

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

Michigan

# Lifers Report

APRIL 2022

Newsletter

## CONVICTIONS WITHOUT EVIDENCE

Willis X. Harris

**Evidence:** (1) That which tends to prove or disprove something, ground for belief, proof; (2) Something that makes plain or clear, an indication or sign; (3) LAW. Data presented to a court or jury in proof of the facts in issue and which may include the testimony of witnesses, records, documents, or objects; (4) In evidence, plainly, visible, conspicuous; (5) To make evident or clear, show clearly, manifest. (Random House Unabridged Dictionary, 2nd Edition.)

We have always believed that evidence should be the deciding factor in forming any opinion or conclusion on the innocence or guilt of a defendant, regardless of the offense. Both the prosecutor and defense counsel or attorney should or must present in open court the physical evidence alleged to support their positions. The jury, judge, witnesses, and general audience in the courtroom should see the evidence unaltered by the prosecution or defense.

Prisoners, male and female, write and tell us that they were wrongfully convicted of offenses they did not commit--no DNA evidence, no fingerprints, no witnesses, and cannot be placed at the crime scene. They were convicted solely on testimonies from arresting officers. As a result of their convictions, they often say the sentencing judge went outside sentencing guidelines and gave them very harsh sentences.

Some comments made by defense attorneys are (1) law-enforcement officials do not always tell the truth even after taking the oath to tell the truth; (2) medical and forensic personnel sometimes alter their findings to assist prosecuting attorneys; and (3) witnesses are prepped prior to court appearances on what to say and how to feign fear and strong emotion to help obtain convic- ... (Cont. on p. 3)

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## EQUITY OF THE LAW?

### Corrections Officials Vs. Civilians

Jamie Meade

Michigan Compiled Laws (MCL), Section 750.316(b) defines the crime of felony murder in Michigan as a death that occurs during the course of one of the enumerated felonies listed in Subsection (b). An example of felony murder is when two people, one armed with a weapon, commit an armed robbery of a store and a store clerk is shot to death. Both men may be charged and convicted of the capital offense of felony murder in the State of Michigan. A conviction of felony murder, whether as a principal defendant or as an accessory, carries a mandatory sentence of life without the possibility of parole (LWOP). The question I pose to you the reader is, "Does equity of the law apply the same to corrections officials as to civilians?"

MCL Sec. 750.316(b) provides 2 enumerated felonies to consider when answering this question. First is "a major controlled substance offense" and second is "vulnerable adult abuse in the first or second degree". I point to these 2 enumerated felonies in Subsection (b) because they are directly intertwined to the topic of this article and the question posed.

It is a common practice for prosecutors to overcharge people accused of crimes. Prosecutors do this as a tactic to pressure a plea deal or to assure a conviction of a lesser included offense, an offense the person probably should have been charged with in the first place. Overcharging a person does not mean a conviction of that charge is out of the question. What it means is, a conviction of a lesser included offense is more likely.

On March 4, 2020, the Macomb Correctional Facility was officially locked down because of COVID-19. By June 30, 2020, nearly all correctional facilities across the state were placed on lockdown status. All visits were suspended indefinitely and only corrections officials were allowed to enter prisons across the state.

What else entered prisons across the state during lockdown? Drugs. How did drugs get inside prisons? Obviously not through visits or volunteers. What were the results of these drugs entering prisons? Overdoses and deaths. While many prisoners survive an overdose, there are many who don't.

There have been many citizens of this state charged with felony murder, second-degree murder, or manslaughter for selling or supplying drugs to someone who overdoses and dies. So you may be thinking... How many corrections officials have been charged and convicted of any of these crimes ... (Cont. on p. 10)

(Convictions Without Evidence, from p. 1) ... tions.

Statements minus evidence to corroborate them could be challenged as inadmissible. We have two accepted types of evidence: direct evidence and circumstantial evidence. In a court of "justice", the evidence, not merely uncorroborated testimony, should support the conviction.

Finally, it is rumored that some court stenographers add data to transcripts that was not given during the testimonies at the trial.

To prisoners making these claims, the best way to handle this is to secure an official copy of the trial record (including the recordings of the trial), the Pre-Sentence Investigation report (PSI), and the evidence the judge relied on to justify the sentence.

You may want to ask the court to appoint you an attorney to process your appeal if you are unqualified to represent yourself and to obtain all police and court records.

In correctional facilities with law libraries, we suggest you read and study your state's criminal laws or statutes relevant to your offense(s). Secure a copy of your state's constitution as well as the U.S. Constitution and its 26 Amendments.

## PROPORTIONALITY PRINCIPLE SKEWS AMERICA'S CONCEPT OF JUSTICE

Bryan Noonan

Michigan's life sentence laws are informed, at least in part, by the principle of proportionality. Proportionality is the idea of "just deserts," that one is punished to the same degree as his or her crime. The image of "Lady Justice" even promotes this idea: justice is the balancing of scales.

Proportionality as an essential element of justice stems back thousands of years to the ancient legal concept, *lex talionis*. Though this concept is found in the Bible, it is much older than even Old Testament writings. *Lex talionis*, summed up simply as "An eye for an eye, and a tooth for a tooth," is often assumed to be a principle of proportionality. In other words, this ancient concept has been used for hundreds of years to justify sentences designed to balance the scales of justice.

But *lex talionis* is not a proportionality principle. It was never meant to be. Rather, this ancient principle is a "limiting" principle. It is only meant to provide a ceiling for appropriate punishments, not a floor. *Lex talionis* intended to place a cap on punishments so that a greater injustice would no result if a punishment exceeded the harm done in

the first place.

The reality is that justice is an abstract concept. Ask a dozen people what justice is, and you'll often get a dozen different answers. Justice is defined largely by societal morals and social norms. If a society embraces and emphasizes forgiveness and redemption, justice is best accomplished when those goals are achieved. If a society values retribution over mercy and redemption, than "just deserts" becomes the guiding force. Thus, proportionality has been a foundational legal principle in American jurisprudence.

Proportionality, like justice, is an abstract concept, though, so it changes as society changes. Societal norms determine the value of property, peace, and person. When an offender takes property, society sets a "price" for such a crime. The same occurs with crimes that steals one's peace (those which caused no bodily injury but caused fear, for example). Many states in America have set the price for a person at life. In other words, a life for a life.

In some states, one must pay for murder with his or her own life. We call that capital punish- ... (Cont. on p. 10)

# THE SENTENCING PROJECT AND FAIR AND JUST PROSECUTION

## RELEASES

### FELONY MURDER: AN ON-RAMP FOR EXTREME SENTENCING

By Nazgol Ghandnoosh, Ph.D., Emma Stammen, & Connie Budaci (2022) 32 Pages

#### EXECUTIVE SUMMARY

Murder typically refers to an intentional killing. But "felony murder" laws hold people like Mendoza liable for murder if they participated in a felony, such as a robbery, that resulted in someone's death. These laws impose sentences associated with murder on people who neither intended to kill nor anticipated a death, and even on those who did not participate in the killing. As such, they violate the principle of proportional sentencing, which is supposed to punish crimes based on their severity. These excessively punitive outcomes violate widely shared perceptions of justice. With one in seven people in U.S. prisons serving a life sentence, ending mass incarceration requires bold action to reduce extreme prison terms such as those prescribed for felony murder. These laws run counter to public safety, fiscal responsibility, and justice.

Although other countries have largely rejected the felony murder doctrine, 48 states, the District of Columbia, and the federal government still use these laws. The only two states that do not have felony murder laws are Hawaii and Kentucky. Six other states require some proof of intentionality regarding the killing to consider it murder, though the use of a gun--or mere knowledge of a codefendant's gun use--satisfies this requirement in some jurisdictions. In any case, all felony murder laws use the underlying felony to either a) treat as murder a killing that would not have otherwise been considered murder, or b) increase the gradation of murder, such as from second to first degree.

This report evaluates the legal and empirical foundation, and failings, of the felony murder rule, profiles impacted individuals, and highlights recent reform efforts in 10 jurisdictions. Key findings include:

1. Felony murder laws widen the net of extreme sentencing and are counterproductive to public safety.

- For felony murder convictions for adults, eight states and the federal system mandate LWOP sentences, 15 states mandate LWOP in some cases, and 17 states and Washington, DC make LWOP a sentencing option. Four states permit or require a virtual life sentence of 50 years or longer for some or all felony murder convictions.
- In Pennsylvania and Michigan, one quarter of people serving LWOP were convicted of felony murder--over 1,000 people in each state.
- Felony murder laws have not significantly reduced felonies nor lowered the number of felonies that become deadly.
- The extreme prison sentences associated with felony murder laws add upward pressure on the entire sentencing structure.
- Felony murder laws spend taxpayer dollars on incarcerating people who no longer pose a danger to the community and divert resources away from effective investments that promote public safety.

2. Felony murder laws have particularly adverse impacts on people of color, young people, and women.

- In Pennsylvania in 2020, 80% of imprisoned individuals with a felony murder conviction were people of color and 70% were African American.
- Felony murder laws ignore the cognitive vulnerabilities of youth and emerging adults by assuming that they recognize the remote consequences of

(Cont. on p. 5)

(Felony Murder, from p. 4)

their own actions--and those of others in their group. In Pennsylvania, nearly three-quarters of people serving LWOP for felony murder in 2019 were age 25 or younger at the time of their offense, as were over half of Minnesotans charged with aiding and abetting felony murder in recent years.

- An exploratory survey in California found that 72% of women but only 55% of men serving a life sentence for felony murder were not the perpetrators of the homicide. The California Coalition for Women Prisoners reports that the majority of their members convicted of felony murder were accomplices navigating intimate partner violence at the time of the offense and were criminalized for acts of survival.

3. Existing reforms must be expanded to achieve justice.

- Since 1980, Michigan has required a minimum culpable mental state of wanton disregard for life for felony murder convictions. Despite this re-

form, the number of Michiganders imprisoned for felony murder is comparable to that of Pennsylvania, where no such requirement exists.

- Reforms in Colorado, Illinois, and Massachusetts have not been applied retroactively to provide relief to people sentenced under the old law.

The Sentencing Project and Fair and Just Prosecution recommend that all U.S. jurisdictions repeal felony murder statutes. In the interim, reforms to felony murder laws should at a minimum include: eliminating death and LWOP as sentencing options; protecting minors and emerging adults from the felony murder rule; ending accomplice liability; creating meaningful intent requirements for the killing itself; narrowing predicate offenses that can trigger a felony murder charge; and tackling racial disparities in enforcement. Prosecutors can be leaders in these reform efforts. The model policy memo included in Appendix 1 sets forth recommended changes prosecutors can put in place to address these concerns and achieve just results.

EDITOR'S NOTE: The Sentencing Project gave the Michigan Lifers Report Newsletter permission to print the Executive Summary from the Felony Murder: An On-Ramp for Extreme Sentencing report. The full report can be located on The Sentencing Project's website at [www.sentencingproject.org](http://www.sentencingproject.org) or on Fair and Just Prosecution's website at [www.fairandjustprosecution.org](http://www.fairandjustprosecution.org).

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## NO JUSTICE IN MICHIGAN?

Dwight Henley, M.B.A.

Years ago prominent defense attorney F. Lee Bailey publicly vowed to never practice law in Michigan. He and other attorneys have said judges and justices in Michigan do not follow their own laws; they contort and even make law to achieve desired outcomes. According to these attorneys, Michigan courts call clear errors harmless, create inaccurate factual narratives, and simply ignore long-standing law. Now our Supreme Court is faced with a decision about setting the appropriate age at which courts can automatically sentence juveniles to life in prison.

Based on developing social norms and new scientific evidence on the brain development of youths, in 2012 the United States

Supreme Court ruled people under the age of 18 can no longer be sentenced to life without considering their youthful characteristics. Given these scientific developments, in 2014-2015 the Michigan legislature raised the age of the Holmes Youthful Trainee Act (HYTA) to 24 and under. HYTA labels people in the prescribed age group as juvenile and directs that they be prosecuted as a juvenile except for the most serious crimes. Since these changes, new scientific evidence, findings that are universally accepted in the scientific community, shows the development of the brain in a person 17 is no different than a person who is 18, 19, or 20 years of age. The same evidence also ... (Cont. on p. 10)

## DESERVING OF A SECOND CHANCE

### THIS ISSUES FEATURED LIFER: CHARLES SELBY

Charles Selby (Prison ID No. 192800) was 18-years-old when he took a man's life. Charles was convicted of first degree murder and sentenced to life without the possibility of parole, better known as, Death-by-Incarceration.

Unsurprisingly, the first page of his 35-year-old Presentence Investigation Report states Charles was a "Very troubled young man ... [i]mmature, impulsive, and irresponsible." Now, after spending 35 years in prison, at the age of 53, Charles remains condemned to die in prison because of a decision he made a few days after his 18th birthday. Only days separated Charles' sentence of LWOP and a second chance. If he would have been 17-years-old, Charles would have been required to be resentenced and possibly given a second chance because of his age.

Unfair doesn't begin to describe the injustice that mere days brings Charles. Today, with new research on the development of the adolescent's brain, world-renowned developmental psychologist Lawrence Steinberg concludes 18-year-olds should be entitled to the same sentencing protections as those 17 and under. Fortunately for Charles, a second chance may be around the corner, depending on an upcoming ruling in the Michigan Supreme Court whether it is "Cruel or Unusual" punishment to sentence 18 through 25-year-olds to LWOP.

If given a second chance, Charles wants to help children in juvenile facilities. Because of his own experiences, he believes no child should be neglected and thrown away. Charles believes children should not have to fear the darkness when responsible adults are lighting the path.

Charles is a Legal Writer and has been one for many years. He has already dedicated himself to helping others around him making his community (prison) a better place. As a Christian, Charles believes helping others is a primary act required of all Christians. Charles Selby is deserving of a second chance.

## WHAT DO YOU WANT?

Bruce Micheals

Think about it: what do you really want out of life? Are you bold enough to say it? Do you even know what you want? Imagine as athlete that can't decide whether to go for the team's goal or his own glory. What does the athlete want? No one knows. Sometimes the athlete sacrifices for the team. Other times the athlete plays selfishly. This double-mindedness destroys prison records just as it destroys athletic careers.

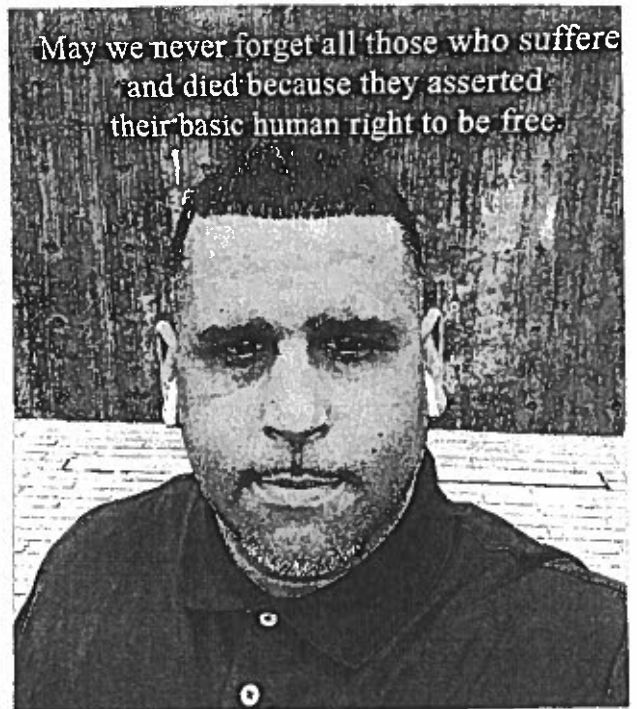
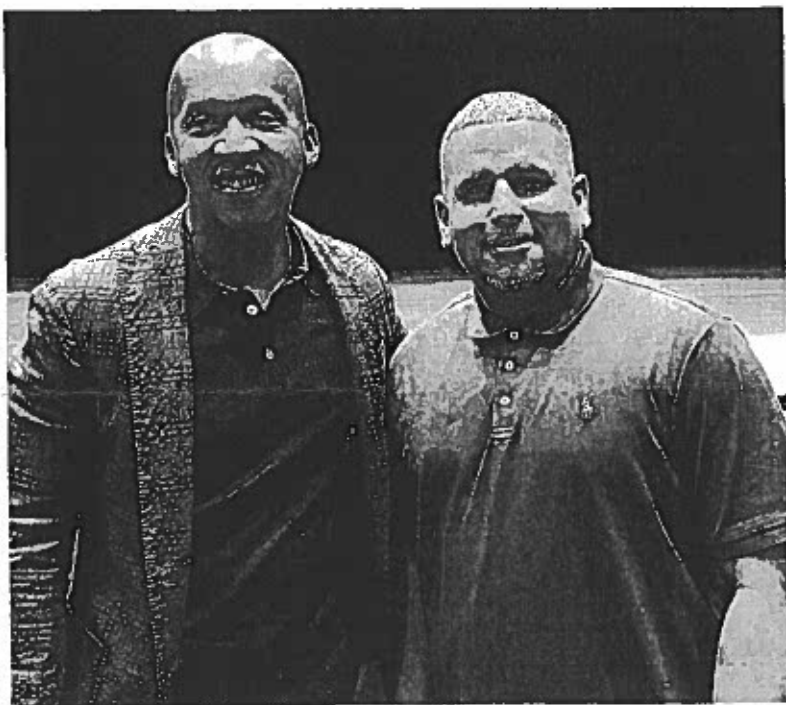
We are similar to athletes in the sense that a clear and obvious goal should stand before all of us: the award of freedom. However, just as many athletes lose sight of that end, we too can do so if we are not absolutely laser focused on it. You might ask, "Bruce, what does that mean?" It means (1) keep-

ing a good attitude, (2) helping one another, and (3) taking advantage of the opportunities that are available to you.

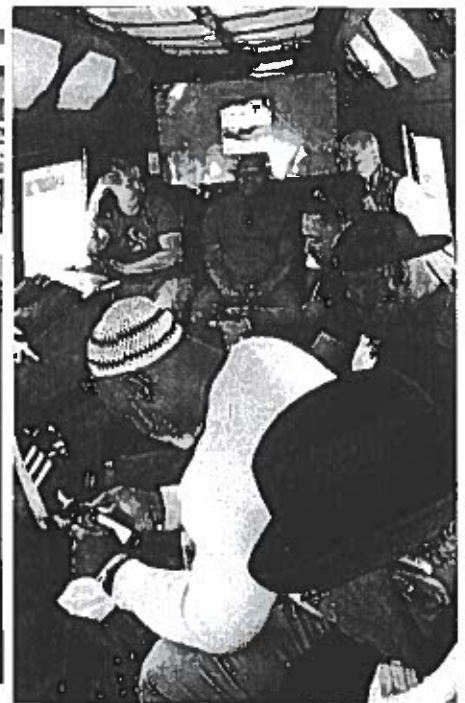
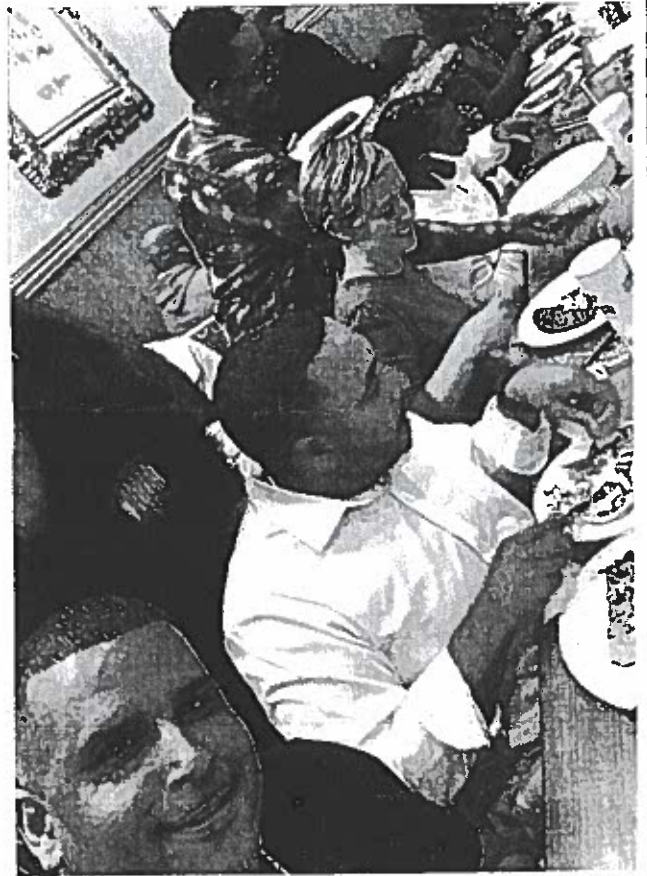
You may be wondering whether any opportunities actually exist for prisoners. Well, they do. I know because I have massively benefited from them, and I contribute to them daily. However, I haven't always been so riveted to the goal or regimen for achieving it.

At 16 years old, I was sentenced to multiple life sentences. Instead of making the most of my situation, I continued to be a violent criminal which landed me in maximum security for ten years. Of that time, I did over three years in the hole and almost four on sanctions. I fought with staff and prisoners, got tear- ... (Cont. on p. 12)

SADO REENTRY ANALYST JOSE BURGOS AND FORMER JLWOP PRISONERS VISIT THE LEGACY MUSEUM AND MEET HENRY MONTGOMERY AND BRYAN STEVENSON



SADO REENTRY ANALYST JOSE BURGOS AND FORMER JLWOP PRISONERS VISIT THE LEGACY MUSEUM AND MEET HENRY MONTGOMERY AND BRYAN STEVENSON





## A SIMPLE FIX TO THE SLAVE WAGES DOLED OUT IN MICHIGAN PRISONS

Jerry Metcalf

Recently I read an article by Paul Egan of the Detroit Free Press, titled: State Slices Prisoner Pay After Finding 11-Year Error.

Mr. Egan painted a pretty good picture of how the Michigan Department of Corrections (MDOC) has been treating us incarcerated individuals as slaves by paying us pennies per hour for the last three decades. And, having been imprisoned by the State for over 26 years, I'd have to agree. I'm one of those dog trainers he mentioned. I begin my day at 6 a.m. by taking my dog out for its first potty break, and I end my day by taking the dog out at 8:30 p.m. for its last potty break. In between, I train my Paws With A Cause dog on a constant basis by taking it with me everywhere I go inside the prison, teaching it different lessons along the way, so that one day it'll make a trusting, loving, and obedient service dog for some young autistic child in need.

I work 14.5 hours a day, seven days a week, fifty-two weeks a year, and I get zero days off. None. Not even holidays. And I do all this for \$1.54 a day. That works out to about 0.11 cents an hour. Slavery indeed!

And although I am white, I feel obligated to point out how the majority of people incarcerated in the Great State of Michigan are black. I remember reading somewhere way back in my public middle school days of how the Great Emancipator, Abraham Lincoln abolished slavery on January 1, 1863, with his Emancipation Proclamation. If this is true, then how come slavery still exists right here in our state under the guise of "corrections"? Is Lincoln not the Great Emancipator we were led to believe? It seems to me that black slavery never ended, it just pivoted. Now to enslave someone in America, black, white, or whomever, all the government needs to do is attach a felony conviction to them.

Thank God our cops and prosecutors are all honest, hardworking people who'd never frame an innocent man, or shoot a young, hoodie-wearing black kid in the back for carrying a toy gun, or murder a man by kneeling on his neck for nine minutes, otherwise we'd be in big trouble socially and morally with this whole slavery thing.

Okay, enough complaining on my part. My hero Nelson Mandela once said something to the effect of a person should never complain about a problem unless he or she is willing to suggest a solution for said problem, so here's mine.

In his article, Mr. Egan cites State Representative Bradley Slagh as stating that we prisoners "receive free room and board" and therefore shouldn't be entitled to anything other than slave wages. LOL--I find plenty wrong with this statement, starting with the fact that is exactly something a deep-south plantation owner would've said two hundred years ago, and ending with the fact that I didn't ask to be imprisoned, so of course I shouldn't be paying room and board. Hell, if you don't want to pay my room and board, let me go and I'll gladly go find a job to feed and house myself!

Okay, I know that's not going to happen, but I'm willing to concede that it's about time we incarcerated individuals start paying room and board under certain circumstances. And seeing as how most of us were imprisoned while still real young (I was 20), we'll be able to learn how to be responsible, bill-paying adults instead of leaving prison decades later with zero knowledge of how to take care of ourselves financially.

I propose that the State pay us prisoners whatever the minimum wage is for Michigan. Of this money earned, one-third will revert back to the State for rent, food, clothing, and healthcare. One-third will go to us. And one-third will go into a savings account for the day we're released, unless we have ... (Cont. on p. 12)

(Equity Of The Law, from p. 2) ... mentioned? You guessed it, none.

Prisoners in the Michigan Department of Corrections are considered vulnerable adults. For example, if a corrections official is caught having consensual sexual relations with a prisoner, that staff member can be charged and convicted of a criminal sexual conduct offense because prisoners are considered vulnerable and corrections officials are considered an authority figure.

Drugs have been entering prisons across the state at an alarming rate, since the COVID-19 pandemic required visitation to be suspended or reduced to non-contact. All U.S. Postal mail prisoners receive is photocopied prior to entering the prison and delivered to the prisoner. Prisoners have overdosed and died in several prisons across the state. On March 29, 2022, another prisoner, Erick Doke, overdosed at the Macomb facility. Are corrections officials the source of these drugs entering prisons? If so, why haven't any of them been charged with a homicide (i.e. felony murder)? Is equity of the law being applied the same to corrections officials as civilians?

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(Proportionality Principle, from p. 3) ... ment. For some states that have opposed the death penalty, the price for murder has still been at a life for a life. Only, the offender's life is taken as the offender dies slowly in prison. The state (and its citizens) get to feel that the scales of justice have been balanced while feeling morally justified by showing "mercy" and letting the offender live.

When retribution is valued over redemption, proportionality demands that justice is satisfied through punishment equal to a crime. But such a demand makes no room for mercy. A life sentence is still a death sentence. Even if a society values rehabilitation, if proportionality demands must be met, rehabilitation holds no sway.

Proportionality does have value in guiding a society to determine appropriate punishments for crimes; however, if proportionality is not tempered by mercy, if no pathway for redemption is allowed, than our concept of justice values retribution over relationship. Life must be valued, and valued highly. So, how can a society ex-

pect its citizens to value life if its own concept of justice sees lives as "coin" to pay for others lives?

ABOUT THE AUTHOR: Bryan Noonan #739416 blogs about prison at HopeOnTheInside.blogspot.com, and he co-authored "Insider's Guide to Prison Life," a book that seeks to demystify prison and build stronger relationships between prisoners and their loved ones. Bryan was awarded a BA from Calvin University in 2021, and he is housed at Richard A. Handlon Correctional Facility, 1728 W. Bluewater Hwy., Ionia, MI 48846

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(No Justice In Michigan, from p. 5) ... shows that the brain does not fully develop until a person reaches their middle-to-upper twenties. As a result, Darcie Moran of the Detroit Free Press reported that in 2021 the Michigan Legislature raised the age of HYTA to 26.

Now the Michigan Supreme Court is deciding the age in which courts must consider juvenile characteristics before sentencing them to life. The determining factors in their decision are the brain science and the evolving social definition of juvenile. Here is the catch: both of these points have already been determined and suggest that the age is 26. As mentioned, the same research scientists relied on in the U.S. Supreme Court's 2012 ruling now say new science supports that full brain development does not occur until a person reaches his or her mid-to-upper twenties. Likewise, the Michigan Legislature, in raising the age of HYTA, has explicitly defined juvenile in the criminal justice context as 26 years of age. The Michigan Legislature's actions were based on the science and reflect social norms.

It is now time to see whether the Michigan Supreme Court acknowledges the facts and raises the age to 26, or whether the court engages in rationalized thought, creates faulty factual narratives, or provides conflicting definitions of juvenile to reach the outcome that they desire. The Supreme Court's upcoming decision will shed light on the state of justice in Michigan.

ABOUT THE AUTHOR: Dwight M. Henley (Prison No. 246521) is serving a LWOP sentence in the MDOC and is housed at the Macomb Correctional Facility, 34625 26 Mile Rd., Lenox Township, MI 48048. Dwight completed his Master in Business Administration ... (Cont. on p. 12)

## BOOK REVIEW

### INSIDER'S GUIDE TO PRISON LIFE BY BRYAN NOONAN & DUSTIN GORDON (2021) 205pp.

Reviewed by Jamie Meade

Insider's Guide to Prison Life is a book written by two Michigan prisoners with the goal of demystifying prison for those on the outside. One of the greatest challenges for many prisoners is maintaining healthy relationships with family and friends on the outside. Yet, studies have shown that prisoners who maintain healthy relationships are much less likely to return to prison once released.

Bryan Noonan and Dustin Gordon take their combined decades behind bars to shed light on what life is really like in prison. Stripped of Hollywood glamour, prison is presented just as it is. Readers will discover the many challenges prisoners face while trying to both survive and thrive in a prison environment. The authors share specific ways family and friends can support their incarcerated loved one, without enabling bad habits and behaviors. Readers will also discover how to best advocate for incarcerated loved ones and how to help them prepare to succeed in life after prison.

Insider's Guide to Prison Life is a must read for anyone who has a loved one in prison. Purchase Insider's Guide to Prison Life (ISBN 9798719041292) on Amazon.com.

## A BROKEN SYSTEM

### ILL EQUIPPED OFFICERS ACTING AS SECONDARY THERAPISTS?

Mario Cavin

In recent months, there has been an uptick in assaults on staff by mentally ill prisoners. But who is truly at fault? The officers? The prisoners? The entire system?

Macomb Correctional Facility (MRF) is one of three prisons in Michigan that house inpatient mental health prisoners in what is commonly known as a Residential Treatment Program (RTP). These prisoners are deemed too mentally ill to be housed in general population, yet stable enough to avoid 24-hour treatment at the Woodland Correctional Center.

While the RTP unit is technically just another housing unit (HU-7), it is designed to keep social workers, psychologists, and psychiatrists close at hand... albeit during business hours only. Although professionally qualified, the social workers and psychologists assigned to treat Outpatient prisoners are not permitted to treat RTP residents.

As Prisoner Observation Aides (POA's), we are provided a crash-course in how to interact with suicidal prisoners including RTP prisoners. Ironically, officers receive no specific training to deal with RTP prisoners. Despite their lack of specialized training, officers interact with these prisoners more often than the psychs who treat them. Shouldn't those staff who interact with RTP prisoners the most have the training to do so?

Multiple officers assigned to Unit 7 have confided in us that they receive no additional training outside the training required to be a ... (Cont. on p. 12)

(No Justice In Michigan, from p. 10) ... at Adams State University and became educational eligible for the CPA exam while incarcerated.

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(What Do You Want, from p. 6) ... gassed, got stitches, and got staples.

Eventually, I realized that I was wasting my time. I accepted that I would never have the criminal lifestyle that I truly wanted, but I began to think that maybe I could make the wretched life that I had a little better. That idea intrigued me, and I soon embarked on a journey that continues to amaze and transform me.

Over my years in prison, I have written books, earned college degrees, repaired damaged relationships, found college sponsors, won scholarships, developed self-help programs, maintained great friendships, volunteered in dozens of projects, found mentors, helped change lives, earned various certificates, and acquired marketable skills. Recently, my life sentences were replaced, and now I can see clearly how all those years of work not only made my life better, but it also drew me closer to the goal of actually getting out of prison.

Although I am still serving time, the quality of my life is far better than it was in the past. Some people say, "time is just time," as if it is all the same in prison. Don't listen to them. Time will be as good or as bad as you make it.

In future issues of the Michigan Lifer Report, my friend and I will introduce you to our subculture, resources, and system. Soon, if you do your part, you will join us in meaningful change, as we draw closer to the goal of freedom together.

ABOUT THE AUTHOR: Bruce Micheals #208666, a former lifer, is author of several books such as Rehabilitation in prison, How To Write a Parole Plan, and Success in Prison, 2ed. Bruce was awarded a master's degree from California State University in 2021, and he is housed at the Muskegon Correctional Facility (2400 S. Sheridan Dr., Muskegon, MI 49442).

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(A Simple Fix, from p. 9) ... children, then that money could be sent home to take care of our families.

I see this method as a plus all the way around. The state may have to pay more money up front, but in the long run it will save money by cutting the recidivism rate.

When men leave prison with an understanding of how working a real job that earns a real wage works, they will better appreciate the benefits of avoiding crime and seeking out a job. Imagine if you had slaved away for twenty or thirty years, earning pennies an hour, you'd then be programmed (institutionalized) into thinking that working an honest job does not pay off. So when the choice to steal, to sell heroin or crack or meth, or prostitute oneself presents itself, many of those formally incarcerated individuals turn to the "easy" money as opposed to the "slave" wages they know so well.

Also, when a man or woman is released with zero dollars in their pocket, life is an almost insurmountable uphill battle. Sure, many people do climb out, but usually on the backs of their loved ones. They live with their parents, or siblings, or children; they eat their food and wear their clothing; they use their car and are driven to work by them; they use their bank accounts and credit cards; and they use their phones and computers. Shifting this financial burden to our families and communities is not only unfair, but, following the line of logic that says our prisons are mostly populated by blacks, then this financial burden is also systemically racist. What would our Great Emancipator have to say about this, I wonder?

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(A Broken System, from p. 11) ... corrections officer (CO). "They [the administration] don't give a shit about us," one officer complained during a routine round on 7's segregation wing. "You guys get hazard pay to clean up blood, but we're exposed to it daily--if not covered in it--and we don't get shit," he added.

These officers agree that a lack of training is likely the cause of the recent staff assaults that have grown in the past few months. While a select few staff enjoy abusing their authority and demeaning these prisoners, the recent ... (Cont. on p. 13)

(A Broken System, from p. 12) ... backlash from the RTP residents affects everyone, staff and prisoners alike.

According to Michigan law, recipients of mental health services "shall not be subjected to abuse or neglect," and that "appropriate disciplinary action is taken against those who have engaged in abuse or neglect." Michigan Compiled Laws (MCL) Section 330.1722. These laws also provide that mental health services shall be provided in a safe, sanitary, and humane treatment environment; and that recipients have the right to be treated with dignity and respect. MCL Sec. 330.1706. It would appear that these untrained officers who mentally abuse and neglect RTP prisoners violate these laws.

Because MDOC officers are trained solely on custody and security issues, they are ill-equipped to de-escalate situations involving mentally ill prisoners. This current situation is akin to hiring an attorney to conduct brain surgery, or a dentist to represent a criminal defendant in court. Training in one profession does not qualify someone to act in another.

Should these staff assaults come as any surprise?

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EDITOR'S NOTE: On December 16, 2021, MDOC Director Heidi Washington issued Director's Office Memorandum 2022-16 implementing Motivational Interviewing (MI) into the foundation of the MDOC operations. While MI has not been fully implemented throughout the MDOC, it is planned to be. This additional training may give corrections officials additional tools to appropriately interact with prisoner with or without mental health issues.

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## DECADES OF INSIGHT

Sybil Padgett

The prison administration's job is to keep us blissfully ignorant of who we are, what we think, and how we will behave in a dense fog of reinforcement.

Our thoughts are shaped primarily by

legacy hardware that evolved to assume that everyone else must be right.

Yet, even when the fog is pointed out, we're no better at navigating through it. So why, you may ask, do I go on talking in here? Why go on year after year serving LIFE without parole?

It is because I pray I can save one person out of the thousands in the fog! That's it! Now, I'm the heroine of my own story... I'm powerless to verify the "powers that be" in this private-gated community. As they've created this fog for their profits.

However, my heart is as good and as worthy as wood. Even after the fire. Especially, when a convicted person can't tap the brakes when they're about to hit the brick wall.

It's so simple, so obvious: Exponential growth inside a finite system--like prisons--leads to collapse. Those in control refuse to see it... So the authority of those in control is "bankrupt"--CORRUPT!

By this: numerous prisoners don't make reality in here they evade it!

Those "powers that be" in prisons are looting capital from taxpayers and hiding the costs with profits. But, the bills are coming and they won't be able to pay. When the injustice of wrongful convictions continue to be revealed.

In and of itself, a secret all individuals in society need to understand and grapple.

ABOUT THE AUTHOR: Sybil Padgett (Prison No. 325532) is serving a LWOP sentence in the MDOC and is housed at the Women's Huron Valley Correctional Facility, 3201 Bemis Road, Ypsilanti, MI 48197. Sybil is an advocate for criminal justice reform. Sybil sits on the NLA National Board of Directors.

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## TWO BROTHERS SENTENCED TO LWOP EXONERATED AFTER 25 YEARS FOR A CRIME THEY DID NOT COMMIT

(CNN) Brothers George and Melvin DeJesus are out of prison after serving nearly 25 years for a crime they didn't commit.

"Walking out just with the feeling of vindication, it was great," George DeJesus

told reporters in Michigan on Tuesday, March 23, 2022, shortly after he was released, according to CNN Detroit affiliate WDIV. "This is the best day of my life."

He said he hadn't seen his brother in roughly 24 years. The siblings were being held in separate correctional facilities, according to the MDOC website.

They reunited and embraced according to the affiliate. "I'm ecstatic," Melvin DeJesus said. "I waited so long for this."

SOURCES: WDIV-TV, Channel 4, 6 p.m. News and CNN, News Network, Tuesday, March 23, 2022.

EDITOR'S NOTE: George and Melvin DeJesus' exonerations are proof Michigan's criminal justice system has failed the citizens of this State. How many more exonerations do we need to see to accept that changes are needed?

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## THE POET'S CORNER...

### "Lifetime"

Hopes trashed out,  
Lives smashed out,  
Dreams crashed out,  
Courts bashed out,  
Release squashed out,  
Demons lashed out,  
Sins washed out,  
Soul cashed out,  
Spirit dashed out,  
all in Sybil's lifetime.

By: Sybil Padgett #325532  
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### "Move It Along Shitheads"

Iron doors clang  
like ancient gongs  
calling the devout to prayer.  
Belly chains constrict  
and leg irons jingle  
with each trudging step...

And grown men weep.

Move it along Shitheads!

Like God the ether  
loudspeakers blare.  
Shotguns are racked.  
The peppery stench of teargass  
permeates the air...  
And grown men weep.

Move it along Shitheads!

Days morph  
into weeks, and weeks  
morph into years.  
The winding path never varies,  
uphill both ways.  
Feet blister,  
eyes lose their luster,  
and fleas lay eggs and multiply...  
And grown men weep.

Move it along Shitheads!

Old wolves die young.  
Young wolves grow old.  
Loved ones fade away  
or pass away.  
Years morph  
into decades...

Move it along Shitheads!

Some crawl out,  
others burrow deep  
into Mother Earth  
for the Long Embrace...  
Either way,  
grown men weep.

Move it along Shitheads!

By: Jerry Metcalf #251141  
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HAPPY EASTER!  
RAMADAN MUBARAK!

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