

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

**MICHIGAN**

# Lifers Report

Newsletter

OCTOBER/NOVEMBER 2023

## HIGH RATE OF CHRONIC RECIDIVISM

Willis X. Harris

In Michigan, we have increasingly high rates of recidivism due to paroling unqualified yet to return to society. This is due to no fault of the prisoner, but to the failure of the Michigan Department of Corrections (MDOC) to rehabilitate them. Michigan has no law mandating rehabilitation. With limited and inadequate resources to facilitate rehabilitation, these men and women are returned to society unprepared with the "tools" necessary to maintain their presence in society.

While still incarcerated, they failed to receive and participate in professional and therapeutic treatment for mental illness emotional disturbances, substance abuse, academic and vocational training, ability to read, write, and articulate above an 8th grade level although many had GED diplomas, and sufficient social skills enabling them to interact adequately with members of society.

We know that employment influences many factors that reduce criminal behavior and the possibility of re-arrest and re-imprisonment such as adjusting and functioning in a community or neighborhood retaining a legitimate source of income, developing a constructive use of leisure time, and building/developing a positive self-image.

The Michigan Parole Board knows that the majority of parolees they choose to parole will violate their paroles and return to prison within one to two years if not less. In most instances they know why. They selectively pick and choose who they want to parole and deny parole to those whom they want to keep for personal and political reasons unsupported with documented facts to substantiate their decisions.

... (Cont. on p. 3)

## Highlights

Democrats.....	p. 2
Enough Is Enough.....	p. 3
Clean Slate.....	p. 4
Wrongful Convictions.....	p. 5
A Struggle.....	p. 6
Receiving A Certificate.....	p. 6
Letter To The Editor.....	p. 8
Success Won't Be Found.....	p. 9

**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

Cartoonist  
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)

**DEMOCRATS**

**Criminal Justice Reform Agenda,  
Or A Social Control Objective?**

Dwight Henley, M.B.A.

In the 2020 election Democrats highlighted criminal justice and prison reform. These agendas came as the United States faced significant protests over police brutality and rising prison violence. Black Lives Matter was holding protests throughout Detroit. The Macomb prison (in Michigan) experienced 12 unnatural deaths in 2022--in a prison of only 1,200 people. In response, Democrats introduced many prison reform bills, including Second Look Sentencing, Productivity Credits, Ending Juvenile Life Without Parole (Ending JLWOP), and Good Time. For many people, much needed prison reform appeared to be on the horizon. But the actions of Michigan Democrats suggest that they never intended to reach the horizon.

What more could Democrats do to ease public sentiment and prisoner discontent than to promise sweeping reforms? If disgruntled citizens and incarcerated people believed reform was forthcoming, they would no longer need to protest. People in prison had an added incentive to act right: the hope of going home earlier. And this is what occurred. Heightened public scrutiny and prisoner discontent subsided with the introduction of each additional bill. But prison reform never came, and now we must ask, "Did Democrats want reform or was social control the objective?"

To ascertain Democrats' true intent, we should follow the tried and true legal axiom: one's actus reus speaks for one's mens rea. These Latin terms say a person's actions speak for their intent. So, what have the Democrats done since introducing prison reform bills?

Governor Gretchen Whitmer commuted the sentence of a 60-year old woman serving a prison sentence for drugs and weapons. This elderly woman, however, would have been paroled imminently without the commutation. Was this action reform or social appeasement? Only two of the four reform bills mentioned above made it to a committee hearing, and none of the bills passed. Democrats would not even pass the Productivity Credit bill, which affords a maximum of two years in incentive time. Apparently, reducing a person's 50-year sentence by 2 years was too much. Clearly, then, Democrats never intended to pass Second Look Sentencing or Ending JLWOP. Democratic budgets also shed light on their true intent. Prior to the pandemic Michigan received approximately \$5 million a year from the federal government for prisons. During the pandemic, the Democrat budget exploded to \$524 million for Michigan prisons. Now that the pandemic is ... (Cont. on p. 7)

(High Rate of Chronic Recidivism, from p. 1) ...

Prisoners who are most likely to have successful paroles are denied Public Hearings and recommendations to the governor for clemency. We are talking about both parolable and non-parolable lifers, prisoners who have served over 25 years and up to 50+ years. These lifers have aged out of the criminal mindset.

Unless we overhaul our criminal justice system with a focus on the MDOC in general and the Parole Board in particular, we will always have the revolving door syndrome. We need effective therapeutic treatment for sex offenders and drug addicts; we need an effective academic and vocational program--not a window dressing; we need to overhaul the Parole Board and make them accountable and transparent and remove the image of all-powerful and answerable to no one.

Until the legislature, governor, and director of corrections make some sweeping changes and stop politicking with the lives of prisoners, we will always have business as usual, chronic recidivism, mass incarceration, and continued warehousing of men and women who have deserved a second chance and consistently denied without given a reason.

As forestated, you must be uniquely qualified to stay and function in this hi-tech, competitive, and demanding society. Failure to do so will result in chronic recidivism. It is a guaranteed return to prison as a parole violator or a violator with a new sentence, prolonging your stay in prison.

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## ENOUGH IS ENOUGH

Mario Cavin

Most of us put our lives in the hands of an attorney when we caught our cases. We assumed because they represented us that their loyalties were with us. Most of us didn't find out the harsh reality until it was too late.

And when we repeated this process with our appellate counsel, again, wrongly believing they had our best interest in mind.

At what point do we stop placing our lives in the hands of others? Including these so-called advocacy groups who boast about being "pro criminal justice reform." As with our attorneys, we don't know where these groups' loyalties lay. We don't know their true motivations or hidden agendas. What we hear isn't always what we see. Those who say they speak for us don't want to listen to us.

Don't get me wrong, a few of these grass-roots organizations do have good intentions and want to see change as much as we do, but if their approach is ineffective and we can offer better solutions, why ignore the message simply because of the messenger? Yes, we're in prison. Yes, most of us committed an offense to get us here, but that doesn't mean we're not capable of knowing what's best for ourselves.

So the time has come for us to stop placing our lives in the hands of others and stand up for our freedom. We have to take matters into our own hands and support Second Look Sentencing, Ending JLWOP, Productivity Credits, and Good Time. Don't think our voices don't matter. It matters more than you can imagine. Just ensure it's being heard by those stubborn legislators who don't play well with the kids across the street and just want to take their ball and go home.

ABOUT THE AUTHOR: Mario Cavin (Prison No. 326204) is serving a 37-year sentence in the Michigan Department of Corrections and is housed at the Macomb Correctional Facility, 34625 26 Mile Road, Lenox Township, Michigan 48048. Mario is a Certified Paralegal, a National Lifers of America, Inc. Board Member, and an active Member of The Adolescent Redemption Project (TARP).

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## "CLEAN SLATE" LAW ERASES A MILLION OLD CONVICTIONS

Alyssa Burr

The elimination of criminal records is thanks to a 2020 law that went into effect Tuesday, April 11th.

The convictions of about one million Michigan residents will be automatically expunged, thanks to a 2020 law that went into effect this week of April 11th.

By the end of the day Tuesday, Attorney General Dana Nessel said in a video, 400,000 of them were "completely conviction free."

Formerly incarcerated Michiganders and criminal justice reform advocates celebrated the occasion Tuesday at the State Capitol. They said automatic expungement would remove barriers preventing the formerly incarcerated from receiving job opportunities, education, and housing.

Elvina Smith, a former resident convicted of a felony at 18 years old, said she has experienced such barriers firsthand, and going through the traditional expungement process can be difficult.

"I'm happy for everybody who can qualify for the automatic expungement, because to apply for it, it's a very confusing process," she said. "There's an application, you have to be fingerprinted, you have to have a certified copy of your conviction and you're giving this to the person that convicted you."

Michigan's automatic expungement law--commonly called a "Clean Slate Law" was effective on April 11, 2021, but because of a two-year implementation period, it didn't affect people until now.

The Michigan State Police will be launching the new automatic expungement program, which will search the state's criminal historical record database daily for eligible convictions to automatically expunge.

Eligibility residents may have up to four misdemeanors punishable by 93 days or more in jail automatically expunged once seven years have passed since the sentencing date. There is no limit to the number of misdemeanors punishable by less than 93 days in jail that may be automatically expunged after the same period.

For felonies up to two convictions may be automatically expunged 10 years after either the sentencing date or the completion of sentences with the Michigan Department of Corrections, whichever occurs later.

Convictions for the following crimes, or attempt of, are not eligible for automatic expungement under the law: assaults, a serious misdemeanor, a crime of dishonesty, any violation related to human trafficking or an offense punishable by 10 or more years imprisonment. Residents cannot have any criminal charged pending against them removed.

In addition, the four misdemeanors and two felonies that can be removed from a person's record are a lifetime limit--any convictions above that number aren't eligible for expungement.

The Michigan State Police will pass information about any convictions that have been automatically expunged to the court system on a daily basis. If it's determined that a person's record was improperly expunged, the record can be reinstated by a court.

Residents with convictions that do not qualify for automatic ... (Cont. on p. 7)

WRONGFUL CONVICTIONS COST TAXPAYERS MILLIONS  
OF DOLLARS REPAYING INNOCENT "VICTIMS" AFTER  
SERVING DECADES IN PRISON

Willis X. Harris

False arrests, fake or planted evidence, untruthful police officers and prosecutors, false confessions, inexperienced court-appointed lawyers providing ineffective defenses, withholding exculpatory evidence, biased jurors, and a rush to judgement have sent many innocent men, women, and teenagers to prison for years, depriving them of freedom, justice, and equality under the law. Many were sentenced to life or death-by-incarceration.

Today, a few prosecutors are now acknowledging the travesty of justice experienced by "victims" of the justice system. They are reluctant to admit hiding factual data from defense counselors, but admit new techniques are necessary. Hence, establishing the integrity units in their offices.

Also, we give thanks to all university-based innocence clinics and independent clinics trying to right the wrongs created in our dysfunctional criminal justice system. They helped exonerate thousands of innocent people.

Several years ago, Michigan finally got the message, causing our state lawmakers to pass appropriate legislation that gives \$50,000 annually to each prisoner who was exonerated in a court of law with supporting evidence. That is, \$50,000 yearly for each year of his or her illegal conviction served incarcerated. Wrongful convictions in Michigan are alive and thriving, pending investigations, proof of innocence, and exoneration.

Although not new to many of us, the American Civil Liberties Union (ACLU), The Sentencing Project, and now the Bureau of Justice Statistics (BJS) have documented that many black male prisoners were illegally arrested, charged and convicted of criminal offenses that were known to have been committed by white offenders, and sentenced to excessive prison terms up to

and including life in prison with and without the possibility of parole translating into death-by-incarceration.

Many states' legislatures, governors, and parole boards have blind faith in courts and public records and see no reasons to doubt or disbelieve them. They ask: "Why would they lie?" They lie to insure convictions. State officials don't care to hear it.

There is much ado over criminal justice and corrections reform, but talk unsupported with action accounts for nothing. As some state officials say: "Don't just talk about it, be about it."

Michigan has several important criminal justice and corrections committees. They are: Corrections and Judiciary Committee, Michigan Law Revision Commission, Michigan Commission on Uniform State Laws, Judiciary and Public Safety Committee, Judiciary Committee, Corrections Committee, and appropriate subcommittees. Are they working on criminal justice and corrections reforms? It remains to be seen.

Men and young males (17-21) with no life-focus who roam the streets day and night, inappropriately dressed, and hanging out in high crime areas are prime targets for arrest whether innocent or guilty of a crime. Also, we see mentally challenged and mentally ill men being arrested and tricked into confessing to crimes they know nothing about. They are coached by policemen and told what to say and to repeat saying it over and over. Some are given weapons to get their fingerprints on the type of weapon used to commit the crime(s).

Wrongful convictions and loss of years incarcerated in prison have destroyed many black and some white families.

These are years they cannot relive, and years that frag- ... (Cont. on p. 7)

## A STRUGGLE FROM WITHIN

Mario Cavin

Most of us have worn (or currently wear) masks to hide our true selves from our peers. This started as far back as grade school when we made up stories to fit in or to make ourselves appear tougher than we truly were. The problem with wearing these masks is that we lose who we are behind this facade of who we'd like to be seen as.

Maybe you didn't learn as fast as others or maybe you were picked on. Maybe you lost one too many fights or were abused at home. Regardless of the reason, at some point the mask existed and the real you began slipping away. I never prided myself on being one of the "tough guys," because that took too much energy keeping up that mirage.

My mask of choice was humor.

I made people laugh because making others feel good made me feel better. Bringing joy to the masses seemed to be my calling. In reality, it was my great escape from severe depression. Nobody needed to know about my mental health issues. "Real men don't talk about that shit." "Men don't deal in feelings." Or so we've been led to believe.

Well, not talking about it or facing it head-on nearly had my memorial picture posed around the facility. I was ready for a quick exit by any means.

The night I prepared to check out, I was at my job and these voices emerged from my abysmal cocoon. They whispered all night: "What's the point? You're never going home." "Your family won't miss you for long." "You won't be a burden on anybody ever again." It didn't matter how many people loved me or supported me. All I wanted was for it to end. The darkness began comforting me. Filling me with a warmth like a blanket on a winter morning. Once my shift was over, I planned on going to sleep for the very last time.

But then a tiny sliver of light pierced through. A slight glimpse of hope. It was a reminder that I've never been a quitter and didn't plan on starting now.

It reminded me that I'd be hurting the very people I swore to protect. I made a deal with myself. I would stay awake the rest of the night and face the new day. Depending on how the day went would determine if I had another date with Destiny lined up. The day went smoothly and I broke my silence. The outpouring of support was almost overwhelming but I needed every ounce of it.

The point of this is to let my fellow lifers know that it's time to shed your masks and face these things before they catch you by surprise. Some of us give up hope of ever going home while others become more determined. Don't be afraid to talk about what you're feeling. If the next person feels uncomfortable, then you probably didn't need them in your life anyway. Shed the masks and embrace the true you. No matter what you're going through, you're not alone.

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## RECEIVING THE CERTIFICATE FOR CIVIC ENGAGEMENT TRAINING

By Michael Dawson #698248

My role in my community is to contribute towards making it better for everyone. I spent years neglecting my duties. During my decade of incarceration, I had to make some life changing decisions. I asked myself 3 questions. The first question was "How do I change for the better?" The second question was "How do I right my wrongs?" The last question was "How do I prove that I am worthy of a second chance?"

I thought about how my bad decisions had a negative impact on the victims and their families. I put myself in their shoes and tried to imagine how they felt. To be honest I don't know how to right my wrongs or know if that is even possible or what would it look like if I could.

I am going to start by taking responsibility for my actions and apologize for my bad behavior.

Next question... How do I change for the better? I think ... (Cont. on p. 7)

(Democrats, from p. 2) ... over, the federal government's 2024 budgets allocates \$17 million for Michigan prisons, a 300 percent increase from pre-pandemic budget allocations. As for the 2024 Michigan prison budget, the Democrats proposed \$2.5 billion, a \$350 million increase!

Democrats never intended to enact prison reform; they simply sought social control. Democrats knew that providing hope for reform would quell the unrest, and they counted on citizens and incarcerated people losing their emotional sentiment before they realized that the prison reform bills were only wishful thinking. And Democrats were right. But being right and getting re-elected are two different stories. As Van Jones recently reported on CNN, many Black voters feel deceived about Democrats' empty promises for criminal justice and prison reform. And early indicators suggest that many disappointed Black people will vote differently or not at all in the next election.

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("Clean Slate", from p. 4) ... expungement may still go through the traditional expungement application process.

Unlike the petition process, however, records cleared through automatic expungement won't require any action on the part of the recipient and should be cost-free.

Residents who believe they qualify for automatic expungement can use a debit or credit card and pay \$10 to check the Internet Criminal History Access Tool, a Michigan State Police Database, to view their public records.

SOURCE: The Muskegon Chronicle, Thursday, April 13, 2023, pgs. 1A, 2A.

EDITOR'S NOTE: Although this article was published in early 2023, I wanted to print it in the MLR Newsletter because it is to my understanding that the "Clean Slate Law" isn't as effective as it is being claimed to be.

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HAPPY HOLIDAYS!

MERRY CHRISTMAS!

(Wrongful Convictions, from p. 5) ... mented or destroyed families, neighborhoods, communities, cities, caused children to grow-up either fatherless, brotherless, sisterless, and in a few instances, motherless.

Many of us still remember an old spiritual song that says "Mother-less children have a mighty hard time when mother is gone."

Is anyone listening? Does anyone care?

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(Receiving The Certificate, from p. 6) ... I think about what does it take to change for the better. First thing that comes to mind is courage. I have to be brave enough to want to change. Then knowledge... I have to learn how to educate myself and gain the tools that are needed for change. Integrity, I have to be a man of my word. If I say that I am going to do something, I have to do it. Compassion, I have to learn how to forgive. I can't ask to be forgiven if I am not willing to do the same. Patience, I have to learn how to wait. I can't rush things just to get it when I want it. Hope, I have to believe it can be done. I got to believe to achieve it. Faith, I got to keep faith that when one door closes, another will open. Will, I have to be willing to do the work. Faith without works is dead. And last, selfless, I have to be willing to make sacrifices.

The last question, "How do I prove that I am worthy of a second chance?" I have to give many good reasons why I should be given one and no reason why I should be given one. My actions will speak louder than my words.

Hello, its a new me!!! Nice to meet y'all!!!

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HAPPY HANUKKAH!

HAPPY KAWANZAA

HAPPY NEW YEAR!

LET'S ENJOY THE HOLIDAYS TOGETHER!

## LETTER TO THE EDITOR

## Re: Trading Organ Donations For Reduced Sentence

By Emma Charleston, NLA State Board Secretary

I have been a loyal reader of the Michigan Lifers Report since day one. A recent article discussing the idea of trading organ donations for reduced prison sentences has me putting pen to paper. I would like to know what individuals imprisoned feel about this idea and their reasons for it (or against it) from my safe and free point of view I can see nothing about the idea that is good.

At first glance, the idea of connecting organ donation to sentence reduction may seem like a good one because it could potentially save lives by increasing the organ and bone marrow supply. But when you really think about it, especially from an ethical, compassionate, and practical standpoint, it quickly becomes a terrible idea.

One major concern is the issue of informed consent within the prison environment. Incarcerated individuals might not be able to freely and voluntarily agree to organ or bone marrow donation due to the power dynamics of being incarcerated. I am reminded of conversations with individuals incarcerated during the pandemic and their concerns about the vaccine and the pressure they were placed under to take something that they would rather not. Despite our own individual opinions on that there was intense coercive pressure, and some expressed to me that they did not consider their consent authentic. Organ donation would be no different in terms of fundamental questions about whether their consent is truly authentic. This is enough of a reason for me and in my own idealistic world I wonder what more reasons one would need to be concerned about the idea, but I have more reasons, just in case they are required.

Add to that, many incarcerated people come from marginalized backgrounds, and offering sentence reductions in exchange for donation could be seen as taking advantage of their vulnerability. It might push them into decisions they would not make under different circumstances, driven by desperation or coercion.

The whole idea of linking organ donation to sentence reduction risks turning the human body into a commodity, treating it as a means to an end rather than respecting its inherent value. Is not less than 60 days and not more than 365 the official going rate of an internal organ? This surely erodes the principles of human dignity and respect. The human body being used as a commodity in similar ways i.e., organ trafficking and organ harvesting are crimes. For example, in China, according to the International Society for Human Rights on the tens of thousands donor organs they come from, to the extent of our knowledge, the victims primarily consist of arbitrarily jailed prisoners from Chinese labor camps and re-education facilities. What about this suggestion really make this idea different?

Additionally, using sentence reduction as an incentive for donation could infringe upon an individual's autonomy and human rights. Their decisions may be more about shortening their sentence than making a genuine, informed choice. There is also the risk that such a system would disproportionately affect specific groups of incarcerated individuals, potentially leading to discrimination and concerns about fairness and equitable access to sentence reductions.

Additionally, tying organ and bone marrow donation to sentence reduction might damage public trust in organ transplantation and medical practices. It could cast doubt on the ethical treatment of incarcerated individuals and the overall integrity of the transplant system. While the last two reasons might not seem as critical given the recent erosion of trust in medical practices in general in the last few years and the fact that someone whose only chance at life is much ... (Cont. on p. 9)



(Letter To The Editor, from p. 8) ... less likely to know or care about the integrity of the system where the lifesaving organ came from, it is still crucial to address these ethical concerns comprehensively.

Removing the sentence reduction element from the bill, does not make these ethical concerns go away; it just takes away any tangible benefits for those who choose to donate. I do not have an in-depth knowledge of medical practices within American prisons, but I am aware of the significant challenges faced by incarcerated individuals, particularly when it comes to medical care. The idea of undergoing major surgery within a prison system known for its inadequate medical care is deeply troubling. But not as troubling as the coercive pressure that would be experienced by those incarcerated. One life is NOT more valuable than another, while practical decisions may sometimes involve distinctions, the ethical and moral foundation of our society emphasizes the equal intrinsic value of all human lives.

The very notion that such an idea has been contemplated, let alone turned into a formal bill, deeply disturbs me.

#### REFERENCE

Organ Harvesting - <https://ishr.org/organ-harvesting/>

## SUCCESS WON'T BE FOUND IN COMPLAINTS

Mario Cavin

People complain for various reasons. Some are justified, others are merely searching for a willing ear. What all complaints have in common is they do absolutely nothing without action or initiative.

Let's take for example, those individuals who complain there's no job opportunities in society. The reality is that the MONTHLY JOBS Report shows there's 10 million job openings in the United States. Local jobs may not be available in the person's desired field, but opportunities are available. Sadly, I've known people who turned complaining into a full-time job itself.

Applying this concept to prison liv-

ing, more than a few people prefer complaining rather than taking the initiative to make changes. Whether the subject is continuously rising store prices, not enough yard, sub-par food in the chow hall, or a lack of programming, all they do is complain. Complaining gets you--and those that listen to you--nothing but a headache. Shut up and do something about it!

People (incarcerated or otherwise) have a tendency to complain about things that appear complicated to achieve. Complaining gives them psychological comfort for failing to even attempt success. I agree, it's a lot less stressful to complain and let the next person resolve the problem. But when one person after another chooses complaining over action, nothing gets accomplished. You're back at square one--with a problem and a headache to boot.

For years I wanted to attend college, or at least take college level classes. Neither myself or my family could afford it so it seemed unlikely to ever become a reality. But then I located a sponsor who helped put me through Blackstone Career Institute where I became a Certified Paralegal. that only drove me to seek even higher education.

I've located multiple colleges and career institutes I'd like to enroll in, but again, the lack of finances became a towering hurdle once more. Did I complain and give up? Hell no. I began searching for grants and other scholarship opportunities that may be available to make this dream a reality. And now that Pell Grants are returning to incarcerated students, I have no excuses--and neither do you!

Whether your goal is getting better food and movies, or truly fighting to get home, the concept remains the same: put up or shut up.

So my question to you is: What can you accomplish by sitting back and complaining? A lot of headaches for one.

ABOUT THE AUTHOR: Mario Cavin (Prison I.D. No. 326204) is serving a 37-year sentence in the MDOC and is housed at the Macomb Correctional Facility, 34625 26 Mile Road, Lenox Township, Michigan 48048. Mario is a Certified Paralegal, a Board Member with the National Lifers of America, Inc., and an active member of The Adolescent Redemption Project (TARP).



## 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: \_\_\_\_\_

NAME OF CORRECTIONAL FACILITY: \_\_\_\_\_

COMPLETE MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ Zip Code: \_\_\_\_\_

### CIVILIANS

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ APT. \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ Zip Code: \_\_\_\_\_

PHONE NO. (     ) \_\_\_\_\_

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