, MI 48909-7514

Dear Representative (YOUR STATE REPRESENTATIVE'S LAST NAME):

As your constituent and as a registered voter (STATE THIS WHETHER YOU VOTED FOR THIS STATE REPRESENTATIVE OR NOT, THEY LISTEN MORE TO ACTUAL VOTERS), I'm asking you to support Second Look Sentencing Legislation (INSERT "House Bill No. \_\_\_\_ " IF AVAILABLE) in Michigan.

Second Look Sentencing is smart, evidence-based criminal justice reform. It does not open a floodgate releasing violent offenders allowing them to escape punishment for their crimes. It allows the trial and sentencing judge to review a prisoner's sentence after serving years in prison to determine whether the prisoner is still a threat to society. It then allows the judge to determine whether a reduction in sentence has been earned and is warranted. This may be demonstrated by the prisoner's rehabilitation, education, conduct in prison, and health.

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Fortunately, new brain science contradicts this predisposed determination of young

... (Cont. on p. 7)

(Example Letter To State Representative, from p. 6) ...

offenders. Extremely low recidivism rates of recently released juvenile offenders, who were once sentenced to LWOP, is evidence that lifers who serve over 20 years in prison are the safest category of prisoners to release.

Michigan spends approximately 2.3 billion annually on keeping people in prison. We can increase public safety by investing in our schools, vocational training, and colleges instead of prisons. In order to do this, Michigan must implement smart, evidence-based criminal justice reform, and Second Look Sentencing is just that.

I would like to speak to you in person regarding Second Look Sentencing. What are your office hours that you meet with your constituents? I look forward to hearing from you soon. Thank you.

Sincerely,

(YOUR FULL NAME)
(YOUR TELEPHONE NUMBER)
(YOUR EMAIL)

#### THE SENTENCING PROJECT

COUNTING DOWN: PATHS TO A 20-YEAR MAXIMUM PRISON SENTENCE By Liz Komar, J.D., Ashley Nellis, Ph.D., & Kristen M. Budd, Ph.D. (2023)

#### EXECUTIVE SUMMARY

As the United States marks 50 years of mass incarceration, dramatic change is necessary to ensure another 50 do not In no small part due to long sentences, the United States has one of the world's highest incarceration rates, with nearly two million people in prisons and jails. The destabilizing force of mass incarceration deepens social and economic inequality - families lose not only a loved one, but income and childcare. By age 14, one in 14 children in the United States experience a parent leaving for jail or prison. Individuals returning to the community face profound barriers to employment and housing. Meantime the communities most impacted by crime - poor communities communities of color disproportionately bear the burden of in-Long sentences carceration's impacts. affect young Black men disproportionately compared to every other race and age group. Twice as many Black children as white children have experienced parental incarceration. Mass incarceration entrenches cycles of harm, trauma, and distinvestment and consumes funds that might support investment in interventions that empower communities and create lasting safety.

In the United States, over half of the people in prison are serving a decade or longer and one in seven incarcerated people are serving a life sentence. To end mass incarceration, the United States must dramatically shorten sentences. Capping sentences for the most serious offenses at 20 years and shifting sentences for all other proportionately downward, including by decriminalizing some acts, is a vital decarceration strategy to arrive at a system that values human dignity and prioritizes racial equality.

This report begins by examining the evidence in support of capping sentences at 20 years. Countries ... (Cont. on p. 9)

(Michigan Has Sentenced, from p. 2) ... after the court ruled in Miller, Jose was re-sentenced to the 27 years he had served and freed. It took eight years for Ronnie to be re-sentenced and released; he served a total of 40 years. We know firsthand that SB 119-23 and HB 4160-64 is legislation that will offer life-changing hope to those who have demonstrated transformation.

While legislation to release people sent to prison as children may not sound like part of a conventional public safety strategy, our experience is that former juvenile lifers have been integral to preventing harm and improving safety in our communities. As the very people who can understand and resonate with what young people are going through and the vast potential they have to overcome their mistakes and do good, we've been working hard to give our young people better futures. We work at Safe and Just Michigan, an organization that advocates for safe and smart reforms to our criminal justice system and Project Re-Entry at the State Appellate Defenders Office which does important work for returning citizens in Michigan offering guidance before release and wraparound services when people come home.

The two of us represent the many members of the Incarcerated Childrens Advocacy Network (ICAN) across Michigan and the U.S. who have not once lost motivation to prove all the good that we are capable of. In Michigan, James Jamo Thomas mentors young people and runs a food ministry that feeds approximately 700 families a week. Harrell Lorenzo became а braille transcriber as part of his transformation from hurting people to helping people. Alex Ayala mentors young men, Brandon Harrington advocates for youth who have experienced trauma to help them avoid the mistakes he made, and Daniel Jones facilitated support groups for members of incarcerated people every week leading up to his death.

We have seen the track record of what former juvenile lifers are capable of doing for the people of Michigan and the countless, creative ways in which we have poured our energy into preventing harm and promoting community well being. We are the track record. And statistically speaking, more than 98.86% of former juvenile lifers age out of crime and lean into a positive future. The juvenile lifers who have been given second chances in Michigan are doing amazing, imaginative things to serve their communities and make them safer and stronger. Giving second chances to more deserving juvenile lifers will give all of Michigan more of this creativity, this safety, and this strength.

Today, we are a part of a strong community of individuals who made harmful mistakes as children and who want nothing more than to prevent other children from making the same mistakes we did. We are all holding each other to account, and we are all there for each other. The lot of us are constantly picking up the phone to se what one another needs--clothes, a phone, a ride home, a refrigerator--you Were a close-knit family now, name it. tied together by the wrongs we have committed, the debts we are paying to society, but most importantly the people were trying to become.

We are filled with hope that this is the year that Michigan bans life sentences for children, joining over half of the country and the rest of the world in recognizing every child's potential for redemption. Our work across Michigan has demonstrated to us that the people of this state are overwhelmingly prepared promote redemption and stop sentencing children to life without parole. people who will spend the rest of their lives working to right their wrongs, we are optimistic that our own state will put in the work to right historical wrong and pass SB 119-23/HB 4160-64. We ask the Michigan Legislature to guarantee that we never sentence a child to die in prison again.

ABOUT THE AUTHORS: Ronnie Waters is a Community Engagement specialist at Safe & Just Michigan. He was incarcerated for over 40 years after being sentenced to life without parole at 17 years old. Jose Burgos is a re-entry specialist for the State Appellate Defender's Office Project Reentry. He was incarcerated for 27 years after being sentenced to life without parole for a crime he ... (Cont. on p. 9)

(Michigan Has Sentenced, from p. 8) ... was convicted of committing at the age of 16.

SOURCE: Detroit Free Press, Sunday, April 9, 2023, Opinion Section. Jose Burgos gave the Michigan Lifers Report Newsletter permission to reprint this Opinion.

(Mothers Are Crying Out, from p. 3) ... of Sworn and Notarized Affidavits by Director Perry Johnson and Director Robert Brown, Jr. Case 2:05-cv-71318-MOB-VMM ECF No. 124-3, Filed Nov. 13, 2006.

(Counting Down, from p. 7) ... such as Germany and Norway illustrate that sentences can be far shorter without sacrificing public safety. A wealth of criminological evidence makes clear that unduly long sentences are unnecessary: people age out of crime, and even the general threat of long term imprisonment is an ineffective deterrent.

The Sentencing Project recommends the following seven legislative reforms to cap sentences at 20 years and right-size the sentencing structure:

- Abolish death and life without parole (LWOP) sentences, limiting maximum sentences to 20 years.
- Limit murder statutes to intentional killings, excluding offenses such as felony murder, and reduce homicide penalties.
- 3. Eliminate mandatory minimum sentences and reform sentencing guidelines to ensure that judges can use their discretion to consider mitigating circumstances.
- 4. Provide universal access to parole and ensure timely review.
- 5. Eliminate consecutive sentences and limit sentence enhancements, including repealing "truth-in-sentencing" and "habitual offender" laws.
- 6. Create an opportunity for judicial "second look" resentencing within a maximum of 10 years of imprisonment, regardless of an individual's offense.
- Shift all sentences downward, including by de-felonizing many offenses and decriminalizing many misdemeanors.

Finally, this report offers ideas for how stakeholders can take steps toward

shrinking sentences today. Prosecuting attorneys can use their discretion to limit sentences to 20 years when charging and plea bargaining, as well as engage in sentence review. Judges can impose lower sentences where possible. And communities can invest in interventions that prevent long sentences by keeping people from entering and reentering the criminal legal system altogether. Limiting maximum terms to 20 years need not be the end goal of criminal legal reform - 20 years is still an extraordinary length of time in prison but it is an essential step toward a fair and proportionate justice system.

EDITOR'S NOTE: The Sentencing Project gave the Michigan Lifers Report Newsletter permission to reprint the Executive Summary. The whole report can be retrieved at www.sentencingproject.org/publications/counting-down-paths-to-a-20-year-maximum-prison-sentence.

## NATIONAL LIFERS OF AMERICA, INC. Introducing Our New Social Media Platforms

National Lifers of America's mission is to incarcerated individuals succeed help through education and personal development resources, as well as promoting criminal justice reform. We provide a variety of resources including audio/visual, community service opportunities, legal research, media and communications, and more. believe in equal opportunities for all incarcerated persons regardless of their race, color, national marital status, religion, sex, disability. We are committed to upholding our values and mission statement in all our activities.

Facebook @nationallifersofamericainc

Instagram enational lifers Twitter eNationalLifers

https://www.nationallifersofamerica.org

Email: info@nationalifersofamerica.org

P.O. Box 18023, River Rouge, Michigan 48218 U.S.A.

### HOW TO FORM/START LIFER GROUPS IN CORRECTIONAL FACILITIES WHILE INCARCERATED

We constantly receive letters and telephone calls from male and female prisoners nationwide in both federal and state correctional facilities wanting to start lifer groups but don't know how.

Starting a successful lifer group is very easy to do. This is what you need to have:

- 1. Find at least 10 to 15 lifers, both parolable lifers and lifers without the possibility of parole who interested in your desire to form such group. Get their full names, prison numbers, and cell lock.
- 2. Contact your warden, deputy warden, superintendent, or special activities director about your intention to form a lifer group and ask for his/her approval and place and time for meetings. You may need a custody supervisor or volunteer/sponsor.
- 3. If approved, choose a knowledgeable chairperson, vice-chairperson. and dedicated secretary.
- Prepare an agenda, set of bylaws, and organize committees and chairpersons are knowledgeable of duties required of the positions.
- Have a comprehensive knowledge of your state's lifer laws and State constitution.
- Each member of the board of directors must know how to perform his or her duties.
- Invite your warden, deputy warden, superintendent, special activities director, parole board members. legislators, and governor to your meetings on different occasions.
- 8. If your facility has media/newsletter, utilize it to advance your lifer group and its objectives.

- that promote your lifers' objectives and criminal justice professors from local colleges and/or universities.
- 10. Be polite, courteous, and respectful. Obey all prison rules and regulations. You can also utilize your civilian community press.
- 11. If there is a CURE Chapter in your state, work it it. If you don't know of any CURE Chapter in your state contact us.

Michigan Lifers Association, Inc. 4417 2nd Avenue, Suite 211 Detroit, Michigan 48201-1214 (734) 748-0920

### WE LOST A DEAR FRIEND

On March 1, 2023, we lost a dear friend who served 52 years in prison.

Bryant #130565, also known "Boogaloo", was convicted in 1971 at age 25 for first-degree murder resulting from a drug deal gone bad. He was sentenced to life imprisonment without the possibility parole, also known as Death-By-Incarceration.

Bryant's death is alleged to have resulted from complications from COVID-19. COVID is a deadly disease of controversial origins. According to the Bureau of Justice Statistics (BJS), from 2021-2022, prisoners died from COVID nationwide.

Bryant was married to Shirley Redwood and later divorced. We offer our condolences to Ms. Redwood and Mr. Bryant's family.

#### HAPPY MOTHER'S DAY!

Wishing you a special day filled with joyful memories to make your heart smile... time to sit back and relax for awhile ...

9. You should also invite community groups God bless you with that kind of wonderful day.

### SUBSCRIPTION FORM

The expressed purposes of the Michigan Lifers Association, Inc. and the National Lifers of America, Inc. to publish the "Michigan Lifers Report Newsletter" are to educate and uplift the lifer population, to seek changes in laws that restrict clemency and parole, to educate the general public, and to encourage criminal justice reform, especially in corrections.

### PRISONERS

PRISONER'S FULL NAME: Number:			er:	
NAME OF CORRECTIONAL FACILITY	Υ:		2 11 1	
COMPLETE MAILING ADDRESS:				
CITY:	STATE:		Zip Code:	
	CIVI	LIANS		
NAME:				
ADDRESS:		APT.		
CITY:	STATE:		Zip Code:	7
PHONE NO. ( )		<del></del>		
(Yea	SUBSCRIP cly Subscripti	TION RATES	Issues)	
PRISONERS: \$15	Yearly	CIVILIANS:	\$20 Yearly	
ORGANIZATIONS:	\$25 Yearly	LIFE MEMBERS:		

SEND SUBSCRIPTION PAYMENTS & DONATIONS TO:

Michigan Lifers Association 4417 Second Ave. Suite 211 Detroit, MI 48201-1214