

JUSTICE MATTERS

The Newsletter of the WESTERN PRISON PROJECT

Winter 2003

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This will be my last message to you, the readers of *Justice Matters*, as Director of Western Prison Project. For family reasons, I am stepping down as Director, and taking on the role of co-chair of our board of directors.

The other day, my youngest daughter said to me: "Mom, you always said you were going to get the Prison Project started and then leave, but I never thought you would." Needless to say, she is delighted that her mom is going to be around more! And I am excited to be continuing this work in a new role, and even more excited to welcome our new Executive Director, Jo Ann Bowman.

Jo Ann was one of the first people I recruited to become a founding board member of WPP. More recently, she has been on staff as Director of our VOICE Project on felony voting rights. Many prisoners and family members in Oregon, and activists throughout the region, know Jo Ann, and have seen how effective she is as an advocate for criminal justice reform.

Jo Ann was a three-term democratic legislator in Oregon, where she was Vice-Chair of the House Judiciary Committee. She worked for many years as a Senior Public Policy Advisor for Multnomah County (Portland) Chair Beverly Stein. Recently, she has been in the leadership in Portland in developing the new Alliance for Police & Community Accountability. At the national level, she was an active member of the National Black Caucus of State Legislators. And to round it all out, Jo Ann

is a popular, Thursday morning talk radio host on Portland's community radio station (KBOO-fm) and, like me, has had a family member in prison. The rest of our great staff will be working with Jo Ann and the board of directors to continue to expand WPP's work throughout our region.

For myself, I'd like to say what an incredible honor it has been to work with some incredible activists, on both the inside and the outside, over the past five years. I would especially like to thank the members of our prisoner advisory committee, and the grassroots leaders in the Oregon Criminal Justice Reform Coalition and our regional coalition, who have all given so much time, talent and energy to this work, and who have been a great support to me. You



Jo Ann Bowman and Brigette Sarabi

have all taught me a lot, and together I believe we have made great strides in building a grassroots movement for criminal justice reform throughout our region. I'd also like to thank the Western States Center, which agreed early on to sponsor the Western Prison Project and has helped so much, in so many ways.

As some of you know, the Western

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The Western Prison Project is a project of the Western States Center, 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.

Say What?!

Police in Seattle claim that race is not a factor in drug related arrests. However, a report from the University of Washington contends that arrest records and research into who is using and selling drugs reveals that African-Americans are 22 times more likely to be arrested on heroin charges, and 31 times more likely to be arrested on meth charges than whites in Seattle. Even though whites are the majority of drug dealers. If race is not a factor, just what are the police hoping to accomplish by focusing the majority of their effort on the minority of dealers? And they call this a war on *drugs*?

A \$1 Billion Revolving Door

The Little Hoover Commission recently reported that of 125,000 ex-felons released from California prisons annually, 67% return to prison within a year and a half – twice the national average. Here's a clue as to the cause – exiting prisoners receive \$200 in gate money and little if any transitional support. Even after time spent in the “corrections” system, it is estimated that 75% of those leaving prison have substance abuse problems and 50% are illiterate. These factors likely contrib-

ute to the fact that 80% will subsequently go jobless; and 10% become homeless. As is so often the case, “tough” is not necessarily the equivalent of “smart.”

Put Your Civics Books Down and Raise Your Hands in the Air!

On November 6, a South Carolina high school was raided by armed police officers who ordered students to the floor at gunpoint. Those who failed to follow orders were handcuffed as police searched the school for drugs. According to Drug Policy Alliance's Ethan Nadelmann, “It sounds like the police and principal forgot what country they're living in.”

Trading Mental Hospitals for Prisons

The Correctional Association of New York reported that of 48 suicides that occurred in the state prison system between 1998 and 2001, over half took place among the 10% of prisoners in 23 hour lockdown units. Mental illness plays a significant role, with about 1000 of 5000 prisoners held in disciplinary confinement on any given day also showing up in the caseload of the state Office of Mental Health. The Association stated that DOC

policies and procedures “aggravate conditions of mentally ill inmates leading sometimes to their engaging in...self harm or suicide.” Human Rights Watch estimates the number of mental ill prisoners nationwide at 300,000, 3 times the number of patients in mental hospitals.

Money Makes the World Go Round?

The New York State Board of Elections has opened an investigation into the allegations that private prison company Correctional Services Corporation (CSC) provided unreported (and therefore illegal) in-kind contributions to lawmakers including campaign “volunteers,” and transportation services. The investigation could result in criminal prosecution. From 1992-2000, CSC received \$25.4 million from the state to provide half-way house services. CSC has already been fined \$300,000 by the state Lobbying Commission.

Voting Rights Victories!

The Sentencing Project reports that almost 500,000 ex-felons have had their voting rights restored since 1996 as a result of pro-democratic reform in eight states. In spite of growing support for positive reform, 4 million ex-felons, among whom 1/3 are black (13% of all black men have lost the right to vote as a result of restrictions), continue to have their rights denied either because they are in prison or as a result of past felony convictions. According to ex-prisoner Joseph Hayden, who has lost his right to vote because of a past felony conviction, “I've been relegated to the same status as my ancestors when they were in slavery...I'm a tax payer and I'm a citizen...I have opinions on everything that human beings do, but I have no voice.”

Compiled by Scot Nakagawa



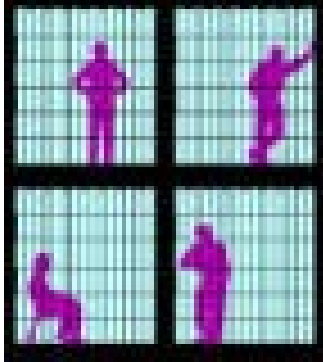
*Kern County Ca. is the site of the proposed Delano Prison and the motto of the Sheriff's Department is "We'll Kick Your Ass."
Photo by Frank Smith*

WESTERN PRISON PROJECT

Regional News

OR: Triple Bunking in Sheridan

The federal prison in Sheridan, Oregon is trying to stuff its already crowded facility even fuller by triple-decking some of its bunks. The facility has already fitted some 300 cells this way, and says the



change will make room for another 300 prisoners, but both the prisoners and the guards at FCI are resisting any effort to further stuff their cells. Inmate Robert Tillitz filed suit in September in U.S. District court, seeking an order blocking expansion, and the employees' union has also publicly denounced the change, citing safety problems and an already understaffed workforce. Ransom Ali, executive assistant to the warden, said the triple-bunking would be a temporary change, though he acknowledged, "I couldn't tell you how temporary it will be," because of the uncertain affect that the opening of two more federal prisons in California will have on FCI Sheridan's numbers. (Source: *The News-Register*)

OR: Mentally Ill Need Treatment not Incarceration

Only one out of every five mentally ill people who are institutionalized in an Oregon state facility reside in the state mental hospital – the other four-fifths, or about 2,700 people, reside in the state's prisons. While the head of the Department of Corrections' counseling and

treatment services calls the state's approach to its growing population of mentally ill prisoners "progressive," the figures remain unimpressive: of the 2,700 prisoners who are mentally ill, 171 stayed in the treatment facility in Salem last year, and only 20 were there for more than six months. By the end of this year, Coffee Creek Correctional Institution in Wilsonville will offer 10 beds for mentally ill female inmates. This year, State lawmakers reduced spending on community-based mental health programs by \$21 million, while maintaining the \$14 million allotted to the Department of Corrections for mental health services for the biennium. (Source: *The Oregonian*)

OR: DOC Gets New Director

State Representative Max Williams, a moderate Republican three-term legislator from Tigard, Oregon (in the Portland Metropolitan area) was appointed Director of the Oregon Department of Corrections by Governor Ted Kulongoski on December 12. Mr. Williams' background includes two terms as chairman of the House Judiciary Committee, the committee with jurisdiction over the Department of Corrections and many public safety issues. Mr Williams will replace acting corrections director Mitch Morrow. (Source: *The Oregonian*)



Max Williams

NV: DOC Creates New Transition Program

In January, Nevada DOC Director Jackie Crawford will approach the Legislative Finance Committee with a request to release money for staffing and operation of a pilot program to set up transitional housing for 200 prisoners in Clark

County. The transitional housing gives prisoners near release the opportunity to find employment, get housing and find necessary community resources such as drug counseling and medical care. The cost per resident at the new transitional facility will be \$3,986 a year compared with \$14,697 a year for housing prisoners at High Desert Correctional Center. Statistics from the NDOC indicate that 10.9% of Clark County prisoners have no fixed address to return to when released or paroled. The transitional housing program will also offer substance abuse treatment. (Source: *Las Vegas Sun*)

NV: Prisons are Full of the Old and the Young

Juveniles are now Nevada's fastest-growing group of prisoners, as over 700 people under the age of 22 are now incarcerated. Just a few years ago, there were only about five inmates in the 14-15 year old range; there are now more than 20 in that range. The number of seniors in the state's prisons is also growing more quickly than the general population. While as of November the average age of Nevada's 10,000 prisoners was just under 35, more than 1,000 of these prisoners are in their 50's or 60's, and 66 are in their 70's or 80's. As reported in the Nevada Appeal, Corrections Director Jackie Crawford attributes the growth to "hardened, violent criminals serving long sentences". Research has shown that juveniles in adult facilities are more likely to witness violence or be the victims of violence, and are more likely to end up back in the prison system after release. (Sources: *Nevada Appeal, Salt Lake Tribune*)

NV: Lack of Profits Spurs Change

Summit View in North Las Vegas is one of a number of privately run youth facilities that has faced repeated allegations of inappropriate care of its youth prisoners. Two years ago, the facility closed

when Correctional Services Corporation announced that the youth prison was not profitable. Now the state has decided to reopen the prison and has recruited Robert McLellan of Montana's Pine Hills Youth Correctional Facility. A state-run facility, Pine Hills has seen its own share of allegations, with complaints from advocates of abuse of American Indian boys there. In addition to reopening Summit View, Nevada is looking into adding rehabilitation and other programs for youth at the local level, which of course will be less costly to the state and less disruptive to the youth. (Source: *The Las Vegas Sun*)

WY: New DOC Director Gung-ho for New Prisons

Gov. Dave Freudenthal has appointed Robert O. "Bob" Lampert the new director of Wyoming's Department of Corrections. Lampert, a U.S. Marine Corps veteran who has worked in both State and Military prisons for 29 years, took over the job in mid-November. Most recently, Lampert worked in Oregon's DOC, and before that as a senior warden in Texas. Lampert is apparently a good match for Wyoming because he is interested in leading the charge to build more prisons. (Source: *The Casper Star-Tribune*)

WY: Incarceration not Education

Governor Dave Freudenthal's "practical" budget recommendations would have Wyoming devote \$125 million to building new prisons. Meanwhile, the state Department of Health, which asked for a \$252.5 million increase, received only \$141.4 million of increased funds. Included in the cuts were expanded Medicaid programs. "Those are difficult ...

things to say no to, but I think the state is better off a decade from now if we say yes to getting these major pieces of capital construction off the ground," the Governor commented. Apparently, though, capital construction for higher education is not what he's thinking of first — his budget allocates \$15 million for capital construction projects at the University of Wyoming, \$5 million of which is for repairs to the university's stadium. Also included in the recommendations was \$380 million for new schools and maintenance. The prison construction is intended to bring prisoners currently housed out of state back in state. The legislature will review the budget in February. (Source: *The Billings Gazette*)

WA: Equal Pay for Equal Work

As of early 2003, workers in private companies who specialized in a hi-tech water-jet cutting system were making \$16 to \$25 per hour, while prisoners who did the same work made \$5.70 per hour, which was then the minimum wage. Finding themselves at a competitive disadvantage, the Washington Water Jet Workers Association sued the state, citing the state's constitution, which reads: "the labor of convicts of this state shall not be let out by contract to any person, co-partnership, company or corporation, and the Legislature shall by law provide for the work of convicts for the benefit of the state." Although a literal interpretation of this law would seemingly prohibit private contractors from using prisoner labor, the Washington state Supreme Court did not think so. They ruled earlier this year that the 20th century law that allows private-sector prison work pro-

grams bears no resemblance to the 19th century practice of selling involuntary convict labor, which originally inspired the law. Citing the differences between these work systems, Assistant Attorney General Talis Abolins referred to the current system of paying minimum-wages for the skilled labor of prisoners as a "progressive system." The group is now attempting another legal challenge, stating that this program does not fall within the guidelines of "benefits for the state." (Source: *The Seattle Post-Intelligencer*)

MT: Private Prison Expansion

The Corrections Corporation of America continues to expand its involvement in the Montana prison system, as the state considers using CCA to run its prisoner transport system. CCA currently runs the state's private prison in Shelby. This fall, Corrections Chief Bill Slaughter asked TransCor America, a part of CCA, to study the state's current system, which is criticized as costly and inefficient. CCA would then be among the private companies considered to run the new system, should that be CCA's recommendation. Services included in the transportation system include bringing prisoners to correctional facilities after conviction and transfers from one prison to another. (Source: *The Billings Gazette*)

ID: Breakdown in Parole Process

An Idaho Statesman report from October found that more than 200 prisoners have remained in prison months or years after the parole commission has approved their release. At least one prisoner was moved to a community work center even though this obstructed her getting the substance abuse treatment the parole board required for release. Department Director Tom Beauclair said that the transfer resulted from a communications breakdown. (Source: *The Idaho Statesman*)

Compiled by Rebecca Neel and Scot Nakagawa



Supreme Court Will Hear Death Penalty Case

As of early December, the Supreme Court has agreed to decide whether its abolition of the Death Penalty in trials without juries will apply retroactively. The June 2002 ruling stated that only juries, and not judges, could decide on a Death Sentence. Five states that used to allow judges to determine the existence of “aggravating factors” that would lead to a death sentence – Idaho, Montana, Colorado, Nebraska and Arizona – have now had to allow juries to make these decisions. However, the Supreme Court didn’t specify last year how their decision would impact prisoners already sentenced to Death row by a judge. (Source: *The New York Times*)

DNA and the Constitution

A federal appeals court declared in October that a 3-year-old law that requires federal inmates and parolees to give blood samples for the FBI’s DNA database is an unconstitutional invasion of privacy. The 9th Circuit Court overturned the DNA Analysis Backlog Elimination Act of 2000 on grounds that the routine sampling denied inmates and parolees of their Fourth Amendment protection against illegal searches. Law enforcement should not have taken blood samples of prisoners because there was no legal suspicion that the prisoners were involved in other crimes. (Source: *The New York Times*)

DNA and Death Row

Congress has reached a deal that would allot \$1 billion over five years to provide Death row prisoners with better access to DNA testing and legal representation in cases where prisoners say that DNA evidence could overturn their conviction. The bill would provide \$755 million to deal with the backlog of more than

300,000 rape kits and authorize more than \$500 million for grant programs to improve the capacity of federal, state and local crime labs to conduct DNA analyses, train criminal justice personnel in how to use DNA evidence and promote the use of DNA technology to identify missing persons. (Source: *The Washington Post*)

Mentally Ill Crowd Prisons

A **Human Rights Watch** study released in October reported that *as many as one in five of the 2.1 million Americans in prisons and jails are seriously mentally ill*. The study found that the level of illness among those being admitted to prisons and jails has grown more severe in the past few years, and suggests that the percentage of mentally ill women prisoners is considerably higher than that of male prisoners.

Human Rights Watch concluded that jails and prisons have become our nation’s default mental health system, saying **“I think elected officials have been all too willing to let the incarcerated population grow by leaps and bounds without paying much attention to who in fact is being incarcerated.”** The study found that life in prison is particularly difficult for those with mental illness who often find it difficult to follow the day-to-day discipline of standing in lines for meals. The report says “Some exhibit their illness through disruptive behavior, belligerence, aggression and violence...”. Disciplinary measures such as solitary confinement is particularly difficult for those with mental illness because there is even more limited access to medical care there, and the isolation and idleness can be psychologically destructive.

Meanwhile, medical care for the mentally ill in prison is often almost non-existent. In Wyoming, a Justice Department investigation found that the state penitentiary had a psychiatrist on duty two days a month. (Source: *The New York Times*)

Alabama Defends 25 Cent an Hour Pay to Prisoners

Alabama is defending a deal where prisoners inflate and package balls for Wilson Sporting Goods, Inc., destined for retail sale, for 25 cents an hour. Department of Corrections spokesman Brian Corbett responded to questions related to a lawsuit filed by a prisoner over low pay by saying that Alabama state statute gives the DOC the authority to work prisoners for free as part of a prisoner’s punishment.



The lawsuit was filed on behalf of about 100 prisoners at a Decatur work-release center. The workers are seeking \$425,000 in back wages, claiming that prisoners are required to work for Wilson through Alabama Correctional Industries, a prison agency that trains prisoners and oversees the production of prisoner-made items including car tags and furniture. The suit contends that inmates should be paid the federal minimum wage, and that state law bars prisoners from manufacturing items for private companies.



DOC spokesman Corbett said that the work is legal because prisoners are only inflating and packaging the balls and not manufacturing them, and therefore do not need to be paid at all. (Source: *The Associated Press*)

Compiled by Rebecca Neel and Scot Nakagawa

The Myths & Realities of Re-entry Programs

By Jo Ann Bowman

While hard-liners in the criminal justice system would have us believe that long prison terms are the best deterrent of future criminal behavior, the reality is the lack of comprehensive reentry programs in local communities have a more profound impact on recidivism than long sentences ever could.

All parole and probation systems across the country require people leaving prison to check-in with their parole or probation officer within 48 hours of their release from prison. In that same time period, you may have to locate and secure:

1. Drug and alcohol free housing
2. Employment
3. Treatment for drug & alcohol addictions
4. Anger management
5. Support groups
6. Family reunification counseling

Normally it is left to you, the former prisoner (and any outside support network you may have), to contact these service providers and determine if you qualify for their services. Ask family members and friends about employment training programs in the area. Invite them to investigate the criteria for participating: costs, restrictions, etc. They may also be able to send you applications and/or set up appointments that can be scheduled prior to your release.

The most successful transitions occur when the individual being released has a support system (e.g. family and friends), already in place in their local community, who are making specific commitments to

assist them in navigating the government and community-based systems they'll have to work with upon release.

In some cases, if an individual already knows their release address they can apply for their driver's license and voter registration cards prior to leaving the institution, therefore saving themselves valuable time after release.

Departments of Corrections in many states provide classroom instruction for individuals transitioning back into society. These classes provide basic education regarding how to reapply for a driver's license or other government ID, voter registration, how to fill out an employment and/or housing application and information on available community-based resources. By taking advantage of these opportunities, you will gain a head

Usually, gate money received is insufficient for housing for your first night of freedom, so having a detailed plan prior to release is critical to success.

start in understanding many of the hurdles you will face in returning to your local community. In some cases, if an individual already knows their release address they can apply for their driver's license and voter registration cards prior to leaving the institution, therefore saving themselves valuable time after release.

While the parole or probation officer will be helpful in providing you with a written list of rules, payment schedules (and places and people to seek out or avoid), they may be less helpful in assisting you with finding adequate housing, employment and community support systems vital to your successful reintegration into your community.

The states in our region provide people headed home from prison the following financial resources, also known as "gate money:"



Montana: only funds left in inmate's trust account;

Washington:

Identification card, transportation, reporting instructions, and \$40;



Oregon: appropriate clothes, bus voucher, and \$25;

Utah: inmates with demonstrated need receive up to \$100;



Wyoming: bus ticket, and if it's a long ride, money for food);



Idaho: clothes appropriate for the weather, brown bag lunch, and some receive bus ticket.



As we can see from the above, being released is only the first step in developing a successful reentry plan. Usually, gate money received is not enough for housing for your first night of freedom, so

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Collateral Consequences and Re-entry

By Scot Nakagawa

Many among the public have the mistaken impression that punishment ends for every person convicted of a crime once their term in prison is served. However, the prison sentence is, for many, only the beginning. Additional, less visible consequences (referred to in criminal justice circles as *collateral consequences*) often affect ex-prisoners for years after their prison sentences have been served. For some, the effects follow them for the rest of their lives.

Many states require additional punishment of people with criminal records after their release from prison. These punishments especially affect those with drug-related convictions.

Federal law allows states to ban those with certain drug-related felony convictions from receiving TANF (the new welfare), Social Security (SSI), federally funded public housing (even if the ban will separate them from their immediate family) and Food Stamps for life. In our region, only Oregon has opted completely out of this lifetime ban. The states of Wyoming, Montana, and Idaho have opted for the permanent ban, while Washington, Utah and Nevada make benefits dependent on drug treatment (though they do not necessarily provide financial assistance to those seeking treatment and as few as 18%, according to one study, will receive treatment while in prison).

The **1994 Crime Act** required states to enact sex offender registry laws within three years or suffer the loss of 10% of federal funds for criminal justice programs. The federal government has also imposed a lifetime ban on federally as-

sisted public housing on past sex offenders subject to state sex offender registration statutes.

The **Adoption and Safe Families Act** of 1997 prohibits people with certain criminal convictions (typically child abuse, domestic violence, and sexual assault convictions, but also including people with certain drug offenses) from becoming foster or adoptive parents. The same act

Collateral consequences is a term to describe punishments besides prison time that often accompany a criminal sentence. They exclude people from rights and privileges that others take for granted. In some cases, punishment will follow people for the rest of their lives.

speeds up termination of parental rights (loss of your children) if children are in foster care for 15 of the last 22 months.

In 1992, Congress passed a law requiring states to revoke drivers' licenses of those convicted of felony drug offenses or lose 10% of federal funds for highways.

In addition, 13 States have laws in place that effectively disenfranchise ex-felons either through a lifetime ban, or as a result of rules that make the process of petitioning for restoration of rights too difficult for many. For instance, Washington state allows ex-felons to petition for their right to vote only after, among other hurdles, paying back all legal financial obligations (which may include restitution, court fees, fines, and the cost of one's imprisonment). Financial obligations are assessed at sentencing and are

subject to 12% interest during and after one's sentence, so the debt grows even while one is in prison. The requirement amounts to a poll tax, and has caused the permanent disenfranchisement of about 3.7% of the voting population, or more than 150,000 people, including nearly 25% of African-American males. In Wyoming, eligible ex-felons must wait five years after they are completely discharged before being allowed to petition for their voting rights. Nationally, nearly 3.9 million ex-felons are denied the right to vote (2% of adults), including more than 1.3 million African-American males, or about 13% of black men.

These **collateral consequences** also affect the family members of ex-prisoners, including a large number of children. The Urban Institute reports that 55% of men and 65% of women in state and federal prisons are the parents of minor children. 58% of these children are less than 10 years old.

The public housing ban and much higher rates of imprisonment among low-income African-American men are thought to be major contributors to the dramatic 35 year rise in women-led, single parent families in the African-American community. In low-income communities in general, imprisonment is a significant factor in breaking up families. In addition, families are often impoverished when a member goes to prison. Even after the prison sentence is served, the stigma of a criminal record makes job seeking more difficult, presenting whole families with additional economic disadvantages that may be contributing to the fact that children with parents who have served time in prisons are much more likely to wind up in prison themselves.

The US is not an equal opportunity jailer.

The prison build-up has community-wide consequences beyond just harsh prison sentences for individuals. The vast majority of those who go to prison are poor, and a high percentage are people of color. African-Americans are 45.6% of the U.S. prison population but only 12.7% of the overall population. Together, African-Americans and Latinos make up the majority of those who have ever served time.

The targeting of people of color and low-income people by the criminal justice system is harming communities that are already troubled by economic problems and racism, higher crime rates, and fewer basic services. These problems are made worse by the growing cost of prisons to state governments. In just one glaring example of how prison budgets are

“locking-up” a growing share of state tax revenues, the **Justice Policy Institute** reports that general fund expenditures for higher education in Oregon went up \$238 million between 1985 and 2000, while prison spending increased by \$367 million.

Increasingly, social science research is indicating that the prison boom and targeting of poor communities by criminal justice policy is causing more problems for poor people, *who are the majority of crime victims*, than it is solving. Some say the high percentage of people from poor communities who are going to and returning from prisons will drive up crime rates and that prisons end up encouraging rather than deterring crime.

However, there is some hope. Judith Greene of **Families Against Mandatory Minimums**, a national reform group made up of prisoner family members, reports that 25 states around the

The Justice Policy Institute reports that general fund expenditures for higher education in Oregon went up \$238 million between 1985 and 2000, while prison spending increased by \$367 million.

country have made major criminal justice reforms. These states have gotten rid of mandatory minimum sentencing, increased earned-time and good-time for prisoners, opted for drug treatment and other alternatives to prison, and/or sped-up parole --- all these are examples of measures to get “smart on crime” and cut prison costs.

Altogether, more than 12 states nationally have cut prison populations since 2000. 10 states have closed prisons and others have announced plans to do so. And more change appears to be on the way.

One of the driving forces behind the changes is \$200 billion in budget shortfalls that states have suffered in the past 3 years. When faced with the choice between continuing to use prisons as the main means of crime control or funding basic social services and schools, many states are doing the right thing. These states are cutting the prison budgets and investing in less expensive alternatives to prison that are proven to be more effective at preventing repeat offenses.

In our region, where we have some of the biggest budget problems in the country, we are scoring some victories. However, we are still struggling to win serious reforms in Oregon, a state that continues to build new prisons and has refused to consider reforms to its harsh mandatory minimum sentencing law.

Perhaps in the West we will finally win

meaningful reform when policy makers recognize that the greatest cost of the prison boom is not measured in terms of dollars and cents, but in terms of the damage prisons do to our communities and to the individuals and families who suffer prison sentences and collateral consequences.

Myths & Realities cont. from page 7

having a detailed plan prior to release is critical to success.

While assistance is available from faith-based and community-based organizations, some will be unwilling and/or unable to assist you because of your recent imprisonment and/or because of high unemployment and other economic factors. There will also be employment and housing opportunities for which you won't qualify due to your conviction (some state and federal laws prohibit assistance). While these laws and restrictions are unfair, your challenge will be to find other programs and services that will provide appropriate assistance during your transition.

Former prisoners who have successfully made the transition from prison to community are in the best position to advocate with policy makers, faith-based organizations and community-based organizations on the needs of the formerly incarcerated. Also, family members must become vocal about the need to provide appropriate support for ex-prisoners, since their personal experience and insight can inform policy-makers on what works and what doesn't.

Myths abound regarding reentry, but one true fact remains clear: the chance for successful reentry is best when the former prisoner and the local community have the necessary tools and resources to set realistic goals for reintegrating people into the social fabric of their neighborhood.

Supervision & Re-Entry of Sex Offenders

By Julia Lutsky

Who are those we classify as sex offenders? A study conducted in Oregon in 1994 found that, typically, they are male, high school graduates and more likely than other offenders to be employed and to have a social support group in their communities. They have not usually been under correctional supervision previous to their sexual offense conviction. The conventional wisdom is that, unlike other criminal offenders, for the most part they do not “grow out” of their pattern of criminal behavior. However, a more recent study appears to contradict that statement: Of 9,691 men convicted of a sexual offense and released in 1994, 43 percent were arrested within three years whereas 68 percent of all former prisoners were arrested during that time. This could, however, be due to the fact that the more serious sexual offenders cannot re-offend since they are not released.

As of 1997, approximately 234,000 offenders convicted of sexual assault were under the care, control or custody of correctional institutions; they represented approximately 5 percent of the U.S. correctional population. During the ten years from 1987 to 1997, the average *sentence* for those convicted of rape in state courts was ten years but the average *time served* increased from approximately three and a half years to five years. Over the same period, the average *sentences* of those convicted of sexual crimes other than rape remained at six and a half years but actual *time served* rose approximately six months to nearly three years. This is reflective both of the general get-tough-on-crime atmosphere so prevalent nationwide and an increasing awareness in the community of sexual of-

fenses. Those imprisoned, however, were only about 40 percent of those convicted and sentenced.

What about the six in ten placed under conditional supervision in the community? When a sex offender is being supervised in the community, the supervision faces unique challenges. To handle these cases, jurisdictions around the country have developed special techniques.

Focus on the prevention of future offenses as well as on the protection of possible victims is the often-stated pri-

As of 1997, approximately 234,000 offenders convicted of sexual assault were under the care, control or custody of correctional institutions; they represented approximately 5 percent of the U.S. correctional population.

mary goal. One such method, community notification, is now mandated in all jurisdictions. It may consist of media releases, flyers distributed door to door or by mail, community meetings or via Internet sites. The purpose of community notification is to inform the public about the possible presence of danger and, at the same time, to make people aware that most sex offenders actually live quite undetected in the community.

Close collaboration and cooperation between supervisory personnel, those who provide treatment, law enforcement personnel and advocates for victims are considered vital, as is specialized training for all agents working with sexual offend-

ers. These agents are supposed to be willing and able to address the specific needs and risks of each offender, and must be willing to be involved in the offenders' daily lives if community placement is to be successful. Finally, caseloads must be small enough to allow agents to do all the casework necessary in the field.

An increasing awareness by the public of sexual offenses (triggered in part by some particularly terrible sex crimes and crimes against children), and rooted in the tough-on-crime policies that began in the early 1980s resulted in “the Jacob Wetterling Act” (Title XVII of the *Violent Crime Control and Law Enforcement Act of 1994*) requiring states to create registries of offenders convicted of sexually violent crimes or crimes against children, and to establish particularly rigorous registration requirements for highly dangerous sexual offenders.” (Eleven-year-old Jacob Wetterling was kidnaped by an armed masked man from his home in St. Joseph, Minnesota, in October of 1989. Friends, neighbors and strangers rallied to help the Wetterling family find the boy but Jacob has never been found.) States had to meet the requirements of the Act by September of 1999. The act has been amended several times to require community notification and to heighten registration requirements for particularly egregious sexual offenses.

As of February 2001, about 386,000 convicted sex offenders were registered in 50 jurisdictions. Most states maintain central registries of sex offenders living within their borders. Local law enforcement officials are obliged to notify the central registry of changes in registration information. Some state registries are

available to the public as part of community notification or via 800 or 900 number lines; some states provide CD-ROMs with registration information. Sex Offender Registries in 29 jurisdictions had publicly accessible web sites with information on individual offenders and, in 22 jurisdictions DNA samples are collected and maintained as part of registration.

In early February of 2002, New Jersey established its Sex Offender Internet Registry including color pictures of those registered, detailed descriptions of scars, tattoos and of possible criminal activity. No sooner was it established than attorneys were fighting to keep clients off the listings. One such attorney was quoted as saying that sex offenders "have a right to redemption and to be permitted to get on with their lives." This is but one of the many challenges to such registries across the country. Thus far court challenges have succeeded in forcing the refinement or modification of some registry statutes but have not overturned them. The courts have found that they are constitutional and that their purpose is regulatory rather than punitive.

Community notification has several levels (that may vary by jurisdiction), beginning with all police departments in the state, and gradually including employers, those living with the offender, neighbors, schools, concerned organizations or businesses in the neighborhood in which the offender resides, and finally, all of the above plus a warning sign similar to a stop sign posted near the entry of the offender's home.

Increasingly states are enacting "civil commitment" or "sexually violent predator" statutes. As of July 2002, 16 states had such statutes. They enable state au-

thorities to hold a sexual offender at the end of his or her sentence if he or she is deemed too dangerous to be released. The laws require that such offenders be

Increasingly states are enacting "civil commitment" or "sexually violent predator" statutes. As of July 2002, 16 states had such statutes. They enable state authorities to hold a sexual offender at the end of his or her sentence if he or she is deemed too dangerous to be released.

held in treatment facilities until they are judged to no longer pose an imminent risk to the community. Though these statutes have faced court challenges because of the threat they pose to civil liberties, none has been overturned.

The United States Supreme Court ruled, in 1997, that commitment must have a psychiatric basis and may not be simply a continuation of punishment. In January 2002, the Supreme Court ruled seven to two that to be constitutional, states with legislation mandating civil commitment must prove not only that an offender was still dangerous and likely to commit further crimes but "... that a 'serious difficulty in controlling behavior' was part of the psychiatric diagnosis." (Kansas v. Hendricks). Those decisions, of course, leave open the definitions of "psychiatric basis" and of "serious difficulty in controlling behavior," so essentially we are back at square one. There are approximately 1,200 convicted sex offenders confined under the regulations of civil commitment statutes.

Each state with such legislation has its

own definition of sexually violent predators and its own method of judging each sexual offender. In Washington state, for example, when an offender is about to be released his case is reviewed and assessed by the *End of Sentence Review Committee* (ESRC) composed of personnel from Corrections, Social and Health Services, the Indeterminate Sentence Review Board and law enforcement. He (or she) is judged as to future dangerousness, likelihood of recidivating and threat to the community. The ESRC places its recommendations in the hands of a prosecuting attorney who may petition the courts for civil commitment. If the court so finds, the person is detained and a hearing is held within 72 hours. The accused is entitled to counsel and to cross-examine witnesses but, if probable cause is found, the person is sent to a facility for evaluation. A trial must be held within 45 days and the accused is entitled to counsel and to examination by an expert he chooses. As in other trials, the state must prove beyond a reasonable doubt that the individual meets the criteria of sexually violent offender. Jury decision must be unanimous. If the person is deemed to be a predator he is mandated to a place of treatment and confinement until he is judged to be safe to return to the community or to a less restrictive facility. He must be examined annually in such facilities. The judge may grant conditional release if the court or jury decides it is sufficient for the individual.

That sexual offenders differ from other offenders in their "general propensity" to commit additional crimes throughout their lives very often means lives can be unfairly ruined by the stigma attached to them when they have completed their sentences, since all offenders do not fit into this "general propensity." Teenagers having consensual sex and then charged

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Better People

By Scot Nakagawa

Better People was founded in 1998 to help people successfully transition from prison to productive lives in the community. BP uses a three-prong approach. Their approach includes cognitive-behavioral counseling using Moral Reconciliation Therapy (MRT®); help in finding living-wage employment; and hands-on follow-up for one year to help with long-term job retention.

The approach reflects a strong understanding of many of the challenges facing those who are transitioning from prison.

As Better

People founder and Executive Director Chip Shields put it, "the unemployed person without a criminal record has to knock on 100 doors before he or she finds a job. The person with a record has to knock on 200 doors." Better People exists to assist people in facing this challenge and learning new, positive ways of dealing with problems and making decisions.

In the five years since it was founded, Better People has achieved one of their chief goals: 70% job retention among their clients. Since 1998, 63% of their job placements were still employed after placement. Better People's 180-day job retention rate is 77% since they opened in 1998 compared with 50-55% job retention rates at the 180-day mark for other nationally recognized programs. Scot Nakagawa of the Western Prison Project talked with Chip Shields and Recruitment Specialist Clariner Boston.

Scot Nakagawa: Why did you get involved with Better People?

Clariner: My graduate work is in administration of justice and public administration. In addition to working for Better People, I am an assistant adjunct professor at Portland State University. My undergraduate degree is in marketing, but I

decided to get involved in a field other than business so I could contribute in a meaningful way to both smaller and broader communities through personal interactions with people.

During the mid 1990's, as the mother of 3 African American males, I under-

stood the implications of the dire predictions that 25 percent of African American males (between the ages of 20

and 29) would become involved in the criminal justice system. I was greatly concerned. That prediction led to my choosing graduate work in the field of administration of justice. During my pursuit of that graduate degree, I recognized that just as minorities are adversely impacted by the criminal justice system, so are the poor and, especially, women. I had the opportunity to listen to their stories and read the research.

After graduation, Dr. Annette Jolin, Department Chair, at PSU's Dept. of Adm. of Justice, recommended me to serve on the Board of Better People. However, once, the board determined that we were ready to provide services, I resigned and was hired as the Recruitment Specialist.

SN: Why is there such a need for agencies like Better People?

Clariner: The idea of Better People was created by its founder, William Chip Shields. Chip noticed, through his work in helping individuals gain employment in St. Louis, that people with prior con-

victions could get employed, but when they did, many did not remain successfully employed. The pattern also existed here in Portland.

Through his research, he became familiar with the work of Gregory Little and Kenneth Robinson, in their development of Moral Reconciliation Therapy. Their studies indicated that recidivism rates dropped among those involved in cognitive behavioral therapy as a means to seek change in their lives. As such, Chip decided that clients could be assisted with a combination of services- cognitive behavioral therapy, assistance in finding employment and then in keeping employment through retention support services. As a result, he developed this 3-prong approach.

SN: What makes keeping employment so difficult?

Clariner: For those who have not been consistently employed, the culture of the workplace may feel strange. Ultimately, some individuals with prior criminal records may deem *ordinary* circumstances as being *unusual*. For example, being asked to do work outside of one's usual assignment may feel like unfair treatment. Whereas, individuals who have worked a considerable amount of time usually accept such requests as part of their employment situation

Also, too often, problems that may occur in the workplace are blamed on former offenders, whether or not they are truly to blame. That's why we work long-term with the employee and the employer to support each while helping them to problem-solve for at least a year. We work with alumni even longer if need be.

SN: What do you do as the Recruitment Specialist?

Clariner: As the Recruitment Specialist, I make sure there are clients coming through the doors. I work with PO's at federal and county levels. I also work with other service organizations – that is, any program having contact with individuals having prior criminal records. I explain to potential clients, and the staff of referring agencies, the merits of our program.

I visit state prisons and county jails in an effort to speak with both men and women regarding issues with transitioning into the community as well as explaining our services. Our program is co-ed. We are open to anyone with a prior criminal record, provided they meet certain criteria – that is:

- be at least of 18 years old
- be a minimum of thirty days clean and/or sober
- be willing to attend twice a week cognitive behavioral therapy classes
- be responsible for a one-time-non-refundable enrollment fee of \$25

And, in addition– meet at least **one** of the following – that is:

- be between the ages of 18 and 26 and reside in Portland, or
- be registered with the Oregon State Department of Vocational Rehabilitation, or
- be under supervision with Multnomah County Adult Community Justice– that is actively reporting to a probation/parole officer at least once a month, and/or reside in the Enterprise Zone, which includes:
 - NW Portland- mostly the industrial area

- all of North Portland
- Northeast Portland over to Halsey and out to 82nd Avenue

SN: We all know there is a dire need for services, but what do we need to do to make real and lasting change in the system and to prevent the problems that make services necessary?

We need to do more than make the argument that the current system doesn't work. We also need to help them see how criminal justice issues are higher education issues, environmental issues, etc.

Clariner: For one thing, we need to better educate the public. The prison population has not just substantially grown, but prisons are over-crowded because we keep inmates there for longer periods of time. Statistics indicate that over the past 3 decades, crime rates have generally decreased. There are surges, but overall crime continues to decline. However, news is a business and sensational stories about crime sells. As a result, the public has become convinced that crime is increasing and often out of control. This has led to politicians responding to the sensationalism.

Research, however, indicates that there is little correlation between crime rates and incarceration rates. The public is starting to take notice. If someone has a drug problem, the public understands that treatment is a better alternative to incarceration – prevention in general is better than incarceration in many cases.

The criminal justice system has been net widening – more laws and less tolerance has pulled many people into the system. It is difficult to know someone whose life has not been affected either through family, friends, co-workers.... These relationships are motivating the public to take notice as to how the criminal system works and who is affected. Awareness is increasing. We need to build on this and make responsible information more readily available.

SN: What would you like to say to our readers who are looking forward to being released from prison?

Clariner: I want to let them know there are programs out here to help them. Things are not as bad as they were say 5 or even 10 years ago. Unfortunately, budget cuts have caused too many programs to have to cut back on services. However, there are still effective services. I want to encourage inmates to have hope and to seek help.

It is also important for inmates to know that 2 years before their date of release is not too early to consider housing options. Finding affordable, decent housing is especially difficult for men without families and some single women.

Finding housing in general is a tremendous challenge. Inmates should not wait until the last minute to start thinking about where they plan to live and how they intend to pay for it. They should also not wait until the last minute to take care of other problems such as having a social security card; finding means to take care of fines, or when possible, having fines

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reduced; dealing with the limitations of having a revoked or suspended driver's license.

Applicants need a social security number and their *actual card* to get employment. Individuals having a driver's license are apt to be more employable. Public transportation is not always convenient. A job may not be available during the time, or at a place normally accessible by public transportation.

Inmates also need to think about clothing – there aren't many clothing programs, especially for men. Applicants need clothing for more than one season. Having a telephone number to get messages is so necessary. Having a professional looking resume can expand employment opportunities. Even though there may be blanks and spaces in one's record of employment, this tool is needed to get employment. Blanks and spaces do not need to be a barrier. Be honest; tell the truth. In general, develop a strategy for job hunting. These are the *small* factors that can become *big* problems if they are not taken care of early.

It will be difficult to deal with the cultural changes and changes in general. This may be overwhelming. Yet, do not feel that it is too late for change. I believe that, wherever we are in life's journey, we are always at a *fork in the road*. There is always another way, a decision must be made about where we take our lives. It is never too late to go in a different direction – a positive direction.

SN: What are some changes that need to occur in order to accomplish serious criminal justice reform in Oregon?

Chip: First of all, we need to recognize that there are methods that work to reduce recidivism. If we were to support these methods, there might be no

need to continue building prisons. First of all, we need to start using the most rigorous means possible to evaluate prison and re-entry programs so that we will



gain a better understanding of what really works. Right now, prison programs evaluate themselves, which means that the results of the evaluations aren't that clear and they aren't as well analyzed as they should be, especially since a negative evaluation might result in programs being cut.

In order for us to have good evaluation, criminal justice reform advocates are going to have to make it a lobbying priority. Good evaluations are expensive, so we'll have to work hard to get the funding. After all, programs also cost money. We should know if they are really working or if changes are necessary to improve them. Evaluations would also contribute to a better understanding of what is needed locally. Right now, we don't have a big enough body of social science research about what works here. Instead, we rely on national studies. Cognitive behavioral approaches have become popular because of national studies that demonstrate these approaches are effective, but we need local research in order to test their effectiveness here, and that research needs to include serious evaluations of existing programs, Better People

included.

I also think we need to reform Measure 11 (mandatory minimum sentencing law). We need to collect stories that personal

ize the impact of Measure 11 on Oregon families. This is really crucial since Measure 11 is the main law driving growth in Oregon's prison population.

Of course, we also need to educate policy makers and make the argument for reform in the legislature. We need to

spend at least as much time in the legislature as our opponents, and even in the off-season, we need to systematically meet with legislators and build support for sensible reforms. I think there is a potential base of support in the legislature that we haven't been reaching. I think that if we take our polling data and information to legislators and educate them in how to talk about the issues, we can win over people who are not now in our base of support.

We need to do more than make the argument that the current system doesn't work. We also need to help them see how criminal justice issues are higher education issues, environmental issues, etc. The fact is that we are spending more on prisons than higher ed, and the bigger the prison budget grows, the fewer funds are available for things like environmental protection. Some people do care, but everyone is so focused on the budget and our issues are hard to deal with. If we can have a full-time presence in Salem, that will help. Having people who have been affected and can speak from personal experiences to talk with legislators.

It might not be *the* answer, but it will help. Our opposition might not be as strong as we think, maybe.

SN: What message do you have for prisoners looking forward to their release dates?

Chip: If you're willing to commit to attending cognitive behavioral groups twice a week, Better People is here for you and can help with finding work and starting over. Even though the economy is bad, there are still many employers who

...news is a business and sensational stories about crime sells. As a result, the public has become convinced that crime is increasing and often out of control. This has led to politicians responding to the sensationalism.

are hiring and willing to give someone a second chance. People leaving prison do have it tougher, but they are being hired all the time. Better People is looking for companies that will give folks a second chance 24 hours a day, 7 days a week. While there are no guarantees, the majority of people who enter our program and meet us halfway by doing their part get better jobs than they would have without our help.

Call us the day you get out of prison if you are in Portland. We want to hear from you. If you have a substance abuse problem, you need to dial into the recovery lifestyle now. Just because you've been away doesn't mean you don't need support. It makes a really big difference.

SN: Why do you think your approach is so successful?

Chip: Better People works for two main reasons. First of all, employers work with us because we do cognitive therapy on the front end and long-term job retention follow-up on the back-end. They know they will do better with our people because of this. Better People clients show up everyday, on-time, clean and sober, and ready to work hard. It's hard to find employees as good as that, ex-prisoner or not. Secondly, we only work with companies that pay at least \$8 an hour plus benefits. We ask a lot of our clients. We're asking them to change their lives. We feel it is right that we also give a lot in return. We help find decent jobs that give people enough to live on. At the lowest end of our acceptable wage scale, wages are still not up to the living wage standard, but they are better than most people are going to get on their own.

SN: Anything else to add?

Chip: There's a 90% chance we'll be moving forward with a young offender program for a small number of 18-24 year olds that will begin before the offender is released to Multnomah County. Anyone interested should write to me, **Chip Shields**, for information on the Youth Offender Initiative. We want to start on January 1, 2004.

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Tel: (503) 281-2663**

8 Tips for Successful Re-entry

- Get into a treatment program if you have a drug and alcohol abuse problem
- Plan for housing, programs, clothing and other needs before you are released
- Expect that, especially if you have been in for a long time, the world will feel very changed
- Identify a support group of people who can help you deal with cultural changes and who are able to provide emotional and practical support and advice; carry their contact information with you wherever you go
- Get a driver's license—if your license has been revoked, apply to have it reinstated
- Prepare a resume before you are released; you will need tools in place to start finding a job immediately
- Know what programs are available in your community (including foodbanks, clothing programs, shelters, etc.)
- Think of emergency contacts and places to go when you need immediate assistance

I know that for many exiting prison or in prison, the right to vote may seem far down the list of important issues. However, those of us who are family members of prisoners, or who are prisoners, and former prisoners, understand from personal experience that our current system of criminal justice just isn't working and the reason is largely political. Elected politicians have the final say in setting criminal justice policy. I know, I was a legislator in Oregon for three terms, and served during that time on the Judiciary Committee, where most criminal justice policy passes through. "Tough on crime" is the driving political philosophy behind corrections policies that produce bloated corrections systems in the short term, while doing little to address the need for long-term solutions that will actually make us safer.

Those of us who have experience with the system understand how much we need changes that will keep us safe by getting to the roots of the problem. Those roots – poverty, lack of job opportunity, lack of education, too few programs to help our kids lead non-violent lives, and drug treatment are not addressed by prison. In fact, prison often makes programs to help with these needs harder to come by because the rising cost of prisons is "locking up" too much of the public treasury.

Because we're the people who also rely the most heavily on public schools and public assistance programs (which are increasingly falling behind prisons as a percentage of the budget), we also understand that a hidden cost of prisons can be counted in terms of lost programs. We need those programs. We understand that without them, it will be even more difficult for us to keep our children safe and away from lives of crime.

But, understanding the problem and being able to do something about it are two different things. We are the experts on why the system isn't working. But, elected leaders aren't looking at the problem from our point of view because, frankly, middle class people decide elections through their votes, not the low-income people who make up most of those in prison and most of the people who suffer from crime

Middle class people suffer the least crimes (with the exception of sexual and domestic violence and child abuse which are widespread in every community), and are underrepresented among the prison population. Their view of who the people are who are the most affected by criminal justice is informed by sensational, tough on crime TV news accounts and dramas (check the popularity of *Cops* and *Law and Order* on TV). And, those who commit crimes are too often not understood to be the complicated and very human beings they are – after all, "those" people come from those "other" neighborhoods.

That's why Western Prison Project has created the VOICE Project for ex-felon voting rights. VOICE is working with the DOC and community corrections as well as grassroots reform groups and people serving neighborhoods where high numbers of people are or have been in prison. Through the program we're distributing brochures that teach about the right to vote in states where the vote is automatically returned, teaching people how to apply for their rights in those states that require an application process, and fighting for changes in the law in the state of Washington --- a state that disenfranchises over 150,000 with its confusing and discouraging "civil rights restoration" process.

We believe that it is difficult for former prisoners to wield any political power when there is the widely held belief that they cannot participate in the electoral process. Regardless of who people may vote for, the perception that they cannot vote allows lawmakers to act as if they do not even exist.

We're starting now, because by starting early, we can make sure that every former prisoner regains their voice in the political process, and make our voices count!

If you know of or are involved in groups that are interested in working on ex-felon voting rights in our seven-state region, please get in touch with the Western Prison Project. If you are interested in a workshop on ex-felon voter registration, Western Prison Project may be able to provide you with training and support. We invite all of you to get in touch and get involved. For our prisoner readers, please let your family members know that there are groups in every state in the region through which they can make a difference.

Jo Ann Bowman

Disenfranchise: to deprive of a franchise, of a legal right, or of some privilege or immunity; *especially*: to deprive of the right to vote (*Miriam-Webster dictionary*)

Re-enfranchise: to restore to full civic participation, *starting with* restoration of the right to vote (WPP)

Connections By Scot Nakagawa

Casey Rudd is the Executive Director of Connections, an organization based in Bozeman, Montana working statewide to reform the criminal justice system and provide street outreach and hepatitis education to prisoners and the general community, while also helping people transition from prison successfully. Scot Nakagawa of the Western Prison Project talked with Casey about her life and her work.

Scot Nakagawa: Tell me how you got started and what you do. How does Connections serve prisoners, especially those transitioning from prison to the community?



Casey Rudd

Casey Rudd: I was sent to prison for 28 years for selling \$120.00 worth of weed and hash. While there, I took every class I could to learn more about myself, my addictions, and how to live in the free world without using. When I was released I soon found out that nothing I had taken in there was going to help me out here without someone to help me figure out how to implement all I had learned. It's like giving an algebra book to somebody and expecting them to read it and then

be able to solve the problems. To use the book, they need someone to walk them through a few problems so they can see how it works. I started *Con Connection* in 1998 with the help of a friend named Jacob Woods who was doing time in Montana State Prison in Deer Lodge to provide people coming out of prison with that kind of help. Jake was very instrumental to the design and planning process.

The intent then was to help prisoners write parole plans, find housing, jobs, clothes, household stuff and whatever they needed to start over. I started bringing newly released prisoners home to live with me so that I could help them through the initial transition.

SN: Your slogan is "Any Positive Change." How did you come about that slogan and what does it mean to you?

CR: The slogan reflects our Harm Reduction approach. Harm Reduction philosophy teaches us to meet people where they are at, give them all the options available to them to make changes and then let them make the decisions as to where they want to start with the changes needed to have a successful life. We support "any positive change" people choose to make.

A lot of times, especially with newly

released prisoners, they get stuck and frustrated right out of the gate. Situations catch them by surprise and they react without thinking things through. If they just talk it over with somebody, usually

they can work it out and move forward in a positive way, but talking things out before acting is often a big change for some people so I stress how much of an accomplishment that is. It's very hard to change be-

havior we've had all of our lives.

In my own story, I find it very difficult to ask for help. That was the hardest thing for me to learn. The second hardest thing was to accept it when it was offered. In my old life, I never asked anybody for anything. If I couldn't get it on my own, it wasn't going to be had. I learned to ask for help when another woman in a group I was in while in prison said to me one day, "Casey, you're selfish. I'm saying that because you help us with everything, you share what you have with us, and you always listen to us when we need to unload our troubles." She said, "How does that make you feel?" I said, "It makes me feel good that I have anything to offer and can help any of you." She replied, "You never let us feel good by helping you. That's why I say you're selfish."

I have thought about this year after year

While I was in prison and also while attending outpatient classes in the free-world, we were constantly taught by the corrections system that insanity is when you do the same thing over and over expecting different results. So, by its own definition, the corrections system is, indeed, insane.

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since she said it to me, and it's so true. This is an example of a positive change in my life. Moving forward and doing new things is the positive change.

SN: What are the biggest challenges facing people as they return to the outside?

CR: The biggest challenges when returning to society are usually finding a place to live and getting your basic needs met. In Montana, prisoners are lucky to leave prison with \$100 in gate money. That is not nearly enough to start over. Most leave with no outside help and no resources. They also have not made any decisions for themselves while in prison. They have been in a controlled, structured environment and that is often hard for them to transition out of.

Having nothing to start over with and nobody to help them implement the new things they've learned will lead many back

They keep doing what doesn't work and then say the prisoner is broken but the system works when prisoners fail. That's insanity.

to what they know best and that's how to survive on the street. They know what to expect there. They aren't sure what to expect of their new life.

SN: What are some other reasons you think so many people end up returning to prison?

CR: I think the reason so many return is that they don't have anybody to help them through the process of change. They don't have or know what resources

are available to them to help them. They also don't have their basic needs met. There needs to be more affordable hous-

...once someone has done their time, to continue to punish them just helps to set them up for future failure and then everyone ends up suffering, including taxpayers.

ing and programs to help them transition. They don't prepare you inside for what's really going to happen outside. The stigma of being a felon is a big thing, too. The system holds you down by denying felons some assistance programs, such as low-income housing, food stamps, college grants. Job applications ask if you're a felon, and if you answer "yes" your application often lands in the trash can.

The system doesn't do everything it can. In fact, it sets people up to fail by releasing them with nothing and, a lot of times, no place to go. It's all about money and filling beds with the system. If they release a guy with no resources they can count on him being back within a month. That's how it works with the women being released as well. I watched them

come in and out while I was inside.

While I was in prison and also while attending outpatient classes in the free-world, we were constantly taught by the corrections system that insanity is when you do the same thing over and over expecting different results. So, by its own definition, the corrections system is, indeed, insane. The Montana system consistently fails the transitioning prisoner, and then blames the prisoner for his or her failure over and over again. They keep doing what doesn't work and then say the prisoner is broken but the system works when prisoners fail. That's insanity.

Even though Connections has saved Montana taxpayers millions by helping people transition, and asked for nothing from the state, the DOC doesn't recognize our programs and some facilities do all they can to keep us from helping prisoners. On top of that, the system does all it can to discourage prisoners from maintaining family ties by making visits impossible by placing prisoners far from their families. Some families can't afford the gas to travel across state to visit their loved ones. The phone calls are very expensive, creating hardship for poor families who want to stay in touch. Yet, we know that maintaining ties with loved ones on the outside is one of the keys to success in reentry.

Staff in some prisons treat prisoners inhumanely and then expect *prisoners* to be more humane. They speaking degradingly to prisoners and won't answer simple questions. Some consistently push buttons until the prisoner goes off. Insanity? It doesn't take a rocket scientist to figure out that people can only behave the way they have been shown and taught. *Nothing changes if nothing changes!*

It costs Montana taxpayers in the neigh-



borhood of \$27,000 a year to house one prisoner, and that's if they don't have any medical problems. Our system violates people for such things as talking to the opposite sex while in the same pre-release center, drinking a beer or using, not having paper work updated on vehicles, and having their own savings account while in pre-release. My husband Eddie was sent back to prison from pre-release for making sausage instead of bacon when he was a cook there, and for taking his pillow out of the plastic wrapper. It is insane to charge taxpayers for people to sit in prison for these kinds of violations.

I also don't believe that people need to be in prison because they have addiction issues. They need treatment and help adjusting back to the community. Close to 70% of our prison population is made up of people with violations related to addictions.

SN: What do you think it is important for people to understand about those transitioning from prison to the community?

CR: We are PEOPLE and need to be treated as everyone else. We made a mistake and have paid our debt to society. We need to decide at what point punishment is over and then honor that – once someone has done their time, to continue to punish them just helps to set them up for future failure and then everyone ends up suffering, including taxpayers.

SN: How can people get involved in Connections?

CR: They can join our reform network and make a difference by helping us make

positive changes in the system. Prisoners can and are encouraged to join. We have an advisory board that is made up of prisoners in every institution in the state that represents the population and advises us as to what issues need to be addressed. They write us and get all of the information on how to be part of that network. All members receive the newsletter and any alerts that we send out. We have just about 200 on the network list but need more. Prisoners can have their family members write or call and join as well. Anyone who knows of any groups that are like-minded and do reform work, they can pass that along as well. That would be very helpful to us. By joining

...the system does all it can to discourage prisoners from maintaining family ties by making visits impossible by placing prisoners far from their families.

SN: Anything else you'd like to add?

CR: We'd like to thank the many supporters and volunteers we have had this past year that donated money, time, stuff and prayers. We'd also like to thank the Western Prison Project. You've truly gone above and beyond in helping us to expand and build a team so that we can move forward with advocacy and reform work.

Many thanks to all of the prisoners who signed onto the Advisory Board and share their expertise and experiences. I have a

special place in my heart for the prisoners who supported and encouraged me and Connections, not only when things have been going well, but when times have been tough. Good health, much success, hope and love to all in the coming year!



Casey Rudd and friend at WPP's annual conference

the network you can help right the wrongs in the system and really make a difference.

Re-entry of Sex Offenders cont. from page 10

with statutory rape are just one example. It makes the twin issues of registration and community notification extremely delicate matters which cannot be handled lightly.

There is also the question of the violation of civil liberties almost implicit both in notification and in civil commitment. The latter procedure is particularly difficult in that it relies on psychiatric evaluation, often open to question because the judicial system involved is an adversarial one *rather than one aimed at uncovering as much of the truth as possible*. In such hearings "[s]ince the patient's state of mind is at issue, almost any information about him is admissible including much that would be barred in a criminal proceeding, like hearsay evidence, evaluations written years ago by the police or psychiatrists, statements to therapists and the patient's own writings."

Editor's note: Those interested in helping Connections with their important work should contact them at 821 Mendenhall St., Bozeman, MT 59772. Donations of money, clothing, furniture and other household items as well as offers of housing or leads to good landlords statewide are welcome.

WESTERN PRISON PROJECT

Western Prison Project Staff & Board

Jo Ann Bowman, Executive Director – Jo Ann is a former 3 term democratic state representative for Oregon’s District 19, and has a long history of activism in the African American community. Jo Ann is also a family member of a prisoner.

Scot Nakagawa, Associate Director – Scot has nearly twenty-five years of experience as a community activist on civil and human rights issues. He was inspired to work on criminal justice reform because of his past experience with the juvenile justice system in Hawaii. Scot leads our education and organizing work.

Kathleen Pequeño, Membership Director – Kathleen is the Prison Project’s high tech expert, helping grassroots groups to use new technologies to make their work more effective. Her past experience includes ten years working as an advocate for battered women. She is the sister of a murder victim and has a strong interest in working with crime survivors.

Geoff Sugerman, Special Projects & Communications Director – Geoff leads our legislative advocacy and media education efforts. He has worked in politics and the media for nearly twenty years including managing the successful ballot initiative campaigns including minimum wage increases, and medical marijuana.

Brigette Sarabi, Board of Directors, (Co-Chair) – is the founding Executive Director of Western Prison Project. She has been an activist on a wide range of progressive issues for over twenty-five years. She is the mother of a former prisoner and a survivor of violent crime.

David Rogers, Board of Directors, (Co-Chair) – is a field trainer and organizer with the Western States Center, an organization building the capacity of social and economic justice groups regionally. David has worked on police accountability and prison issues in Massachusetts.

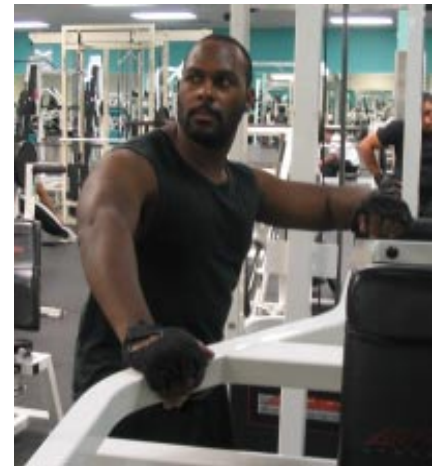
Arwen Bird, Board of Directors, (Treasurer) - Arwen is the founder and director of S.A.F.E.S. (Survivors Advocating

for an Effective System), a progressive crime victims group that advocates for criminal justice reform.

Norm Monroe, Board of Directors, Norm works on re-entry project development with Metropolitan Family Services, and has worked on a variety of criminal justice issues including community policing, gang intervention, and re-entry services.

Cassandra Villanueva, Board of Directors, Cassandra is a youth activist and former aide to the Oregon Senate President. She has also been active with Latinos Unidos Siempre, and PCUN, Oregon’s Farmworkers’ Union.

Anthony Davis



We are also saying goodbye to **Anthony Davis**. Anthony has been at WPP since early 2000, when he began answering prisoner mail, and became indispensable as our Prisoner Support Coordinator for over three years, and our Board Secretary since February 2003. This summer, Anthony moved to New Orleans, LA where he has joined the staff of the Moratorium Project. His great sense of humor and writing skills will be greatly missed.



WPP staffers and our newest Board member (from left to right) Geoff Sugerman, Brigette Sarabi, Kathleen Pequeo, Jo Ann Bowman, and Scot Nakagawa

Cont. from pg. 2

Prison Project was created out of one of those “the personal is political” slaps upside the head we all experience in our lives. When my oldest child was arrested, held in the Justice Center in downtown Portland for nearly a year, and then sent off to federal prison, my family came into very close contact with the criminal justice system.

I'll be honest with you. The issue of prisons and criminal justice policy had been of concern to me, but it never quite rose to the top of my personal agenda until it was in my face. This isn't something I'm proud of, but it is an important point because the criminal (in)justice system still fails to rise anywhere near the top of the agenda for the general public.

After my child was in prison a while and I had immersed myself in a rapid education process about what was happening with the incarceration boom, I started out by holding some house meetings with friends, activists, and other folks I was referred to who were getting active on this issue (most of them family members or former prisoners). I asked a simple question: *Is there a need for an organization to help build a more organized, grassroots movement for prison and criminal justice reform in this region?* The interest and support expressed in those meetings was the beginning of the Western Prison Project.

Our goal has been to build a movement of prisoners, former prisoners, their families, and allies who care about this issue so that we could all move forward together in our activism and

succeed in our efforts to reform the system. I know that might sound a little hokey or idealistic, but the fact is it has been a successful strategy – our big-

Our goal has been to build a movement of prisoners, former prisoners, their families, and allies who care about this issue so that we could all move forward together in our activism and succeed in our efforts to reform the system...our biggest victories have been possible because of the active and visible participation of prisoners, ex-prisoners and family members.

gest victories have been possible because of the active and visible participation of prisoners, ex-prisoners and family members.

In thinking about where we've been and where we're going, Western Prison Project always remembers why we exist and who we exist for. In terms of our organizing, that has meant that we have strived to support the leadership of our members – to give them the skills, materials, and opportunities to give a voice to this movement. We may not be able to help each individual who contacts us, but we do our best to bring people together to achieve concrete prison and criminal justice reforms.

I believe we are doing this better each year, but these are tough issues and there is so much more to do. If we can continue to do this work by walking side by side with our members, I believe this movement can move mountains. And while I won't be in the day-to-day leadership of the organization anymore, my commitment to this

issue remains and I look forward to continuing to work as a volunteer with everyone at WPP to achieve what we set out to achieve in 1999—building a multi-racial, grassroots movement that achieves reforms leading to decarceration throughout our region.

But we can't do it without you. Please get involved. If you are in Oregon or Washington, sign up for our “Action Alert” Network” to keep informed and get ideas for taking action—actions that can make a difference!

If you're on the outside, check out www.westernprisonproject.org on the Internet, where you can find grassroots organizations near you that you can get involved with – they need your support and involvement. And if you haven't yet become a member of Western Prison Project, please do so. We depend on our members for advice, and for financial support. We know that most of our members are on tight budgets, and for most folks in prison making a financial contribution is very difficult. But anything you can give helps to build this movement. And to all of you who have given to Western Prison Project, thank you!

Brigitte Sarabi



Brigitte back in the early days... in her basement, original location of the Western Prison Project office

As the Western Prison Project enters into its fifth year, we've decided to change our look. This issue of *Justice Matters* begins that transition. You'll see we have redesigned our pages and now proudly have a new design and logo to show off for the first time.

If you're wondering where we got our new logo, it was created by **Bryan Potter Design**, a Portland area graphics firm that works with many non-profit organizations. Bryan Potter Design created the original Western Prison Project logo in 1999 (for free), and was very gracious when asked to design a new one.

This new look also coincides nicely with the recent staff changes you will read about in the final message from *outgoing Director and Western Prison Project founder* Brigette Sarabi (see page 2).

This is a time of great change and excitement within our organization, and a time of exciting change and growth for the criminal justice reform movement in our seven-state region and nationwide. As more and more states realize the need to reform their criminal justice systems, we continue to see the steady growth of our member organizations. Just as exciting is the new attention being paid to criminal justice reform issues by non-traditional allies. Our challenge in the coming year is to mobilize our members and allies to let the wider community know that we need to pursue safe and sensible criminal justice policies --- policies that will benefit families and communities for years to come.

We've made some format changes in *Justice Matters* that we hope will make our pages more readable and accessible to you. Inside you'll find the same in-depth stories and regular features that you have come to expect and enjoy. In addition, as we continue to cull through responses to our recent survey and read

your letters, you may see some new features in upcoming issues of *Justice Matters*.

We hope you enjoy these changes and encourage you to stay in touch as we move into this exciting fifth year anniversary of the Western Prison Project. Thank you very much for your continued support.

NEWSLETTER SURVEYS:

What a tremendous response we received from our survey that appeared in the last issue of *Justice Matters*. Over 100 of our readers sent in comments and rated the various features we regularly include in these pages, and you gave us solid feedback on what new elements you would like to see, as well as what you like about our regular features.

You gave positive feedback on our regular features such as *Regional News*, *The Good, Bad and Ugly*, and our *National News*. We also got positive feedback for our *Special Focus* format -- using several articles by different writers to delve into a specific topic in each issue.

Many of you asked for more information on transition and re-entry programs, as well as whom to contact upon release to get additional help. That just happens to be the *Special Focus* of this issue of *Justice Matters*. For our most comprehensive resource information, contact us for our *Prisoner Support Directory*, 11 pages of groups and resources available to prisoners. Or contact us to get your group listed in the directory. We send the directory free to any prisoner who requests it.

Many of you also wanted us to add a *Feedback* section -- a place where prisoners and their families can express their views on various topics. We'll start to review our mail with that in mind -- look for that new feature in an upcoming issue!

As you might expect, many readers asked

for additional information on current legal and legislative issues. Many of you are interested in court cases on both the state and national level, as well as what legislatures are doing on topics including prison programs, mandatory sentences, health care and other issues prisoners face on a daily basis. Remember that most legislative bodies only meet for a short time each year, usually in the beginning of the year --- the best way to stay informed is to be on an Action Alert Network list (Oregon or Washington). For legal information, we continue to refer readers and activists to **Prison Legal News**, published in Seattle --- the premier publication on prison legal issues. Contact them for subscription information at 2400 NW 80th Street #148, Seattle, WA 98117-4449 by phone at (206) 246-1022 or online at www.prisonlegalnews.org. They are also a great resource on the topic of *wrongful convictions*, which many writers inquired about.

Conditions inside prison are also a topic of great concern to our readers. Comments ranging from health care issues to exploring the relationship between corrections officers and inmates really ranked high. Some of you even asked us to do features on specific *programs and activities* inside prison that work well in providing prisoners with the tools they need to succeed once they are released. These are all now on the list for possible *Special Focus* topics for 2004.

We want to send a special thank you to the many people, especially prisoners, who included words of encouragement along with your suggestions. Even as we take positive steps forward, working through the very difficult issues surrounding prisons is often discouraging, and change is happening more slowly than a lot of us would like. To hear from you that our work is appreciated and valued, and that we are helping is the best holiday present we could ever receive.

For more information on re-entry issues, we recommend these publications:

Positive Trends In State-Level Sentencing and Corrections Policy

Author: Judith Greene Published November 2003 by Families Against Mandatory Minimums

Mail: 1612 K Street, N.W., Suite 700 Washington, D.C. 20006

Phone: 202-822-6700/Fax: 202-822-6704

e-mail: [famm@famm.org/](mailto:famm@famm.org)

This report is available on the **web:** www.famm.org

Families Left Behind: The Hidden Costs of Incarceration and Reentry

Authors: Jeremy Travis, Elizabeth M. Cincotta, Amy L. Solomon

Published October 2003 by Urban Institute

Mail: 2100 M Street, NW Washington, D.C. 20037

Phone: 202-833-7200 **e-mail:** paffairs@ui.urban.org

This report is available on the **web:** <http://www.urban.org/url.cfm?ID=310882>

Invisible Punishment: The Collateral Consequences of Mass Imprisonment

Editors: Marc Mauer, Meda Chesney-Lind Published 2002 by The New Press www.thenewpress.com

Contact: The Sentencing Project 514 Tenth Street, N.W., Suite 1000 Washington, D.C. 20004

Phone: 202-628-0871/Fax: 202-628-1091

www.sentencingproject.org

This book is available in bookstores and from distributors.

Yes, I want to be a member of the Western Prison Project!

Name: _____

Address: _____

Phone: _____ E-Mail: _____

WESTERN PRISON PROJECT

Memberships: \$15.00 basic membership, \$7.00 prisoner membership

Sign me up for the Oregon Action Alert Network

Sign me up for the Washington Action Alert Network

I want to become a member. Enclosed is my membership donation of: \$_____

The Western Prison Project depends upon memberships and donations to operate. Thank you for your support!

Send memberships and contributions to: Western Prison Project, P.O. Box 40085, Portland, OR 97240-0085.

Note: If you are a prisoner or a family member of a prisoner living in our region and you can't afford to make a donation, you can still become a member and receive *Justice Matters* just by writing to us and requesting a membership.

Five Things You Can Do

- 1 **Share this newsletter with** one other person who you think will want to become a subscriber. Ask them to use the enclosed membership slip to become a subscriber to Justice Matters
- 2 **Ask one person to become a member of our *Action Alert Network*** in either Oregon or Washington, to receive email notices twice a month about decision makers who need to hear about the reality of criminal justice policy. Whether writing a letter to the Editor or contacting a legislator, we'll send a brief outline of the issue, talking points, and let you know how to reach decision-makers.
- 3 If you're in Oregon, don't forget that you can **make a PAC (Political Action Committee) contribution** every year of up to \$50 (\$100 if filing jointly) --- it comes dollar for dollar off your state income tax. (We can't tell you who to contribute to, but we can remind you to do it!)
- 4 Know of a transition resource that you think prisoners should know about? **Contact us** with information so that we can include them in our **"Prisoner Support Directory"**, mailed to over 1,000 prisoners a year.
- 5 Are you registered to vote? **Get yourself registered to vote** , or, if you are incarcerated, encourage your outside family members to get registered!

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