

Change Starts With Us Ohio

ISSUE 4

JULY 2021

INSIDE THIS ISSUE:

The path to
exoneration 2

Strickland V.
Washington 2

Respect thy
elders 3

4th of July
and Freedom 3

Upcoming
Events 4

In 2020 as the COVID-19 virus ravaged through our communities, Ohio's prison system was hit especially hard. Approximately 8,031 offenders and 2851 staff members contracted COVID-19 with 135 offenders and 11 staff members dying. Part of Governor Dewine's response to this was to release a few non-violent offenders. One of those released was a woman from ORW. To protect her privacy we will call her Jane.

Jane entered the prison system for drug related charges. Jane had been a drug addict with heroin being her drug choice since she was 17 years old. As with many female addicts, Jane had a history of prostitution. Now at age 41, Jane had been in county jail for a couple of months prior to being transferred to ORW. She was clean at the time of her arrival at ORW. ORW assigned Jane to the dog training program. Jane was told that there was no substance abuse programming due to COVID-19.

Jane was released approximately 90 days before the end of her sentence at the end of 2020 as

part of the non-violent offender release program due to COVID-19.

Jane received no programming or coping skills to help with the drug addiction which led to her incarceration. Jane was assigned a parole officer who drug tested her weekly until the end of her determinate sentence. Jane returned to the same neighborhood where less than a year before Jane was prostituting herself to buy heroin. She lived with other family members in a debilitated home who also had substance abuse issues.

Within 8 weeks after being released from parole, Jane relapsed.

ODRC's drive to prevent the spread of COVID-19 meant there would be no programs, no schooling statewide. The prisons struggled to meet the social distancing recommendations by the CDC. Those in need of programming to meet parole recommendations were also out of luck. ODRC went from "Rehabilitation and Correction" to simply "Correction." ODRC did not attempt to provide any programming and to date still has limited programming opportunities, if any.

While Governor Dewine's initiative may have been a well-intentioned act, ultimately, individuals like Jane fell through the cracks. Could the staff at ORW recommend Jane not be released early due to her lack of substance abuse programming? And if they did, would it have mattered since there continues to be limited programming in many of the prisons? How did releasing so few individuals like Jane (a non-violent offender), who DID contract COVID-19 while at ORW, really help the prison population fight the spread of COVID-19?

Today, with the assistance of an Ohio prisoner advocacy group, Jane has entered a drug rehab. The smoke and mirrors of releasing non-violent offenders was a meager attempt to pacify those who were outraged by ODRC's inability to keep the offenders from contracting COVID-19. The few who were released were sent back to the communities they came from without the proper tools to assist them with their demons.

Since Our Last Newsletter...

Senate Bill 103 was introduced in March of 2021. This bill repels the Death Penalty in Ohio.

Body cams are being used at CCI and OSP as part of a pilot program. If successful the program could go statewide assisting with safety, transparency and accountability.

All personal mail is being copied statewide and only approved

visitors can order books/magazines from approved vendors.

COVID-19 vaccines have been given statewide to those offenders and staff who want them. Persons who have not received the vaccine yet still have the opportunity to receive them if requested.

Offenders being released from a Level 4 institution (regardless of sentencing guidelines) will be referred for post-incarceration housing to assist with their transition from prison to the community

The Path To Exoneration



Throughout American history courtroom verdicts have come into question. At the present, most states have at least one organization dedicated to overturning wrongful convictions. Here in Ohio, this movement is gaining more momentum. We have an amazing Ohio Innocence Project that has exonerated many, but not nearly all. We are now gaining more and more Conviction Integ-

rity Units. These are a part of many counties Prosecutors offices.

The true question is this, with these CIU's being part of the Prosecutors office are they really working toward righting these wrongs or are they assisting with covering the mistakes of prosecution?

At this point in time this is a newer trend, so far they

have had a minimal effect on exonerations. Add to this the fact that prosecutors are far from cooperative with the Ohio Supreme Courts Wrongful Conviction Committee.

Finally, we have the Public Defenders office. They have a program to right these wrongs. This program is by application and it is available on their website.

Strickland V. Washington by James Tench

Have you ever heard of the term "Ambulance Chasers"? They are personal injury lawyers who find accident victims with the sole purpose of making a quick buck by suing insurance company's. That is exactly what many defense lawyers in Ohio have become. The Strickland case is the standard for "Ineffective Assistance of Counsel". All of the "Public Pretenders" are out to get paid by Ohio, to represent defendants who can't afford to pay for lawyers on their own. All of the Kerry O'Brien, Rhonda Kotnick, Nathan Ray, Chris Roberson, Anthony Avalano and on and on types. They do the minimum work. Don't call witnesses. Don't call experts. Lie to and not listen to their clients. Their conviction rate is almost higher than the prosecutor. They don't really care. They just hope their clients are naive enough to drink the kool aid long enough to find out the kool aid they have been drinking is old, past the expectation date off brand junk. Then you find out the water used to make the "koolaid" was imported from Mexico and is going to give you the runs. NONE of these lawyers I mentioned follow the Strickland standard.

Neither do many more like them. To make it worse the judges and courts do not care because the broken system has been broken for so long, they just do the same because they are elected officials and don't have the stones to do what is right. The lawyers, the prosecutor, the judge. They are all part of the same system where you have prosecutor's like Salsbury from Medina County Ohio who say "its OK Innocent people are convicted."

You might be a person who reads this and does not care because it does not affect you. I was one of them. But when it does affect you, you'll see how broken this system is. But it rolls on because no one cares to break the broken wheel of "Justice".

Since 2014 there have been a handful of guys in Ohio sentenced to death. Myself included. Their names...Myers, Ford, Tench, Wilks, Bates, Graham, Grate, Whitaker, Brinkman, Worley. Since the start of October 2019, Myers,

Ford, Bates and Graham have gotten off death row or had the entire conviction overturned. That's 40% of the 10 guys since 2014. I personally know mine and two others who are going to be added to that list. That does not include the seven others who have got off death row in the last three years who were convicted before 2014. If those numbers don't show Ineffective Assistance of Counsel and a broken wheel system I don't know what does.

My plan is the destruction of that wheel and those who assistant in still rolling. I hope there are people who read this and feel the same as I do and fight with me for change. If the people who read this don't, then you are part of the idiots who help the wheel roll. If you don't want to help change it, I hope you end up in a situation where the wheel rolls over you.

Respect Thy Elders: Aging On Death Row



By Sandy Freese

On November 19th, 2020 James Frazier, the oldest death row inmate in the state of Ohio, escaped execution. Any celebratory feelings we may feel for 79 year old Mr. Frazier quickly diminish. He wasn't found innocent of the murder he was convicted of in 2005, nor was his execution vacated. According to a prison spokesperson, Covid-19 was the suspected cause of death.

The wheelchair bound 79 year old was suffering from severe vascular dementia when he left this world. Not only did James have no memory of the crime he was convicted of, but he was unable to comprehend why he was to be put to death. On November 14 of 2017, James was found by authorities in his cell covered with feces and urine.

According to medical reports, he had suffered from a series of mini-strokes. Unable to walk, speak coherently or accomplish simple daily tasks, James was eventually moved from Chillicothe Correctional Institution to the Franklin Medical Center. It was here that he would await his impending execution. (Caniglia 2020)

One-quarter of the 2620 death row inmates in the United States are over the age of 60. Many suffer from failing health due to age, as was the case of Mr. Alvin Campbell, also from Ohio. Witnesses watch for 30 minutes while executioners searched for a suitable vein, pricking him twice in the right arm, once in the left arm and once in the left leg. One witness recalls that after being stuck in the leg, Mr. Campbell threw his head back and appeared to call out in pain.

What the witnesses did not see was that this had already gone on for an hour. Prior

to this November day in 2017 Alva Campbell was diagnosed with Lung Cancer, COPD and Prostate Cancer. Campbell required oxygen treatments four times a day.

Because the execution was unsuccessful, it was rescheduled for June of 2019. Alva Campbell, as did James Frazier, evaded execution. He was found unresponsive in his cell in March of 2018. He died of natural causes. (Death Penalty Information Center 2020) 35 of our elderly incarcerated citizens over the age of 60 were executed within the last 10 years, 15 since 2015 alone.

Walter Moody waited over 30 years before his execution took place in Alabama. He was 83, making him the oldest inmate in the modern era to be executed. His life was taken on April 19th, 2018 by way of lethal injection. Walter Moody was the eighth inmate over the age of 65 that was put to death since 2015. (Berman 2018)

4th Of July And Freedom

Our Declaration of Independence was voted on July 2 and formally adopted by the Continental Congress on July 4th. It has been a holiday most remembered as the day when thirteen colonies stood together against a British King. The beginning of the war against Great Britain began the year prior to the signing of the Declaration of Independence. Those individuals were thought to be rebels and radicals. They did not initially have the support of the people.

It is often believed that change can be done peacefully, with mindful negotiation and reason. But history has shown that is untrue. Legisla-

tive change seems to come more from lawsuits and uprisings. The "little people" so to speak having the courage to stand up whether it be independently or together to simply say "THIS IS WRONG."

In 2020, 129 people were exonerated in the United States nationwide. A total of 1737 years were lost to wrongful conviction.

As you celebrate the 4th of July this year, we encourage all of you to find the courage and the will to stand up in the fight against wrongful conviction and support sentencing reform here in Ohio. Your support can come in the manner of

sharing ideas, participating in group meetings and rallies and making a small monetary donation to keep the fight alive.

If a small group of "radicals" had not stood up in 1775, July 4th in 1776 would not have happened. We encourage you to be the radical the world of sentencing reform needs. From all of us at Change Starts With Us, have a safe and happy 4th of July!



Change Starts With Us Ohio

Faith Based Advocacy Group For The
Wrongfully Convicted And All Incarcerated
Individuals

Phone: 380-399-3868

Email: changestartwithusohio@gmail.com

website: www.changestartwithusohio.org

**Be the
change.**



**Stop
wrongful
convictions.**

Change Starts With Us Ohio

Every day we fight for the incarcerated
to ensure their voices are heard.

Contact Candace Sanchez at 614-507-4593.

Upcoming Events....

Legislative Day-

Bringing our bill to fight for your rights and freedom to our state representatives.

July 22, 2021 10am-3pm

Wrongful Conviction Conference-

Information regarding wrongful convictions. **August 21, 2021 1pm-6pm**

A Night With The Columbus Clippers-

Spreading the word on justice reform and wrongful convictions. **September 11, 2021 7pm**

Wrongful Conviction Day-

Rally in support of Ohio's wrongfully convicted. **October 2, 2021 1pm-3pm**