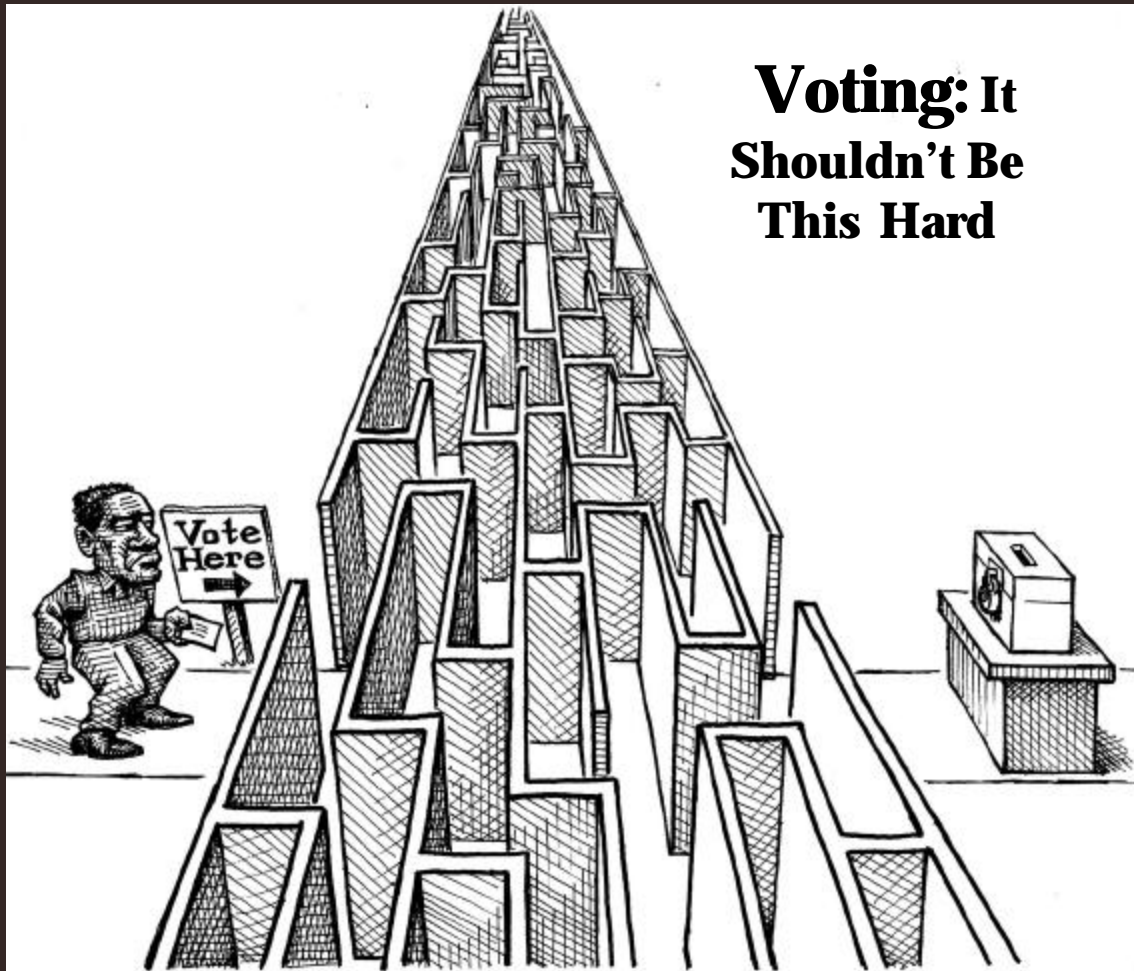


# JUSTICE MATTERS

The Newsletter of the WESTERN PRISON PROJECT

SUMMER 2004

Vol. 6 No. 2



**Voting: It  
Shouldn't Be  
This Hard**

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Summer time. This is usually the time of year when Western Prison Project catches up, takes a breather, and gets ready for a busy fall. But not this year. We are looking at our busiest summer ever as we move forward with the VOICE Project throughout the region. The VOICE Project reaches out to people with past felony convictions, and their families, to educate them about their voting rights. In many states in our region, people with felony convictions have the right to vote—unfortunately, many don't know it. We aim to change that, and to encourage people to exercise their civil rights by registering to vote.

WPP is working with allied organizations in several states to make sure the word gets out. In Montana, Connections, a grassroots criminal justice reform organization led by formerly incarcerated people, is traveling the entire state to educate other formerly incarcerated people about their voting rights and register them to vote. In Utah, the Prisoner Information Network is at the prison gates every week when people are released, offering resource kits and registering returning prisoners to vote. In Nevada, PLAN (Progressive Leadership Alliance of Nevada) is following up on their incredible advocacy work to restore the right to vote to many ex-felons. Now they are reaching out and helping people through the actual process of getting their paperwork in order, so that they can register to vote. And here in Oregon, WPP's two new staff organizers, Danny Bell and Cassandra Villanueva, are working full-time on the VOICE Project.

Why all this effort on voting rights? Because we're tired of knee-jerk, "tough on

crime" proposals from politicians who are after easy votes. These are the proposals that have built the largest prison system in the world. And these are the proposals that have resulted in 4.7 million Americans losing their right to vote simply because they have a past felony conviction. Think about it—4.7 million people is more than the combined populations of Idaho, Montana and Utah. If the citizens of three states were disenfranchised, people would say democracy had ceased to exist in the U.S. But when nearly 5 million Americans are disenfranchised due to felony convictions, where are the alarm bells?

Today, people with past felony convictions are the only citizens who can still be denied personhood through losing their voting rights. Fortunately, many states restore voting rights to ex-felons. But too many don't. If you have a felony record and live in a state that allows you to register to vote—please do. Until people who have direct experience with the criminal justice system add their voice to the democratic process, we are likely to see more and more prisons, and prisoners, as politicians look for simplistic (but costly) solutions to community problems and public safety. We urge you to reclaim your rights and get involved.

Brigette Sarabi

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The Western Prison Project is a 501(c)3 non-profit organization based in Portland, OR. We exist to build and strengthen the prison activist and criminal justice reform movement in the OR, WA, ID, MT, WY, UT, and NV.

### Louisiana Shuts Down Infamous Youth Prison

The infamous youth prison facility at Tallulah, Louisiana has finally been closed. The prison, which came under the scrutiny of Amnesty international for poor living conditions and brutal abuse by prison guards, was closed down ostensibly in favor of a shift from the adult



model of incarceration for youth to a community based model, said Governor Kathleen Babineaux. The state corrections department wants to use the abandoned youth prison as an adult prison. But activists and legislators lobbied for a proposal to stop using Tallulah as a prison at all, and turn it into a community learning center. On June 21<sup>st</sup>, a bill that would allow the facility to be turned into a high school and learning center received final legislative approval. The bill now goes to the Governor for signing.

Sources: *The New York Times* & *Associated Press*

### Black Men More Likely to Go To Jail Than Into College or the Military

In an unorthodox study of incarcerated men, University of Washington researcher Becky Pettit and her colleague, professor Bruce Western from Princeton University, found that African-Americans males today, who have a high school education or less, were much more likely to go to prison than their counterparts of a generation ago. The study looked at African American males born between 1945-49 who had reached the age of thirty by 1979; and those who were born between 1965-69 and had reached the age of thirty

by 1999. They found that for the second group, incarceration rates increased by 17% when compared to the those born in the earlier era. Ms Pettit observes that the high risk of imprisonment among Black men who have not gone to college has already become a fact of life “ More strikingly than the patterns of military enlistment, marriage, or college graduation, prison time differentiates the young adulthood of black men from the life course of most others,” she said.

Source: *Seattle-Post Intelligencer*

### Illinois Frees Innocent Death Row Inmate

After serving seventeen years in prison, twelve of them on Death Row, Gordon Randy Steidl walked out a free man. After extensive investigations by the State Police, Attorney General, the Edgar County Prosecutor, federal judges and journalism students, it was determined that there was no evidence including DNA to tie Steidl to the murders for which he was convicted.

Steidl is the eighteenth death row inmate to be exonerated in Illinois since 1987.

Source: *Death Penalty Information Center*

### California Parole System In Need of Repair

California state officials vow to reform the current parole system that returns nearly 70,000 parolees to prison each year. In an effort to reduce the massive and repeated cost overruns, Youth and Adult Correctional Secretary Roderick Hickman and Department of Corrections Director Jeanne Woodford have gone on record to end this recurrent problem. However, they have not described an alternative to the present practices in place now.

California spends \$1.5 billion annually on parolees, with just 21% of them completing their parole, which is only half the national success rate.

Source: *The Los Angeles Times*

### California Prison Guard Union Under Fire

The California Correctional Peace Officer's Association (CCPOA) has been the state's most formidable union for several years by strategically supporting various legislators and providing financial support to “tough-on-crime” victims rights groups. Using such techniques, they have been able to secure a 31% percent pay increase since 1998.

Despite all their success they may be in for a fight now. With California's budget crunch, legislators, the media and the public are outraged at the sweetheart union contract signed by former Governor Davis. And there are signs that California's new Governor, Arnold Schwarzenegger, who refused to accept political contributions from the union, will not be so easily influenced. In a further scandal, a special master working for a federal judge found that the past director of the California Department of Corrections, Ed Alameida, took direction from the guard's union in shutting down a perjury investigation into three CCPOA officers. The special master's report recommended Alameida be held in criminal contempt for yielding to the union in shutting down the perjury investigation. If the charge is upheld, Alameida could find himself serving a five-year federal prison term.

Sources: *Los Angeles Times* & *Sacramento Bee*,

Compiled by Danny Bell  
Photo by Ashley Hunt

### OR: Sex Scandal at Women's Prison

Lt. Jeffrey Barcenas, a six year veteran of the Oregon Department of Corrections, resigned following an investigation into sexual misconduct at the Coffee Creek Correctional Facility in Wilsonville. Barcenas, who has been charged with nine counts of first-degree official misconduct, pled not guilty to all charges and had been on administrative leave since February. An ongoing investigation by the Oregon State Police at Coffee Creek has also resulted in Coffee Creek's food services coordinator, Christopher Randall, being charged with four counts of first-degree official misconduct. An unnamed third employee is also under investigation. Sexual contact between inmates and staff is prohibited in Oregon's prisons.

Source: *The Oregonian*

### OR: Suit Filed in Death of Mentally Ill Prisoner

The family of Billy Owens has filed a federal civil rights suit against the State of Oregon and eleven prison officers for failing to adequately care for mentally ill prisoners, and for allowing excessive force by prison staff to go unchecked. Owens was a prisoner at Snake River Correctional Institution in Ontario, Oregon. He suffered from paranoid schizophrenia. He had been in the disciplinary segregation unit for 70 days at the time of his death. Prisoners in the disciplinary segregation unit spend 23 hours a day in isolation. A report issued by the Oregon Advocacy Center said that Owens began to stab himself in the neck with a broken pen. Officers went into his cell and repeatedly sprayed Owens with pepper spray. Five officers in riot gear eventually dragged Owens from his cell and pressed his face against the floor. The official cause of death, issued by the Oregon State Po-

lice, was accidental asphyxiation. A review of the Department of Corrections security tape shows officers laughing and talking while Owens lay dying and when an officer attempted to revive him, someone asked for a round of applause. John Lambert, the attorney representing the



Owens family, says he hopes the suit will lead to better treatment of the mentally ill in Oregon's prisons, including how they are punished for misconduct. In addition to the charges that correctional officers were too slow in giving medical attention to Owens, the lawsuit also maintains that Robert Lampert, former Snake River superintendent, repeatedly ignored complaints concerning the abuse of inmates by officers. Lampert is now director of the Wyoming Department of Corrections.

Source: *The Oregonian*

### OR: Prison Betting on Success of New Program

A recent survey at Coffee Creek Correctional Facility found that 20 to 30% of the women prisoners



incarcerated there have had a history of problem gambling. The survey also revealed that their gambling problem often led them to commit crimes to support their gambling habit. To address this problem and to reduce recidivism, the Gambling Evaluation and Reduction Program was recently initiated. The Department of Corrections has partnered with the Department of Human Services and Cascadia Behavioral Healthcare to run the program, which includes group sessions with a gambling counselor. Women nearing their release date are eligible to sign up for the four-week program. The program is designed to help women with their own gambling problems and to also help them deal with family members who are problem gamblers.

Source: *The Oregonian*

### OR: Prisoner Staffed Hot Line Under Criticism

Betsy Close, Republican candidate for Secretary of State, is worried that pris-



oners staffing the new Oregon Votes Call Center will use their position for illegal purposes. Close said that she is concerned that prisoners might try to get credit card and/or social security numbers from callers. Secretary of State Bill Bradbury dismissed those concerns and remarked that

prisoners have been handing calls from citizens seeking information from the state's Corporation Division without any complaints or problems. Bradbury added that all phone calls are monitored by a correctional officer. The Oregon Votes Call Center is housed at Oregon State Correctional Institution and is funded by the federal government in an effort to increase voter participation. The center gives out information concerning voting eligibility and registration deadlines.

Source: *The Statesman Journal*

### **ID: Parole Delays Anger Legislators**

Idaho legislators have accused the Idaho Department of Corrections of mismanagement when it comes to the parole process. Citing numerous examples of needless delays, House Speaker Bruce Newcomb is demanding that the DOC begin to address and fix the flaws in the system that result in prisoners not being released on their parole date. On average 200 parole-approved prisoners remain behind bars each year. In a Catch-22 type of situation, paroled prisoners have also been denied entry into treatment programs, which are part of their condition of release. The DOC maintains that they are working on the problem.

Source: *The Idaho Statesman*

### **ID: Prison Population Increases**

Idaho's prison population now stands at 6,085, the highest amount in that state's history (Idaho's total population is less than 1.4 million). The Idaho DOC has put up barracks-style tents at two of its facilities and anticipates even more will have to be erected to meet the need. The DOC is also beginning to discuss the possibility of shipping out prisoners to prisons in other states. Admitting that there are flaws in some of their systems

the DOC also cites the need for more money to be budgeted for corrections.

Source: *The Idaho Statesman*

### **WA: High Court Overturns State's Sentencing Guidelines**

The U.S. Supreme Court declared on June 24<sup>th</sup> that Washington had unconstitutionally punished a man convicted of second degree kidnapping by letting a judge, not a jury, give him an unusually long sentence. The ruling by the high court in *Blakely v. Washington* invalidates Washington's sentencing guidelines, and guidelines in at least eight other states, including Oregon. The Supreme Court's 5-4 majority found that allowing judges to make upward departures that result in longer sentences violates defendants' 6<sup>th</sup> Amendment right to a jury trial.

The ruling will change all future Washington cases in which prosecutors believe a particularly severe sentence is warranted. It may threaten the federal sentencing guidelines system as well. It has not been determined if the ruling will be applied retroactively, and it may take years of legal action before that determination is made. Jeffrey Fisher, the defendant's lawyer, said he thought the ruling would apply to all Washington defendants who received exceptional sentences after 2000, when the U.S. Supreme Court handed down an earlier momentous decision regarding sentencing (*Apprendi v. New Jersey*). But Dan Donohoe, spokesman for the King County prosecutors, said they "are optimistic that the ruling will not apply on a retroactive basis—rather, that it will only affect future cases."

Source: *The New York Times*, *The Seattle Post-Intelligencer*

### **WA: No Smoking in Prison**

As of July 1<sup>st</sup>, smoking by both prisoners and corrections officers will be banned. Citing health concerns as the main reason for the new policy, Lynne DeLano, of the Washington DOC, said that the department has offered smoking cessation programs for both prisoners and guards but turnout has been low. The ban had been scheduled to take place last year but was postponed due to the objections of the corrections officers union, who opposed the ban. The union contended that a ban on smoking in prison would increase the potential for violence among prisoners and would also be a hardship for some officers.



Source: *Seattle Post-Intelligencer*

### **WA: Editorial Board Wisdom**

The Seattle Post Intelligencer ran an editorial in May supporting the expansion of alternatives to incarceration. Citing the increasing financial burden to local and state budgets, the editorial said it would make more sense to spend this money in helping people not to offend and/or re-offend. By increasing substance abuse treatment outside of prison and more education and job skills programs in prisons, the prison population might decrease.

Source: *The Seattle Post Intelligencer*

### **WY: One More Prison**

The Wyoming DOC has decided it would be more cost effective to build one 650 medium security prison instead of two smaller ones. The new prison

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would be in addition to the scheduled expansion of existing facilities. So far, five communities in Wyoming have asked that the new prison be built in their towns. Head of the Wyoming DOC, Robert Lampert (who was a former superintendent at Oregon's Snake River prison), said that the new construction and expansion is necessary. He said it would allow the 500 prisoners who are currently incarcerated in out-of-state prisons to return to Wyoming and participate in programs that would prepare them for successful release.

Source: *The Casper Star-Tribune*

### UT: Another Private Prison?

The Utah Department of Corrections is requesting bids from private companies to build and maintain a new 500-bed prison for women. Though there are still less women prisoners than men in Utah, women are the prison system's fastest-growing population and the current women's prison is over capacity. Utah has been unwilling to seek funds from a bond measure to build a new prison. The state would still have to pay a private prison corporation a per day/per prisoner sum, but it would avoid having to finance the actual construction. Activists in Utah, who defeated a private prison proposal in the past, and stopped a proposal to privatize prison medical care this year, are gearing up to battle this latest privatization effort.

Source: *The Salt Lake Tribune, WPP interview*



### NV: State to Inspect Juvenile Facilities

Two years after staff from the civil rights section of the Justice Department reported numerous cases of abuse at the state reformatory in Elko, Nevada state legislators have created a team of inspectors to make sure that it does not happen again. The report issued by the Justice Department detailed how the boys had been kicked, beaten and subjected to extreme verbal abuse. A proposal to have the state inspectors examine both juvenile and adult facilities was not adopted. State and local government juvenile detention centers and court-ordered residential placements will be inspected. The inspections will be unannounced and team members will be able to speak privately with prisoners and staff. The ACLU of Nevada had recommended that the state raise the age at which a juvenile can be tried as an adult from 14 to 16. That recommendation was also rejected.

Source: *The Las Vegas Sun*

### NV: State to Take Over Private Prison

The state of Nevada will take over the operation of the Southern Nevada Women's Prison (SNWP) located in North Las Vegas. The state had been looking for someone to run the prison after Corrections Corporation of America (CCA), who had been running the prison, decided not to renew their contract with the state. CCA had come under fire from the head of medicine for the DOC for not providing adequate health care to the women prisoners. Dr. Ted D'Amico said that CCA did not know how to run a

medical program and that half of the prisoners were on psychotropic drugs. This spring, over half of the women incarcerated at SNWP had signed a petition against CCA citing poor food quality, consistent denial of medical procedures and inadequate grievance procedures.

Three other private corporations put in bids to run the prison but none of them included a medical program. Jackie Crawford, head of the Nevada DOC, also said the private bidders did not provide the same kind of mental health and other programs designed to help the women function in society after their release. She said that raises potential legal issues because the state's male prisons do have full state medical, mental health and other programs. "In the long run, it will cost a lot less," she said. "I believe it's the best thing and the right thing to do." Crawford also expressed concern about staff turnover because the private bidders pay much less than the state and offer half the benefits.

Source: *The Nevada Appeal*

### NV: Prison Labor

Nevada state officials are considering a proposal to provide prison labor to an industrial park that is being developed next to the High Desert State Prison. The DOC says that this plan could be a model for other states and could possibly earn up to \$2.2 million from prisoners' salaries that would go towards room and board. A percentage of that sum would go into a fund for crime victims compensation. Six to seven percent of prisoners at High Desert are currently employed. The goal is to increase that number to twenty percent.

Source: *Las Vegas Sun*

### Understanding Blakely v. Washington

The following information was provided by Families Against Mandatory Minimums. The Blakely decision affects the sentencing guidelines system of both Oregon and Washington, as well as several other states.. It was written by Mary Price, FAMM General Counsel.

The U.S. Supreme Court in a 5-4 opinion authored by Justice Antonin Scalia relied on its ruling in *Apprendi v. New Jersey*, 530 U.S. 466, 490 (2000) to invalidate a sentence imposed under the Washington State sentencing guidelines. *Blakely v. Washington*, No. 02-1632 (June 24, 2004).

The Washington State guidelines, drafted by the state legislature, provide for standard sentencing ranges. In some cases, judges may increase the sentence above those ranges, by departing based on facts not used to determine the standard sentencing range. Those departures rely on facts not presented in the indictment or considered by the jury. The U.S. Supreme Court held that a judge may not use facts not admitted by the defendant or not found by a jury to increase a sentence beyond the guideline range authorized by the jury or the guilty plea. To do otherwise violated the defendant's 6<sup>th</sup> Amendment right to be tried by a jury.

The defendant, Ralph Blakely, was convicted of second degree kidnapping, which carries a maximum sentence of 10 years and a standard guideline range of no more than 53 months. The Washington State sentencing guidelines permitted the judge to exceed the standard range if he found "substantial and compelling reasons justifying an exceptional sentence." The judge found at sentencing, based on facts not presented in the indictment, that Mr. Blakely's conduct warranted an exceptional sentence of 90 months because he determined Mr. Blakely had acted with "deliberate cruelty."

In striking down the Washington State sentencing guidelines, the Court applied the rule enunciated in *Apprendi*: "Other than the fact of a prior conviction, any fact that increases the penalty for a crime beyond the prescribed statutory maximum must be submitted to a jury, and proved beyond a reasonable doubt." The Court determined that the top range of the guidelines was the relevant statutory maximum.

In a footnote, Justice Scalia dismissed concerns raised by dissenters, Justice O'Connor among them, that the opinion sounded the end of the federal sentencing guidelines. "The Federal Guidelines are not before us."

For more information, or to read the Court's majority and dissenting opinions and related news articles, visit FAMM's website at [www.famm.org](http://www.famm.org).

### National: Infamous DOC Directors Find Work in Iraq

Sen. Charles Schumer (D-NY) has called on the Justice Department's inspector general to investigate the "slipshod" hiring process that allowed certain former prison officials named in numerous lawsuits to be hired as members of the team working to get prisons in Iraq functioning. The four Schumer named are:



Terry Stewart, former head of the Arizona DOC, who was sued by the Justice Department in 1997 for the rapes, sexual assaults and misconduct that occurred when he was in charge.

John Armstrong, former head of the Connecticut DOC, who had been sued by female guards for on-going sexual harassment.

O.L. "Lane" McCotter, head of the Utah DOC, who resigned under fire after a mentally ill prisoner died after spending 16 hours strapped to a restraint chair.

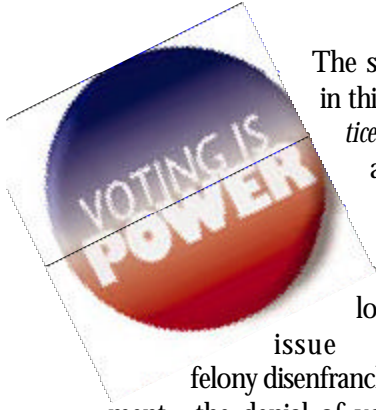
Gary DeLand, who was head of the Utah DOC before McCotter, was sued for denying appropriate medical care to prisoners.

"These are not the four people you would want to run any prison system," said Schumer.

Source: AP

Cont. on Page 22

**Who Cares About Voting? WE DO!**



The special focus in this issue of *Justice Matters* is all about voting. Specifically, we are looking at the

issue of felony disenfranchisement—the denial of voting rights to people because of a felony conviction. While the right to vote for people with past felony convictions varies from state to state, ex-felons are the only American citizens who can still be denied the right to vote. A few facts:

- Approximately 4.7 million Americans, or 1 in 43 adults, are currently denied the right to vote because of a past felony conviction. This is more people than the combined populations of the states of Idaho, Montana and Utah.
- 1.8 million, or 1 in 13, African Americans are disenfranchised.
- Nearly 700,000 women are disenfranchised.
- Over 500,000 of our nation's veterans are disenfranchised.

Denying voting rights to people with past felony convictions is a form of civil death. Basically, it says that even after you've com-

pleted your sentence and returned to the community, you are not part of society, your voice doesn't count. This is unacceptable in a democracy.

Across the country, many organizations are working on restoring voting rights to people with past felony convictions. In our region,

Washington puts up the toughest barriers to getting back your right to vote. But the ACLU of Washington and other community groups are working to change this. In three states in our region, Oregon, Montana, and Utah, people with felony convictions have the right to vote the day they walk out of

prison. In Idaho, all people with past felonies can get their voting rights restored once they have completed their full sentence, including parole or probation. And in Wyoming and Nevada, new legislation has restored voting rights to some ex-felons who have completed their full sentence.

In this special focus section, you'll hear from criminal justice reform activists throughout the region on why it's important to restore voting rights, and their efforts to reach out to people with past felonies and register them to vote. There's also information about the roots of felony disenfranchisement, and a personal look at voting rights from an African American perspective. We hope you'll read the following articles and get involved—by registering to vote if you can, by encouraging friends and family to register, and by becoming part of the movement to make sure all Americans have

the right to vote.

**Regain Your Voice...**

*We the People of the United States*

*Article I*

**Register To Vote Today.**

We've all heard a lot of questionable and/or flaky advice about our rights after being convicted of a felony, and one of the most common pieces of bad advice is that you can't register to vote.

State laws contain procedures that allow you to regain this right to vote.

The steps vary by state, but are not difficult to follow once you know what to do.

The VOICE Project is designed to get clear information to people who have completed their sentence so that they can register, track, and check out a link to this page and to every other resource.

Voting is one of the most important ways to make your voice heard, and those of us who have emerged from our state's jails and prisons need more than just the right to vote.

So please, register, vote, VOICE! Take a moment and register to vote today.

**The VOICE Project is sponsored by the Western Prison Project, a non-profit organization dedicated to criminal justice reform. For more information about the procedures in your state for regaining the right to vote, contact The VOICE Project at 803.336.8449.**

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## **Top Reasons You Should Vote!**

*By Dan Bell & Cassandra Villanueva*

### **Voting is a way to speak your mind and let your voice be heard!**

Your vote is your voice. When we vote, we are actually telling elected officials and lawmakers how we feel about education, the criminal justice system, health care, and other important issues.

### **One voice, one vote really does count!**

Remember: there is power in numbers, and when we vote and get our family members to vote, we can truly make a difference. If you don't vote for what you believe in, others will... and you may not like the outcome.

### **Voting is part of the American Dream, and we are all entitled to it!**

By the virtue of simply being an American, you too are entitled to the constitutional right of "life, liberty, and the pursuit of happiness".... Don't let any one tell you otherwise, or take your piece of the rock.

### **Our children are depending on us to represent their voices too!**

Because our children can't vote, we have to do it for them. That's how we make our concerns about schools, safety, housing, and other issues heard. When we vote, we are looking out for our kids, and their futures.

### **Voting changes communities!**

Do you ever wonder why one neighborhood gets passed over for things it needs, while another seems to get it all? One big reason is voting. When we vote, we can get results that we can actually see.

### **Vote to effect change!**

It was through elections that we voted in officials who were champions for civil rights. Voting is our chance to make a difference in our own lives and within the world.

### **Believe it or not, voting is a way of honoring our history!**

As long as our country has existed, there have been people who didn't want us to vote. There were many freedom fighters that stood up for the right to vote. Well, those times may seem ancient, but there are still people today who don't want us to vote. It's now our turn to stand up and vote to preserve the honor of those who went before us.

### **Last but not least, because it gives you credibility!**

Often times, we voice our concerns to elected officials, but if we aren't voting, our concerns **may not matter at all** to them. Voting can actually give you the credibility to make your concerns a top priority for legislators.

**REMEMBER! People with past felony convictions, ARE entitled to vote in Oregon, Montana, and Utah! Many people with past felony convictions can now vote in Nevada and Wyoming. And in Idaho, people with past felony convictions can register to vote once they have completed parole or probation.**

**GET REGISTERED TODAY!**

### Felony Disenfranchisement: The Roots of Exclusion

By Scot Nakagawa

Felony disenfranchisement is the loss of the right to vote (either permanently or for a period of time) due to a felony conviction. On the face of it, felony disenfranchisement appears to be among the most senseless of state policies. First of all, the laws are different from state-to-state. Nationally, two states never take the right to vote away from those convicted of crimes, even while they are in prison. Thirteen states (including Washington, Nevada, and Wyoming) permanently deny the right to vote to some people with past felony convictions. Four states deny voting rights during incarceration and parole, but not during probation. Sixteen states (including Utah, Montana and Oregon) withhold the right to vote only during incarceration. And 15 states (including Idaho) deny voting rights during incarceration, parole and probation. If you move from one state to an-

other, different rules may apply, even for those with federal convictions, because

voting rights are determined at the state level. The justifications for felony disenfranchisement are even more irrational. Some say that disenfranchisement is good because it is “tough on crime.” However, Alec Ewald of the University of Massachusetts, in a report titled *Punishing at the Polls: The Case Against Disenfranchising Citizens with Felony Convictions*, points out that denying voting rights fails as a form of punishment because it does not help achieve any of the four goals of penal policies: incapacitation, deterrence (who would risk prison time but be stopped by the fear of losing voting rights?), retribution, and rehabilitation.

Some say that disenfranchisement protects our democracy and voting process. But this also makes no sense. How does one protect democracy, which is founded on the principle of participation by all, not just some of the people, by randomly limiting the political participation of some people with felony convictions in some states (but not in others)? This rationale is especially confusing because election fraud is usually a misdemeanor. So if you commit an offense that demonstrates a lack of respect for election rules, you can probably still vote, even in the toughest states.

In addition, because the criminal justice system is imperfect (even John Ashcroft admits that racial profiling is a serious

problem), disenfranchisement laws end up affecting some people much more than others. For instance, African American males are disenfranchised at a rate 7 times that of the general population. In some



states, around 30% of African American men are disenfranchised. In our region, the state of Washington disenfranchises nearly a fourth of African American males. Latinos, Native Americans and Native Hawaiians are also especially affected.

In spite of how ineffective, confusing and illogical felony disenfranchisement laws are, they end up affecting a lot of people. More than 4.6 million people in the U.S. are denied the right to vote because of a felony conviction. This has a serious impact on the public life of the country.

So why do these laws exist? In order to understand the real reason for felony disenfranchisement, one needs to take a close look at history.

Criminal disenfranchisement has been practiced in the U.S. since colonial times.



Back then, the colonies often had laws that punished behaviors judged as “damaging to the common good” with disenfranchisement. In this way, the colonies hoped to keep themselves “pure.” Once the U.S. gained independence, the colonial laws were abandoned. However, many states continued to disenfranchise some people because of criminal convictions.

Disenfranchisement gained a whole new dimension during the era of Reconstruction in the late 1800’s. Reconstruction was a federal program created after the Civil War that had, as one of its goals, the integration of former slaves into the political life of the South.

Until that time, Blacks were denied the right to vote in all but 6 states, and all

regardless of race, ended the ban on Black men voting (but women of all races were still denied the right to vote). Southern white supremacists reacted by trying to get around the law. They did so using a number of different strategies including

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**While felony disenfranchisement laws don’t work to reduce crime, they do work for the purposes for which they were created—excluding large numbers of African Americans from voting.**

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literacy tests and poll taxes, white primaries, and felony disenfranchisement, all aimed at trying to stop African Americans from voting and gaining a voice in the democratic process.



The Mississippi Supreme Court of 1890 described the strategy in its approval of the Mississippi constitutional convention’s adoption of criminal disenfranchisement laws when it wrote, “...*Restrained by the federal constitution from discriminating against the negro race, the convention discriminated against its characteristics and the offenses to which its weaker members were prone...*”

states with criminal disenfranchisement laws also excluded blacks. Reconstruction, along with the 15<sup>th</sup> amendment which guarantees voting rights to all citizens re-

Southern white supremacists understood that African Americans, only recently freed from slavery, were more likely than whites to commit certain types of

“crimes.” The situation for the freed slaves was similar in many ways to that of people released from prison – you are given next to nothing, and are expected to make it in spite of discriminatory attitudes and laws that shut you out of many opportunities and benefits of citizenship. Under those circumstances, it is extremely hard to avoid violating some rules or laws to get by. This problem was made worse by the fact that southern whites would often falsely accuse or entrap African Americans in order to exclude them from voting.

Felony disenfranchisement, in combination with many of the other schemes to keep African Americans from voting, worked, and African Americans in the U.S. South (and, by extension, across the country) were pushed to the political margins. It took the civil rights movement of the 1950s and 60s to put an end to some of these discriminatory laws. But there is still one glaring exception. Felony disenfranchisement survived, and in combination with new laws and programs such as the war on drugs (which many argue has been designed to target Black people and other people of color) continues to help keep African Americans on the margins of American political life.

This brief look at history helps to explain why these laws exist in spite of the fact that they are so confusing and seemingly ineffective. While felony disenfranchisement laws don’t work to reduce crime, they do work for the purposes for which they were created—excluding large numbers of African Americans from voting.

### VOICE Project Regional Speakout: Why Vote?

Interviews by Danny Bell

The VOICE Project was launched by the Western Prison Project in 2002. It stands for Voter Organizing for Increased Civic Engagement. The VOICE Project is an effort to restore voting rights to ex-felons and, in those states that allow voting by ex-felons, to educate them about their right to vote. The following are excerpts from interviews with friends and allies of the VOICE Project around the region.

**Willie Robinson, Co-Founder,  
Justice Works!, Washington**



Willie Robinson

The first friend we talked with was Willie Robinson, the Co-founder of Justice Works! in Washington State. Washington currently denies the right to vote to most ex-felons, including any ex-felon who has outstanding, court imposed fines and fees. Because of this, there are about 50,000 former offenders who have completed their full sentences, but who are still denied the right to vote simply because they owe these debts. Combined with the racial disparity in Washington's incarceration rates, the result of these policies is that about one in every four African-American males in the State of

Washington has lost their right to vote.

**Justice Matters:** What do think about the laws around voting and how it affects formerly incarcerated persons? Especially since most people when they enter the system are young and not yet politically active?

**Willie Robinson:** I think it affects young African-American males tremendously, because they are not given the right to vote after they are released, but they are by law required to pay their taxes and abide by the law. Young African-Americans are hurting right now and they don't realize they're hurting because their concentration is someplace else and not on having the right to vote.

**JM:** In Western culture there is a similarity to the African experience in which manhood is often associated with being a provider and assertive. How do you feel about that idea, and how does the justice system as it is applied make you feel?

**WR:** When they take away my ability to express myself as an African-American male it upsets me. You know I feel just as qualified as any other individual, and I'm no different than anybody else that has made a mistake and survives. I served my time; theoretically I have paid my debt to society. And I should be granted full rights just like everybody. It's like you punished me once, you sent me through a hazard-

ous obstacle course of a system, which is totally out of control. So, I worked through the system, got out and after all that I'm still running into problems that supposedly are behind me.

The conversations I had with other brothers just goes to reinforce my views. That is, if you take away a brother's

voting rights the result is what you see when you look at guys 18, 19, and 20 years-old. They don't believe that one vote counts. We have gone from 18<sup>th</sup> and 19<sup>th</sup> century plantations to those of modern times and they are called prisons now. Different eras in time, but basically the same affect, the disenfranchisement of African-Americans.

**JM:** How important is it for those of us who are both African American and formerly incarcerated to fight for our voting rights?

**WR:** What I see now is that if I, and others like me, don't get the right to vote then it's creating a vacuum of active participation in the system. The young African-Americans who are our future, by their lack of participation in the voting process, are just setting themselves up for more mistreatment by the powers that be.

What's got to happen is the older ones of us have to push the younger ones, and it's those of us who have been previously incarcerated who have to get involved. Once we start pushing then we can drag some of those youngsters along with us.

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**“What I see now is that if I, and others like me, don't get the right to vote then it's creating a vacuum of active participation in the system.”**

**Willie Robinson**

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### **Rosie Horner, Activist, Nevada**

Rosie Horner is an activist with PLAN (Progressive Leadership Alliance of Nevada), a coalition of forward thinking organizations that has taken the lead in legislative advocacy that resulted in the restoration of voting rights for many ex-felons in Nevada. Because of PLAN's work, and the support of the Nevada legislature, voting rights have been restored to first time, non-violent felony offenders. This interview touches on this milestone.

**Justice Matters:** I understand that you are a formerly incarcerated person. Can you vote in Nevada?

**Rosie Horner:** Yes I can. In fact, I just got my voter card last week, so now I am able to vote again.

**JM:** How long has it been since you were able to vote?

**RH:** Fourteen years.

**JM:** Do you think the restoration of voting rights for some people with past felony convictions will have a positive impact on the African American community in Nevada?

**RH:** Yes I do. I'm out there telling people what's going on and I gave them names and numbers for them to call for more information. I think it will have a good impact on the Black community.

**JM:** Las Vegas has a fast growing population and many of the people moving there are African Americans. Do you think politicians and candidates are interested in talking about the issues that confront African Americans?

**RH:** Yes, I do. In fact many candidates come and talk at the church I belong to. They come and talk about what they can do and how they can help. Many of them

come to where Black people live in Las Vegas, it's called the Westside. Before integration that's where Blacks had to live but now that we're able to move around it's still where most of the Black people live. Politicians do come out here and ask for our vote and try to help, that's what I believe.

**JM:** What kind of role do you think organizations like PLAN or Western Prison Project can play in letting people know about their right to vote?

**RH:** I think they can play a very important part. Because a lot of the Blacks who have been in prison and had their voting rights stripped from them can get help from them. I heard about PLAN on the radio one Saturday. A guy was on there talking about PLAN and how you get your voting rights back. I know a lot of people and listen to that radio station and I called PLAN and asked what I had to go through to get my voting rights back. They told me that as long as it wasn't a violent crime I could vote. I know quite a few people who have been in prison with drugs or something. I know that when you do the crime, you got to do the time, but it's just not right to take your voting rights away.

I am a concerned citizen. When I heard about PLAN I just made an appointment and went down and talked to Launa Hall.

She asked me about my discharge papers and I told I never did get it when I got out of prison. So we sent off for that. We got that back and did the paperwork, filled out the voter registration form, and in like two weeks I got my card in the mail. I can vote again. And that's good.

**JM:** Would you encourage people to seek out organizations like PLAN who are trying to educate the public about voting rights?

**RH:** Yes, I would. I have passed plenty of flyers from PLAN, plenty of cards to people I know who have been in prison who have lost their voting rights. I'm not sure if they have done anything yet; I think people aren't sure it's going to work, but I tell them it worked for me. It takes a while but it will work. But it took me 14 years to get it back. It took a while but I got the time, I took the time, and it came through for me.

### **Dorothy Ackerman, Native American Activist, Oregon**

Dorothy Ackerman was one of the founding board members of the Western Prison Project. She is also a Native American activist and a Lakota elder. Dorothy has been a volunteer in Oregon's prisons for over thirty years.

**Justice Matters:** So, Dorothy, what is your take on the importance of formerly incarcerated people voting?

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**“I know that when you do the crime, you got to do the time, but it's just not right to take your voting rights away.” Rosie Horner**

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*Cont. on Page 14*

Cont. from Page 13

**Dorothy Ackerman:** Well, I think it is a very important thing for Indian people to vote and I know that sometimes it seems that they don't care about voting, but in recent years it's gotten to where they really want to vote. There have been people advocating, especially the elders, telling others how important it is to vote, and also for the prisoners. Now of course, the prisoners in Oregon, they can't vote. But I think it's for those guys that we need to vote. We on the outside need to vote for those who can't.

**JM:** What are some of the main criminal justice and other issues of concern to the Native American community that voting could affect?

**DA:** I know in the 90's when we were voting on Measure 11 [Oregon's mandatory minimum sentencing law], I didn't think it was a good thing, but I just couldn't get enough people interested in that issue except for those who already had people in the prisons. Now that Measure 11 is in effect people have started to realize how dangerous it is and now they want to



Dorothy Ackerman

change it. I say you should have got involved before it became a law. I don't think a lot of people really understood what that measure was all about but now they do.

Sometimes my house is like Grand Central Station, people coming in, especially on week-ends. I have a lot of company. I put up signs, especially in the bathroom, 'Vote for so and so,' to get them interested in voting. I get a lot of information from the Rainbow Coalition and who they think should be elected. I also read the Voters Guide—I read the pro and con on each person. I like to make sure that those people who are aware of Indian problems and want to help Indian people, those are the ones I advocate for.

**JM:** Are the tribes here in Oregon, like down in Lincoln City or at Grand Ronde, active in getting people to vote?

**DA:** Well, I think those tribes have really made their people understand that it's important to vote and that it's the only thing that will help them get the things that they want. I know some tribes have voting drives and workshops to get the people educated about who the right people are to elect. It's important to train people to ask questions.

**JM:** Part of empowerment is getting out the vote?

**DA:** Oh yes, I think so. I know that the

Eastern Oregon tribes, around Pendleton, those people have been having meetings and their elders have been talking about how people need to vote. And the Warm

Springs tribe has done the same, getting the elders involved, the young people, everyone.

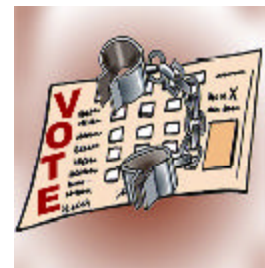
**JM:** So do you see this as a movement in the Native American community to have more people involved in the political process?

**DA:** Yes, I think so. I know that in the 90's there were several Indian tribes involved in the state Democratic Convention. They submitted resolutions for Indian people and they know that process now, and they will probably continue doing that. I know that in our little group here in Portland we submitted a resolution to the Democratic Party here in Oregon for the rights of Indian people. Sometimes people think that reservation Indians are different from urban Indians, but urban Indians are Indians who came from the reservations. I think now Indians are more involved and they know how to go about doing this work.

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**“The prisoners in Oregon, they can't vote. But I think it's for those guys that we need to vote. We on the outside need to vote for those who can't.”**  
**Dorothy Ackerman**

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## Casey Rudd, Founder of Connections, Montana

Casey Rudd is the founder and director of Connections in Bozeman, Montana. Connections is a non-profit that helps prisoners re-enter society, and they also do advocacy work for justice reform. Connections started a coalition a couple of years ago with the help of the Western Prison Project, called the Montana Criminal Justice Reform Network. This year, Connections is working hard on the VOICE Project in Montana.

**Justice Matters:** What are the conditions for ex-felons to vote in Montana?



Casey Rudd

matter if they are on probation or parole—they can vote. If they are in a pre-release center and they're going to be discharged from there by the time there is

an election, they can register to vote.

**JM:** How much education has been done, or needs to be done, to get the word out about the voting rights of ex-felons?

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**“Before we started the VOICE Project in Montana we did a statewide survey of 385 felons and hardly any of them knew they had the right to vote once they were out.”**

**Casey Rudd**

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statewide survey of 385 felons and hardly any of them knew they had the right to vote once they were out. So it is obvious that education has to be part of the process. We are educating people and we are registering people to vote. Currently 235 felons have registered and our goal is to register 1000 felons by October.

**Casey Rudd:** They are allowed to vote as soon as they come out of the prison, it doesn't

matter if they are on probation or parole—they can vote. If they are in a pre-release center and they're going to be discharged from there by the time there is

**JM:** What is the political climate in Montana? Is it possible for ex-felons to be a political force, or will it just be a nominal influence?

**CR:** I'd like to think that it will be a huge force. People are excited to register to vote. They want to vote.

**CR:** There does need to be education and we are doing that as part of the the VOICE Project. Before we started the VOICE Project in Montana we did a

**For more information on voting rights in your state, or to get involved, contact the following organizations:**

**Oregon:** Western Prison Project, VOICE Project, P.O. Box 40085, Portland, OR 97240, (503) 335-8449

**Montana:** Connections, VOICE Project, 812 Mendenhall, Bozeman, MT 59715 (406) 582-7370

**Utah:** Prisoner Information Network, VOICE Project, P.O. Box 165171, Salt Lake City, UT 84116, (801) 359-3589

**Nevada:** PLAN, 1700 E. Desert Inn Rd. Suite 13, Las Vegas, NV 89109, (702) 791-1965

**Washington:** ACLU of Washington, 705 Second Ave., Suite 300, Seattle, WA 98104-1799, (206) 624-2184



### A Personal Journey: Why some African-Americans Don't Vote

By Bro. Askari

This is probably the most painful conversation I've written. Usually, I'm to adapt and adjust to whatever the subject is and go with it. Not this time. Let me explain.

Several weeks ago, a close friend asked me if I would be willing to share some of my personal thoughts and feelings about the lack of African-American participation in the voting process. I said yes, without thinking about what I was being asked to do or what impact it would have on me personally. What happened next is best described in a Negro Spiritual that says, "I jumped in the water, the water was cold. It chilled my body and almost killed my soul." As I started to write, an unexpected historical memory took control of my thoughts, producing familiar images of My African-American ancestors being physically brutalized, intimidated and murdered because they had made the mistake of believing what the fifteenth Amendment said: "No citizen may be denied the right to vote because of race, color, or former enslavement."

I was born and raised in the state of Louisiana. When I graduated from high school in 1964, I had never voted. I didn't know and didn't care to know where the

voting booths were located. Family elders would always instruct us to stay away from such places. On election days, we were organized to gather in one place, so that every family member was aware of where all the other family members were. Then for the next seventy-two hours we would congregate wherever we were anonymously out of sight of any white person, friend or foe.

For my family, to vote or not to vote wasn't the question. The REAL question was "how long were we going to have to tolerate this type of treatment as second class citizens? Whenever we youngsters asked, the elders would always say: "not long ... not long at all."

To give you a little insight as to what was at stake here, you must understand



that in 1896, the same year the U.S. Supreme Court ruled that government sponsored racial segregation was legal, my grandfather and other family elders laid claim to 640 prime acres of Louisiana farm land. By then members of the family

had merged with the local Choctaw nation of Native Americans and this became the composition of our family tree. We became one family, one body, one mind, and one soul. However, to put it mildly the local whites did not welcome and embrace us.

To be an African was bad enough. To own land and be African was worse and, to add insult to injury, to be of both African and Native American descent was unforgivable. Thus in the 1920's my grandfather was mortally shot and almost died for refusing to transfer to the KKK a large portion of the land. His brother was murdered and other family members were harassed well into the 1970's.

In 1964, the 24th Amendment was ratified, abolishing the poll tax, which was used as a means of preventing African-Americans from voting. But in my neck of the woods it didn't change anything. It was then that I knew I had to leave Louisiana.

It wasn't fear that made me leave the state that I loved. No, I had grown tired of having to restrain myself in the face of constant hostilities. I had grown tired of taking the moral high ground. I had grown tired of being tired. I found out that I had been born tired.

When I set foot in my first northern city, I wasn't prepared for its horrific environment. I knew poverty, but I didn't know he had a brotha named Poor, who had a first cousin name Po. He was so po, the "o" and the "r" had fallen from his name.

During the day and nighttime, they

would hook-up with disease, illness, injustice, police brutality...and go on a rampage through Afrikan American communities. When they came for me, I ran into the arms of the Black Panther Party. When I joined the Party, I was under the impression that most folk supported our cause. I couldn't have been more wrong. Now, I was confronted by demons with names like the FBI and local law enforcement.

In the end, and there was an ending, I, along with my fellow Panthers, suffered injustice and imprisonment. Many others died. That's when I realized "this was just the same ol' soup warmed over." In other words, the North, for me, was worse than the South I had left.

In tribute to my family ancestors I must say this. They had no fear. I never knew them to cringe or soft-shoe or Uncle Tom. Yet, they conducted themselves in a peaceful and dignified manner. All they wanted was to be left alone. In the fall of 2003 I visited the land my grandfather so proudly defended. It's still in our family, all 640 acres. However, there have been profound changes. My oldest sister recently ran for a political office in the small town of Franklinton, Louisiana and only lost by a few votes. In the village of Folsom, Louisiana the mayor is an African-American I went to high school with. The City of New Orleans has just elected another African-American mayor. And for the first time in Louisiana history the electorate voted in a woman as governor and even more astounding, she is of Cajun descent...now that's some serious home cooking.

As I conclude this conversation I feel somewhat purified. My soul is on the mend. I can feel it going through the process of renewal. You know what? I just might go out and vote this year.

### **A Brief Summary of the Civil War Amendments to the Constitution:**

**Thirteenth Amendment**, Ratified 1865: Slavery Ended Forever. Slavery prohibited in the United States or any place governed by United States laws

**Fourteenth Amendment**, Ratified 1868: Blacks made citizens, with guaranteed equal rights. All persons born or naturalized in the United States are citizens of the United States. All persons are guaranteed equal rights under the law. Leaders of the former Confederacy are forbidden to hold state or federal office unless given permission by a two-thirds vote of congress.

**Fifteenth Amendment**, Ratified 1870: Blacks Guaranteed Right to Vote. No citizen may be denied the right to vote because of race, color or former enslavement.

### **For More Information On Felony Disenfranchisement**

**Right to Vote Campaign**  
120 Wooster St., 2<sup>nd</sup> Fl.  
New York, NY 10012  
Email: [info@righttovote.org](mailto:info@righttovote.org)  
Web: [www.righttovote.org](http://www.righttovote.org)

**Sentencing Project**  
514 Tenth St. N.W., Suite 1000  
Washington, DC 20004  
Web: [www.sentencingproject.org](http://www.sentencingproject.org)

**Demos**  
220 Fifth Ave., 5<sup>th</sup> Fl.  
New York, NY 10001  
Web: [www.demos-usa.org](http://www.demos-usa.org)

**Mexican American Legal  
Defense Fund**  
634 S. Spring St.  
Los Angeles, CA 90014  
Web: [www.maldef.org](http://www.maldef.org)

**NAACP**  
4805 Mt. Hope Dr.  
Baltimore, MD 21215  
Web: [www.naACP.org](http://www.naACP.org)

## WPP Hosts 2004 Annual Conference

By Kathleen Pequeño

WPP was proud to host our fifth annual conference for grassroots activism on criminal justice reform. We designed this year's on by drawing from some of the best practices of previous conferences and training programs.



*SPIN Project provided useful training materials for participants*

home to Northeast Portland for the first time since 2001.

The conference was kept smaller by design. This was so people would have more time together, and be able to get to know each other better.



*WPP's Dan Bell & Bonnie Macri from JEDI Women in Utah*



*Mark Mazique, Launa Hall & Willie Robinson listen intently*

Based on the success of our 2003 Small Grants Intensive Training program, and the growth in our Technical Assistance program, we decided early this year to focus on member groups of the WCJRC (Western Criminal Justice Reform Coalition) for a special, skills-oriented training. We also brought the conference

Fifteen groups from five states joined us for this year's conference. The conference theme was narrowly focused. In 2003, the WCJRC member groups agreed that we were ready to take on a joint campaign throughout our region,

and coalition members decided to start with a media campaign. So, this Spring's conference was focused on media skill-building to facilitate a successful joint media campaign in several states over 2004-2005.

We invited the SPIN Project (Strategic Press Information Network), a nationally recognized media consulting and training

group focused on progressive groups and messages, to come in with their media toolkit training.

We learned a lot during Friday's opening exercise! Everyone had up to twenty minutes to come up with brief descriptions of their group, so that they



*Prisoner Information Network's Marianne Johnstone practices talking to "journalist" Kathleen Pequeño*



*Mark Mazique from Seattle explains the work of People's Coalition for Justice*

all of us in trying to be brief but engaging when talking about our work.

The main conference event was Saturday's training on how to make "strategic" use of the materials to prepare before contacting the media; key points to consider when creating a media campaign;

could make a short and compelling five-minute presentation to the other groups present. Each group prepared flipcharts to use for the presentations, focusing on essential information about their group and the work they do, such as: the origin of their group, size of their membership, and their programs and accomplishments. The presentations were fun and informative, and it was great practice for



*Lea Zengage from Justice Works! in Washington practices her "pitch" with WPP's Kathlenn Pequeño*

and practice creating "messages" for use in a media interview or any other on-air appearance.

On Saturday afternoon we got to do live, on-camera practice. Each group was invited to send a

representative to be filmed testing out the "message" they had developed earlier in



*Rosie Reyes of the SPIN Project videotaped conference participants*

the afternoon. An experienced video crew came and filmed on-the-spot-interviews, and then we were able to view the video to see how we all came across live on camera.

The conference wrapped-up on Sunday with the annual business meeting of the Western Criminal Justice Reform Coalition. We used some of our time on Sunday morning to continue the media training, and then started identifying priority topics for the joint media campaign. Coalition member groups will vote for topics via phone and the Internet, and we will have our priority topics identified by the end of the summer. Look for news of our media successes over 2004-5!



*SPIN Project trainer Rosie Reyes leads the group through an exercise*

### New Board & Staff Join Western Prison Project

Western Prison Project continues to grow, and has been fortunate in attracting some very committed and talented individuals to our board and staff over the past six months. We thought we'd take this opportunity to introduce you to some of the new leaders here at the Prison Project.

#### New Board Members

##### Taneisha White



Taneisha works at the Western States Center. She joined the Western Prison Project board because she cares about what happens to people in the prison system. "I am a former prisoner," says Taneisha, "and I know from personal experience that there is a lot of information that prisoners don't receive. For example, I was never told I had the right to vote once I was out. My goal is to help with outreach so that prisoners know their rights, and learn about resources that can help them once they get out."



##### Anita Rodgers

Anita Rodgers works for the McKenzie River Gathering Foundation. A community activist for many years, Anita was one of the founders and a former Executive Director of CAT—The Community Alliance of Tenants, in Portland. Anita brings a wealth of experience working with dozens of grassroots, social change organizations.

##### Maddy Dennis

Maddy works in social services for Central City Concern, with parents in recovery from alcohol and drug addiction. "As a recovering drug addict and former prisoner, I know first hand how important it is to educate the public and advocate for the people who are currently incarcerated in our flawed prison sys-



tems," says Maddy. "As a board member I hope to take an active role in the work that the Prison Project is doing to advocate for criminal justice reform."

##### Scot Nakagawa

Scot was one of the founding board members of Western Prison Project. Most recently, he was WPP's Associate Director. This spring, he left the staff of WPP to take a job as Grants Manager with the ATR Foundation in Seattle. But he remains committed to WPP's work for criminal justice reform and has accepted a position on the board of directors once again.



##### Norm Monroe

Norm joined the Western Prison Project board of directors in late 2003, and has been an energetic and committed leader on the board ever since. Norm brings to the board many years experience with lo-



# WESTERN PRISON PROJECT

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cal government, community organizations, and law enforcement (he once worked as a parole and probation officer). For the past few years, Norm has dedicated his considerable talents to re-entry initiatives that can help returning prisoners succeed once they come home.

## New Staff Members



### Cassandra Villanueva

Cassandra joined the staff as a full-time organizer in May. She has been involved in community organizing for the past six years with a variety of social change organizations in Oregon, including Latinos Unidos Siempre (LUS), PCUN, and CAUSA. Cassandra says that she wanted to work for WPP so that she could use her skills to contribute to the movement for criminal justice reform. Through her work with LUS, Cassandra was very active in the Oregon Criminal Justice Reform Coalition, and she worked with other LUS activists to educate Latino youth in the Salem area about Measure 11.

### Danny Bell

Danny joined the WPP staff as a full-time organizer in April. His political ac-

tivism spans 36 years, starting with his volunteer work for former Senator Eugene McCarthy's presidential campaign, where he worked his way up to become a member of his national campaign staff at the age of 18. Dan has also



worked as an organizer for Acorn, a national grassroots organization. Dan has a background in the African-American community press, where he worked as an advertising salesman and Advertising Sales Manager for twenty years. For the last three years he has been the publisher of a once yearly publication called the Beloved Community Journal. He is a crime survivor, and a formerly incarcerated person.

### Caylor Roling

Caylor was a Western Prison Project volunteer for two years before joining the staff as our Membership Associate, in March. She has been active in the campaign to free death row prisoner Mumia Abu-Jamal and is also involved in labor and global justice struggles. She taught non-violent direct action tactics prior to the 1999 protests against the World Trade



Organization and organizes study and discussion groups to help activists deepen their understanding of organizing. Caylor has over ten years of administrative experience.



*WPP staff meeting (from l to r) Cassandra Vaillanueva, Geoff Sugerman, Dan Bell, Brigette Sarabi*

Cont. from Page 7

### National: ABA Calls for End to Mandatory Sentences

The American Bar Association's Justice Kennedy Commission issued a report in June that found that many get-tough approaches to crime don't work and some, such as mandatory minimum sentences for small-time drug offenders, are unfair and should be abolished.

Justice Anthony M. Kennedy said that society should re-examine how it spends money and makes choices about who goes to prison, how long they stay and what happens when they get out.

Laws requiring mandatory minimum prison terms leave little room to consider differences among crimes and criminals, the ABA commission found. "The costs of the American experiment in mass incarceration have been high," the report said. It said states and the federal government spent \$9 billion on jails and prisons in 1982, but that costs had soared to \$49 billion in 1999.

The report, which took nearly a year, followed-up on criticism of the criminal justice system from Justice Kennedy, a moderate conservative appointed by President Ronald Reagan. Kennedy asked the ABA to look at what he called unfair and even immoral practices throughout the criminal justice system.

The ABA, the nation's largest lawyers' group with more than 400,000 members, will vote in August on whether to adopt the recommendations as official positions of the organization.

"For more than 20 years, we have gotten tougher on crime," said ABA President Dennis Archer. "Now we need to get smarter."

Source: Associated Press

### National: Indian Jails in Bad Shape

Investigators and auditors from the Interior Department told a Senate panel in June that potentially life-threatening conditions at many of the 74 detention centers on Indian reservations pose dangers to prisoners and guards alike. Federal investigators say the Bureau of Indian Affairs should immediately take steps to turn around a poorly managed Indian prison.

Figures from 2002 (the latest available) show that the 74 detention centers held 1,699 adults and 307 juveniles. Investigators catalogued 209 suicide attempts and 413 escapes at the 27 prisons they visited. They also found five prisoner deaths by suicide and another five attributed to medical problems such as seizures, appendicitis and alcohol poisoning. One of the deaths was that of Cindy Gilber Sohappy, a 16-year-old who died on December 6<sup>th</sup> of alcohol poisoning three hours after she was placed in a holding cell attached to the Chemawa Indian School in Salem, Oregon. The U.S. attorney's office in Portland is investigating the case.

Sen. Ben Nighthorse Campbell (R-Colorado), said the problems, especially the many suicide attempts, were worse than he imagined. Sen. Gordon Smith (R-Oregon) said: "I'm fearful we have an epidemic. BIA really needs to get on top of this." And Sen. Daniel Inouye (D-Hawaii) said: "I've sat through many hearings, and this is one of the most depressing."

Source: *The Washington Post*

### Ms. Foundation Honors WPP Founder

In May, the Ms. Foundation for Women honored WPP founder Brigitte Sarabi with a Gloria Award for women of vision at a ceremony in New York. "It's a tremendous honor to have the work of Western Prison Project recognized by the Ms. Foundation," said Brigitte. "This is a



Brigitte Sarabi and Geraldine Ferraro

foundation that truly understands that the prison crisis in the U.S. is a women's issue. Not just because there are hundreds of thousands of women in prison in this country, but also because there are millions of men who are or have been locked up in our prisons. These men are our brothers, partners, fathers, and our sons. Their incarceration, and the incarceration of so many of our sisters, has a huge impact on our communities." Brigitte took the opportunity to speak to the over 400 people at the event to draw attention to the fact that the torture and abuse of prisoners at the Abu Ghraib prison in Iraq comes as no surprise to America's prisoners and their families, because prisoner abuse is rampant in the U.S. She called for independent oversight of U.S. prisons.

**Thank You to WPP Volunteers!**

Western Prison Project would not be able to do the work we do without the dedicated support of many talented volunteers. WPP volunteers help with everything from answering prisoner mail to helping us develop our programs, sending out Action Alerts to overseeing the management of the organization, and entering address changes into the database to giving solid legal policy advice on the direction our work should take. Thanks to the following generous volunteers:

**John Hahn-Francini, Jack Danger, David Dean, Josh Green, Rachel Pearl, Sharon Stern, Ho-Jung Julia Lee, Michelle Burrows, Dennis Balske, Jennifer Williamson, Paul Levy, Susan Russell, Ed Sullivan, Mark Wilson, John Castro, Gary EagleThunder, Dusty Gray, Norm Monroe, David Rogers, Arwen Bird, Taneisha White, Anita Rodgers, Maddy Dennis, Anthony Davis, Scot Nakagawa, Sam Livingston-Gray, Julia Lutsky.**



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**YES, I WANT TO JOIN WESTERN PRISON PROJECT!**

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Email \_\_\_\_\_ Donation amount: \_\_\_\_\_

*YES! I am contributing over \$25 and would like a copy of the Prison Index!*

Suggested membership donations: Prisoners, \$7.00, non-prisoners, \$15-\$25. WPP relies on member support --- any gift you make above \$25 helps us a great deal. If you are a prisoner or low-income in our region (**OR, WA, MT, ID, UT, NV, or WY only**), and cannot afford to make a donation, you can still become a member by checking here:

- Sign me up for the Oregon Action Alert list
- Sign me up for the Washington Action Alert list

Checks/money orders can be made payable to Western Prison Project.

**NEW!** You can also give using a **Visa** or **Mastercard** by filling in the information below:

Name as it appears on card \_\_\_\_\_  
Signature \_\_\_\_\_  
Visa/Mastercard number \_\_\_\_\_ Exp. Date \_\_\_\_\_

Contact me about making a monthly pledge using my credit/debit card or checking account!

## Take Action! 5 Things You Can Do

1. Volunteer to help register people with past felonies, and their families, to vote. Contact one of the participating VOICE Project partner groups in your state (see page 15).
2. Make sure you are registered to vote, if you can. If you've moved since the last election, make sure you re-register with your address change.
3. Educate yourself about recent Supreme Court decisions like *Blakely v. Washington*, decisions that some say are initiating a revolution in sentencing policy (see page 17).
4. Help keep communication open between the inside and outside—volunteer with a criminal justice reform group in your state to reply to letters from prisoners (go to our website, [www.westernprisonproject.org](http://www.westernprisonproject.org), for a list of organizations in the states in our region).
5. Help influence policy makers and the media on criminal justice issues by joining WPP's Action Alert Network in Oregon or Washington (see membership form on page 24).

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