

CURE: LIFELONG NEWSLETTER
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PRIVILEGE OR RIGHT: PAROLES AND COMMUTATIONS

Willis X. Harris

Both lifers and non-lifers are calling and writing to CURE Life-Long and the Michigan Lifers Association about their "Right" to parole and "Right" to commutation of sentence of both life without parole (LWOP) and life with parole possibility. Both groups function under the assumption that they have the alleged right.

Prisoners do have rights to parole hearings by the parole boards to determine eligibility, completion of programming, and if the facts and circumstances of his or her case suggest low risk or high risk for parole. Low risk cases are more likely to receive favorable recommendations but may not result in parole. Likewise, the same criteria or standards are used for lifers. However, prior felony convictions of assaults, weapons, sexual offenses, and drugs weigh heavily against favorable consideration because in the minds of parole boards' members, such person is perceived as a continued threat or risk to public safety, even if the lifer has aged out of criminal behavior and thinking and has reformed himself or herself.

Sadly,, lawful incarceration negates many civilian rights and privileges which are restored upon release from custody. Your entitlements are serving the court-imposed life-term sentence to the best of their ability, food, clothing, shelter, medical and psychiatric care if needed, and other factors deemed appropriate by corrections departments.

Further, you still have constitutional rights and/or protections up to a certain degree. Some constitutional rights have been restricted by some states and federal courts, such as freedom of speech, press, and peaceful assembly.

Both federal and states constitutions don't really mean what they say. If the wording threatens the control or power of a government entity, court judges will most likely side with the government. State and federal correctional facilities are part of the state and federal governments.

A review of American history shows there hardly was a period since 1776 when the written laws really meant what they said. As situations and circumstances changed, interpretations changed with the time periods down to today. The ruling elite mandated no constitutional interpretations will infringe on their authority, privileges, and social control.

In our criminal justice and political science courses we are taught that we have a "hidden government" that shields itself from public scrutiny and can cause society to go in any social, political, legal, and economic direction it desires.

The same data applies to states' levels. Let's focus on parole boards. I'll limit my comments to the Michigan Parole Board, a bureau of the Michigan Department of Corrections under the supervision of the Director of Corrections. In drafting administrative policies for the parole board, either the director or deputy director the corrections in consulting with the chairperson of the parole board, discuss these rules and regulations prior to signing off on them at which time they become the standards that guide the parole board. The Attorney General also reviews these policies for compliance with state laws. The Attorney General ... (Cont. on p. 3)

PLEASE HELP US UNDERSTAND WHY SO MANY LWOP
PRISONERS CANNOT READ OR WRITE

Willis X. Harris

Maybe I missed something during the past 43 years about fellow LWOP lifers who have been incarcerated between 10 and 55 years of continued imprisonment and cannot read or who are still semi- or completely illiterate, especially in our southern and southwestern states. I find myself being encouraged to take a course in hieroglyphics to understand the "letters" we receive that resemble a centipede chasing a chicken. It is a crowning insult, not by the lifers, but the departments of corrections to see and ignore the high illiteracy rate of these prisoners and provide no academic programming to offset or eradicate it.

We receive telephone calls from prisoners who are functionally illiterate asking us to write to their families for them and come visit them. Even here in Michigan, some prisoners' loved ones want to see their incarcerated loved ones, but they, too, cannot read and understand written or printed directions to and from prisons up to and over 100 miles from where they live.

It is cruel and unusual punishment and treatment on the part of any correctional system to allow such situations to exist. In some states, all lifers are placed on the "back-burner" while the emphasis is placed on non-lifers who will be seen and interviewed by parole boards within three-to-five years. These men and women, mostly men, receive superficial programming for the parole board. Lifers and virtual lifers have to wait and try to avail themselves with what is left behind, i.e., no academic, vocational, nor therapeutic programming.

Being deprived of intellectual nutrients to stimulate their minds over a period of years, such as books, magazines, access to correspondence courses, and internet information, etc., the lifers and long-termers intellectual capacity start to decline.

On the flipside, in the few correctional institutions nationwide that have adequate academic, vocational, and therapeutic treatment for "all prisoners", we have many recalcitrant lifers and non-lifers who resist any type of programming, believing the "system" only wants to "brainwash" them.

They will not accept nor believe any information that is contrary to what they want to believe, not knowing nor what they want to accept and believe have no logic nor basis in fact or reality. This type of thinking devoid of factual premises fuels intellectual biases, prejudices, and stagnates or retards the mental, intellectual, social, moral, and academic growth of the LWOP, LWP, and virtual lifer. It also rolls over into our religious life and convictions.

Correctional history rewards research and research either validates or invalidates history, and we have had "tampered" history. But if we read nothing, ask no questions, and remain satisfied with misinformation, personal opinions, and unsubstantiated belief systems, we solidify our ignorance.

While in prison for 23½ years and freed 44½ years (1980-2024), I have heard and still hear people say "reading puts pressure on my mind", "reading hurts my head," and "reading puts pressure on my eyes." The truth is, an empty mind is under pressure from emptiness and needs to be filled with wisdom, knowledge, and understanding. Empty minds are prevalent in our correctional institutions. An awakened and active mind "poses a threat," "a security risk," "may interfere with debilitation (not rehabilitation)," and "may interfere with brainwashing (not programming)."

Today, even though hard-working taxpayers shell out billions ... (cont. on p. 7)

(Privilege Or Right, from p. 1) ... is the chief law enforcement officer of the State of Michigan for those who didn't know.

Occasionally, the Parole Board has overstepped its authority and was challenged in courts ranging from circuit courts to the U.S. Supreme Court who either affirms or rejects the actions of the Board.

So don't think you are entitled to a parole or a commutation of sentence. These are discretionary decisions concurrently agreed or disagreed upon by the Parole Board and the Governor when considering commutation of sentences.

Finally, by Administrative Rules in Michigan and some other states, the Parole Board is not required - not even by law - to explain or justify its negative decisions. Also, by policy, the Governor will not explain why she denies applications for commutations of sentences or pardons.

On the flipside, the state governor does not need to adhere to protocol. She can, at her own discretion, commute, reprieve, or pardon anyone and needs no consent nor recommendations from the Parole Board.

Former Governor Rick Snyder pardoned a doctor and nurse from Ann Arbor, Michigan saying they were valuable and needed members in society. Also, former President Donald Trump pardoned and commuted his friends sentences and allies overlooking the Federal Bureau of Pardons and Commutations Attorney and Office.

'SECOND LOOK'

A PUBLIC SAFETY SOLUTION, NOT THREAT

Dwight Henley, MBA

Detroit News journalist Kaitlyn Buss recently wrote an article opposing the "Second Look Sentencing" bills. She concedes reform is needed, but she says these bills would trample victim's rights and threaten public safety. However, her position relies on misapplied data and an exclusive definition of "victim".

The idea that our justice system must put victims first stands unquestioned. Victims should be given a significant voice in our system. Unfortunately, our justice system only considers victim's voices when the victim wants retribution. What about those victims who believe inmates, even their perpetrators, should get released after becoming rehabilitated and serving a fair amount of time. Do these victims not count? Polls suggest the majority of victims believe in the release of rehabilitated inmates, even their perpetrators.

Nicole Beverly's most unfortunate situation highlights how the article misrepresents Second Look Legislation and

appeals to public fear. Second Look Legislation is designed to allow our system to re-evaluate those inmates who do not pose a threat to public safety. Ms. Beverly's husband, having tried to kill her before and after his incarceration, would not get a reduced sentence. Her husband could submit a petition just like he can submit an appeal. In either case, he would remain in prison, because no Michigan judge would upset Ms. Beverly's safety. Nor should a judge.

The article suggests prison reform focus on nonviolent offenders, but this approach is based on emotion instead of data. Nonviolent offenders already serve short sentences and, therefore, get released into society at the youngest ages and still possessing criminal thinking. As such, young nonviolent offenders have one of the highest recidivism rates, including for violent crimes. The Notre Dame Law Review, Understanding Violent-Crime Recidivism found that non- ... (Cont. on p. 7)

LISTEN: DEPARTMENT OF CORRECTIONS, PAROLE BOARD,
AND ALL STATE GOVERNORS ... IT'S TIME FOR ACTION

Willis X. Harris

Excessive incarceration, regardless of offense, only shows that our criminal justice system and corrections are dysfunctional and in need of complete over-hauling. We are told one thing but see something entirely different and given no explanation why.

We have been lectured that criminal offenders are sent to correctional facilities/prisons/penitentiaries for punishment, rehabilitation, and returned to society as better people. However, only one of the correctional objectives is in effect or advanced: Punishment. Rehabilitation and release were not, and are not, evident nationally nor locally. If and when a prisoner strives for reform or rehabilitation, it is overlooked or ignored. Reform or rehabilitation is achieved through self-initiative or motivation regardless of correctional system's failures. Rehabilitation is not just involvement in programming. It is a personal internal desire to reverse attitude, thinking (mindset) and behavior.

In spite of unrecognized and unaccepted personal efforts to change, corrections and their parole boards continue to retain these men and women incarcerated for prolonged periods of time exceeding 50-plus years bordering on death-by-incarceration.

Many parole boards, after reviewing a lifer's or virtual lifer's file, begin to function on assumption that a release of a lifer poses a potential risk or threat to society with no soft or hard evidence to support their assumptions. Among their unfounded assumptions are "life means life", "time for crime", and "no merit" and "no interest" when the tax-paying public pays billions of dollars to state and federal correctional departments to have interest in the reformation or rehabilitation of all prisoners, excepting none.

In many states, Michigan included, we have men and women--mostly men--who have served from 25 years to over 50 years and still incarcerated, given no logical, in fact, no reason to justify their negative decisions. These men and women are now in their 60s, 70s, and 80s and dying annually.

Also, some of these prisoners are debilitated, handicapped, permanently disabled, suffering with heart problems, diabetes, medically dependent for life, and other life-threatening illnesses.

Although it is recognized nationwide that of all groups of prisoners, lifers are the best risk for parole. They are least likely to repeat and more likely to repent. Yet, parole boards and most state governors seem to have no interest in releasing lifers. Their reasons must be personal and political. Most of the time fear is the motivating factor.

Many lifers and virtual lifers, due to excessive incarceration, have lost their entire families from death and never had an opportunity to attend their funerals. They lost their mothers, fathers, sons, daughters, sisters, brothers, and grand parents. Due to the locations of correctional facilities--some over 300 miles from their home--made it impossible for visitation unless they had money and transportation. Now, these lifers and virtual lifers wait needlessly to join them in death.

This does not have to be the case. If our parole boards and state governors will see these men and women as fellow human beings, who committed very serious offenses and have served sufficient amounts of time as punishment, regretful of their offenses, and are truly remorseful and emphathetic, they should be considered as candidates for second chances via commutations.

... (Cont. on p. 7)

BITTER EXPERIENCE

Michael B. Pitman Sr.

As an incarcerated citizen sentenced to a long-indeterminate sentence, prison savors a bitter experience. An experience that is inundated with confusion, frustration, anger, resentment, self-inflicted pain, and perpetual cycles of violent and abusive forms of self expressions. Though, I have been blessed and highly favored to escape this fate and the "mental and spiritual atrophy" that "parolable lifers", "non-parolable lifers", and long-indeterminate sentenced people experience in the Michigan Department of Corrections. Most young and old men aren't so lucky, because we all don't start off with the same tools or mental capacity.

The inaccessibility to basic education, programs that can foster emotional intelligence and maturity, and higher educational courses, that carries the potential to boost the morale of broken men, while cultivating intelligence and maturity in them, appears to be an intentional, deliberate, systematic plan, to destroy those who have been deemed as society's rejects, or simply put, unworthy of saving. I know, without a doubt of contradiction, that before these broken men were victimizers they were once victims in some form or another. When lifers and LID sentenced individuals arrive in prison they are given state-issued clothes and a bed roll, then cast into the volatile climate of prison. Forced to navigate it with their own devices. More times than not, these devices are the unhealthy customs of coping, immature methods of approach to conflict influenced by their distorted thinking, and unproductive sources of education. These were the apparatuses that led them to prison in the first place.

Each and everyday it's a struggle for myself to stay afloat and safe amongst the waves of raw energy that is saturated with the childhood trauma, pain

and self-hate, which is disguised behind these broken men's "don't care mentality." I do believe that adults must take accountability and responsibility for their lives. However, rightfully so, that weight of demanding should be placed only on the shoulders of those who are mentally and emotionally mature. No one in their right mind would ever expect for a child to behave like an adult. Right? Well, I hope not. Day in and day out our carceral system turns a deaf ear and blind eye to the subtle screams for help from these emotional, intellectual, and psychological children, who just happen to be a man on a physiological level. That's why it's time for a change. It's time for the MDOC to practice the philosophies of "Restorative Justice". It's time for the "Representatives" and "Custodians" of our "Criminal Justice System" to see that incarcerated people can be more than the worst thing they have ever done. Only if we invest the necessary time, love and money into cultivating and nurturing these broken spiritual being into their full maturation will their experience in prison benefit them into changing.

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MICHIGAN DEPARTMENT OF CORRECTIONS

THE INCEPTION OF PAROLE

By The Michigan Dept. of Corr.

Since 1885, there have been a variety of advisory agencies to the Governor in the matters of commutations, pardons and paroles. In 1885, the Advisory Board offered recommendations to the Governor upon applications for commuted sentences, pardons and conditional LICENSES to go at large (later called parole).

The State Board of Prison Inspectors took over deputies ... (Cont. on p. 8)

"BUILDING COMMUNITY"

Antoine Nathaniel Jackson

Let's take a minute to cast our thoughts to those moments in time when we've relied on song, on laughter, on friends, on old photos, or on past memories, to support our mental state throughout perilous times. Calling our minds back to lessons we've learned about the Civil War, which was initiated around one-hundred-and-sixty-four-years ago, it was revealed how Americans had developed callous' that made their minds and bodies tough. With their resilience though, came predispositions that has carried onto the generations of our future.

At every click or swipe of our tablets, televisions, and phones, we're constantly bombarded with examples that signify worldly divide amongst free societies. Tension arising from Covid, the Ukrainian war, politics, economic instability, inflation, and crime, has brought people to run on a charge powered by long held beliefs that stagnates the implementation of advancements.

While society continues to figure out a template to combat poor social skills, anger, violence, justice reform, and mental illness, incarcerated citizens should begin to think about how to implement infrastructures and workshops surrounding an important model. The model of everyone's life should be transformed into expecting the best, thinking before reacting, seeking a non-violent path, expecting the best, respecting self, and caring for others.

Our survival seems to be threatened when we don't broaden our perspective for the purpose of constructive change. We're confused about how to extract treasures out of behaviors or actions that's contrary to our own. We're bogged down with stress, depression, sadness, and regret because of traumatic times in our lives. We're finding ourselves not motivated, and we never find time to give ourselves or others the affirmations that are deserving. Let us all step to the plate and build community based on re-

spect, truth telling, and caring for others. In doing so, we create a condition for us all to thrive freely.

Everybody's words are relevant when we expect the best, have respect for self, care for others, think before reacting, and seek nonviolent paths. What makes it so urgent for us to transform our power is the constant flow of destruction we experience due to bad reason, poor ideas, and shameful principles. By using reinforced structure through proper dialogue, empathy, questions, and education, we can learn the methodology of how to put out fires when we witness or are confronted with people who eat something or are about to set something ablaze.

With effort and determination, the reality is that our lives don't have to go down like the movies we see. The question isn't when in history would we most likely have wanted to live. Truth is, we're living right now and it's our duty to build communities, no matter where we are, for a future that depends on a United States of America.

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INMATE DICTIONARY

REAL WORLD/PRISON DEFINITIONS

Provided By Matthew Feeney

Affiliated (v) Real World: Associated with a company, group or organization. **Prison:** A member of a STG. See also "Security Threat Group" and "Gang".

Bars (n) Real World: Place of social gatherings, often including ingestion of intoxicating beverages and displays of obscure mating rituals. **Prison:** The physical pieces of steel that separate inmates from the Real World and hinders social gatherings, obscure mating rituals and ingestion of intoxicating beverages.

... (Cont. on p. 8)

(Please Help Us, from p. 2) ... of dollars supporting our criminal injustice system, the only returns they get on their hard earned dollars are recidivism, repeat offenders, increases in rapes, robberies, murders, and excuses why the criminal injustice and correctional systems are failures.

In our hi-tech society which will soon enter our correctional systems, it is necessary that all prisoners today be able to read, write, spell, and have a good command of the English language - above the 10th grade.

Corrections must remove all lifers from the "back-burner" today and place them in meaningful reformation or rehabilitation programs excluding none.

As aforesated, corrections must update all of its tools or rehabilitation especially to lifers and other long-termers. To reduce recidivism and widespread illiteracy in our correctional systems. As they always say: "A mind is a terrible thing to waste." So are human lives with life incarceration in dysfunctional correctional institutional settings.

Deliver what taxpayers pay you to do: Punish, Reform or Rehabilitate, and Release--not incarcerate till death do us part.

('Second Look', from p. 3) ... violent offenders released before the age 34 commit homicide more often than homicide offenders who are older than 55 and served at least 5 years.

Michigan recidivism data on murder shows that doing what we "feel" is safest is not actually the safest approach. In response to the juvenile lifer law changing, Michigan has released over 150 first-degree murderers, and yet only four of them have returned to prison--none for homicide. Based on the MDOC's 2021 Statistical Report, our 5-year recidivism rate is 26.5 percent. This means 40 of the next 150 inmates paroled will return to prison. Intuition may suggest we focus on nonviolent offenders but statistics prove otherwise.

While nobody can disagree that we must protect victims, we can't pick and chose which victims. We must equally protect all victims, including future victims. Because much of our public policy is driven by fear and emotion, our current criminal justice system releases inmates who pose a much greater threat to society than many of those we continue to incarcerate. This reality supports Second Look Legislation. Second Look Legislation allows the court and our Parole Board to closely examine those inmates who no longer pose a threat to society, so we can release them and keep those inmates who do.

Should the current Second Look bills be a little more restrictive in terms of time served and oversight over certain classes of criminals? Perhaps. But public safety requires that we stop letting emotion and fear drive public policy and that we start using data to craft legislation. And the data supports a system that allows for re-evaluating the sentence of inmates with the lowest recidivism rates, particularly the 27% of our prison population that is more than 50 years old.

CITED SOURCE: Notre Dame Law Review, 95, 1643, 1695 (2020).

(Listen, from p. 4) ...

Releasing these men and women enables them to serve society as redeemed law-abiding and productive citizens instead of caged life wild animals in prisons at taxpayers' expense, costing nationally billions of dollars annually, money that could be used to address needs/services such as road repairs, fix old bridges, rusted and broken water pipes, providing clean uncontaminated water, and other needed public services.

Instead of trying to reduce social security for seniors who worked all their lives to earn it, reduce our prison populations of lifers and save some of the wasted billions of dollars for the public welfare of good.

A reminder to our states' parole boards and governors. ... (Cont. on p. 8)

(Listen, from p. 7) ... Don't be contributing factors to a depressed economy. There are many unfilled positions for workers with no one to fill them. Many small businesses are closing due to a lack of workers.

After the service of 20 years of incarceration, released lifers can fill these vacated positions, earn good money, and contribute to society.

(MDOC, from p. 5) ... of the Advisory Board in 1891. In 1893, the state returned to the use of the Advisory Board until 1921. A commissioner of Pardons and Paroles then replaced the Advisory Board in 1921.

In 1922, Governor Alexander Groesbeck created several new state departments. The Department of Public Safety, one of newly created departments, supervised parolees on the street. During the early 1920s, the prison population increased significantly due to new commitments, tightened paroles and an increase in the number of parolees returned for parole violations.

At this time, the Governor's Office controlled all paroles and pardons and Governor Groesbeck personally regulated the number of prisoners being released. During his six years as Governor, Groesbeck drastically reduced the number of parolees. The parole approval rate of prisoners eligible for parole dropped from an average of 48% to 40% with a low of 30% being reached in 1922. During Groesbeck's tenure as Governor, restrictions on parolees were so stringent that a person could be sent back for almost anything. Governor Groesbeck instructed the Department of Public to return as many parole violators as possible.

Our next MDOC article will cover the uncovered parole scandal and the enactment of the corrections law.

All data comes from the Michigan Department of Corrections data base.

EDITOR'S NOTE: Reform with the Parole Board and commutation system is badly needed in Michigan.

(Inmate Dictionary, from p. 6) ...

Canteen (n) Real World: A hollow utensil used to store liquid. Prison: Place where inmates order and receive snacks, clothing and hygiene items. Returning to your cell with a large canteen order guarantees a proliferation of new friends.

Cell (n) Real World: An ubiquitous mobile telephone device carried with one at all times. Prison: An inmate's assigned sleeping quarters, often shared with multiple strangers. "Wet cell" means you have the added convenience of a fully functioning toilet within inches of your sleeping bunk.

Count (v) Real World: The ability to indicate an ascending sequence of numbers. Prison: The ritual by which inmates are accounted for throughout the day. "Stand-Up Verification Count" - making inmates stand-up to insure they are still alive. "Emergency Count" - often done when a guard has failed to accurately add the numbers from an earlier count.

Formal (adj) Real World: A designation of a special or significant event requiring special attention. "Formal attire" means tuxedo and evening gown. See also "Formal dance". Prison: A designation of a special or significant rule break requiring special attention. "Formal discipline" means doing time in segregation. See also "the hole".

Good Time (n) Real World: An expression of happiness and joy, often surrounding enjoyment of a social event with friends and family. Prison: Time credited to an inmate's sentence for staying out of trouble.

Kite (n) Real World: A lightweight device flown in the air and tethered with a string. Prison: A yellow piece of paper formatted for official written communication between inmate and prison staff.

Cure Life-Long Newsletter Subscription Form

Cure Life-Long Newsletter is quarterly published under the auspices of National Cure Headquartered in Washington, D. C.

The expressed mission of our newsletter - to be specific - is to bring the plight and concerns of all lifers and all virtual lifers with minimum sentences of 50 years or more to attention of the lifer population across the USA, the general public, and our unjust criminal justice system, inclusive of our courts, prosecutors, attorneys, correctional personnel, parole boards, governors, and our lawmakers.

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