

A Publication of The Pennsylvania Prison Society

GRATERFRIENDS

Promoting a humane, just and constructive correctional system and a rational approach to criminal justice since 1787

Supreme Court Rules on LGBTQ Employment Discrimination

By Taylor Lawritson at Pennsylvania Prison Society

On June 15th, the Supreme Court issued a landmark decision, *Bostock v. Clayton County*, ruling that under Title VII of the Civil Rights Act of 1964 an employer cannot discriminate against gay and transgender employees. While the original Act doesn't specifically address sexual orientation and gender identity, the court ruled that discrimination against homosexual or transgender employees is a form of sex discrimination, setting a strong legal precedent for the incorporation of LGBTQ protections within the existing legislative framework. While this case gives hope for further steps toward justice, it is also an important reminder that the LGBTQ community has faced, and still faces, a disproportionately high rate of discrimination. Perhaps nowhere is this discrimination more visible than in the incarceration rates of the LGBTQ community.

In a 2015 study conducted by the prison abolitionist group, Black and Pink, LGBTQ respondents were about six times as likely to be unemployed compared to the national average. Because employment discrimination of the LGBTQ community has never been explicitly outlawed before *Bostock v. Clayton*, many LGBTQ individuals have been forced to find means of survival outside of traditional employment. This has also been compounded by the fact that many LGBTQ individuals lose family or are kicked out of their homes when they come out, reducing their access to supportive communities. Without viable employment or means of survival, some LGBTQ individuals are forced to turn to criminalized economies to meet their basic needs. Of the survey respondents,

39 percent reported turning to sex work. Another 55 percent reported selling drugs to make money. This increases the volume of LGBTQ people who end up in prison.

Subsequently, the LGBTQ community faces heightened discrimination within the penal system as well. LGBTQ individuals are more harshly punished for their attempts at survival and involvement with criminalized economies. Discrimination runs rampant in the legal system, where LGBTQ respondents receive life sentences at twice the national average. They also serve an average of 10 years in prison while the national average is approximately three. While incarcerated, LGBTQ people are six times more likely to be sexually assaulted than the average incarcerated person, with 25 percent of assaults perpetrated by prison staff. Over a third of LGBTQ inmates are physically assaulted by prison staff. While the Supreme Court decision will hopefully help reduce employment discrimination, it will not eradicate the discrimination which the LGBTQ community faces within the carceral system. And, even its influence in the workplace will take years to be felt and realized.

But this does not mean that there isn't hope. LGBT Books to Prisoners, a prison-abolitionist group based out of Madison, Wisconsin, recently emphasized in an interview that the LGBTQ community finds ways to flourish, even while facing the grim realities of discrimination and incarceration. "We know that people in prison are already creating community,"

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the organization wrote, "people who receive books from us often share them with others. They might make book requests [on behalf of] others who might not feel safe being open about their sexual or gender identity. They advocate for themselves and others to get gender-affirming clothing or to be recognized by their true names. They're helping to make others see LGBTQ people, on the inside and outside of [prison]." When asked if they thought the recent ruling would help things, the organization responded, "[w]e received an email from one incarcerated transgender person excited about the recent decision protecting workplace discrimination. She felt seen and slightly protected." Thus, while this ruling leaves much to be desired, it at least forces the nation to take a hard look at the blatant discrimination against

(Special Report Continued On Page 3)

FROM THE EXECUTIVE DIRECTOR



Dear Friends of the Society,

In early July, the PA Department of Health reported record numbers of new infections in parts of Western and Central Pennsylvania. As of July 15th, incarcerated people have tested positive in 12 state prisons: SCI Albion, SCI Benner, SCI Cambridge Springs, SCI Camp Hill, SCI Chester, SCI Coal Township, SCI Fayette, SCI Green, SCI Huntingdon, SCI Retreat, SCI Phoenix, and SCI Muncy. Of the 296 positive

cases, 183 are from within SCI Huntingdon, Pennsylvania's oldest prison.

Infection rates are 5.5 times higher in state prisons than in the public at large, and once you adjust for age, people in prison are 3 times more likely to die of COVID-19 than people in the community. The disproportionate incarceration of Black people is one of the many reasons why COVID-19 continues to impact communities of color more drastically. Once people in a prison become infected, the prison becomes an accelerator of viral spread to the surrounding community.

Multiple hospitals in Pennsylvania with COVID caseloads require weekly, rapid testing of staff. This should be policy in all congregate care settings like prisons and nursing homes. We were

heartened to learn that an urgent care provider in New York City has made rapid testing free, available, and a priority to all New York City correctional officers. Pennsylvania should follow suit.

The pandemic is far from over. Much more needs to be done to mitigate viral spread. The state needs to expand and accelerate efforts to safely reduce the number of people in state prison. The state needs to require that every county publicly report prison testing results and virus-related deaths in custody. And increased testing, particularly of people who come in and out of facilities like staff, must be made available.

We are here for you, listening to you, and advocating for you.

It is an honor to lead and serve this community.

Claire Shubik-Richards
Executive Director

COMPASSIONATE RELEASE

What You Should Know

By Joan Porter, Prison Society Official Visitor

Compassionate Release is the process by which terminally ill people may be released from prison early if certain requirements are met. The process, outlined in Pennsylvania law, is confusing, slow, and limited in scope — frustrating many people. This article intends to answer some of the frequent

GRATERFRIENDS

EXECUTIVE DIRECTOR

Claire Shubik-Richards

DESIGNERS Kailyn Schneider & Alyssa Feitzinger

EDITORIAL ORGANIZER Noelle Gambale

EDITORIAL ASSISTANTS Emma Holyst, Taylor Lawritson, Will Bein, Kevin Bendesky, Greg Volynsky

FOUNDER Joan Gauker



230 South Broad Street • Suite 605 Philadelphia, PA 19102

Telephone: 215.564.4775 • Fax: 215.564.1830

Email: EditorGF@PrisonSociety.org

www.prisonsociety.org • www.facebook.com/PrisonSociety

Graterfriends is a publication from the Pennsylvania Prison Society. The organization was founded in 1787 to promote humane prisons and a rational approach to criminal justice.

We reserve the right to edit submissions. Original submissions will not be returned. We will not print anonymous letters. Allegations of misconduct must be documented and statistics should be supported by sources. All submissions should be no more than 500 words, or two double-spaced pages. Letters more than 200 words, or one double-spaced page, will not be published in their entirety and may be shortened for clarity and space.

To protect Graterfriends from copyright infringement, please attach a note, on your submission, stating that you are the original author of the work and that you give us permission to edit and print; date and sign the declaration.

If you have a question about Graterfriends, please contact our staff by mail, email, or phone.

questions the Society and its volunteers get about the process.

There are two main things that you need to understand about Compassionate Release: first and foremost, a judge in the court of the county of conviction determines the Compassionate Release. This is the law, not a prison policy.

Second, strict regulations determine your qualification for Compassionate Release. You must have a terminal condition and not be expected to live more than one year; you cannot be ambulatory, that is, you must be incapable of walking unaided more than a few steps; and lastly, you must have decided to give up any further medical treatment and be willing to accept only palliative care, that is care that will seek only to make your life with the illness more comfortable. This is also called hospice care.

Today, most hospice patients are cared for in their family's home if there is someone who can accept this responsibility. In cases where family members are unable or unwilling to care for the sick individual, or if family members live out of state, patients can be placed in a resident hospice facility in Pennsylvania. All patients, no matter where they are housed, must wear an electronic bracelet on their ankle. Again, this is the law, not a prison or hospice policy.

If these standards are met, you should contact either a private lawyer or the Pennsylvania Prison Society who will then contact your institution and request that you sign Form DC-108, a form which allows the prison to release your medical records to your lawyer, advocate, or family member. At this time also, you should provide the name of a family member who can be contacted and informed about how to proceed. He or she will have to contact a local hospice provider who will help him care for you if you are released.

Once an attorney has your medical records, and a hospice facility has accepted you as a patient, the lawyer can then petition the judge in the county of your conviction for a hearing for your release. If the judge grants you a hearing, your family should attend to show support if possible. The local District Attorney will attend and will have notified the victim or the victim's family, if applicable, who may also attend.

Although this hearing is not meant to be a retrial, in some counties, the District Attorney may try to make it such, and the judge may not decide in your favor even if you have met all the qualifications for Compassionate Release. If, on the other hand, the judge does decide in your favor, the court will notify your institution, and you will be transferred to your family or hospice facility as soon as parole can place the electronic bracelet on your ankle. This entire process usually takes about two months.

The Prison Society recognizes that the Compassionate Release process is limited. We are exploring ways to expand options for those who are sick and dying behind prison walls. We are here to support you and your families through this difficult process.

(Special Report Continued From Page 1)

people within the LGBTQ community today. After all, looking is the first step on the path to seeing.

We at the Prison Society recognize the difficulties that our LGBTQ readers face, the ways they have adapted to form identity-affirming communities, and have advocated for themselves and others. We encourage our incarcerated and formerly incarcerated LGBTQ readers to write to us to share their experiences with the wider Graterfriends community.


For more information about LGBT Books to Prisoners, visit lgbt-bookstoprisoners.org

For information on Black and Pink, visit blackandpink.org


Know Your Rights

Voting with a criminal conviction or in pretrial detention


You have the right to register and vote in the following circumstances:




You are being held in jail on pretrial detention for a felony or misdemeanor charge(s).




You were released (or will be released by date of next election) from a correctional facility or community confinement facility upon completion for conviction of a misdemeanor or felony.




You are on parole living in a community confinement center.



Convicted of a misdemeanor and are in jail or prison.



You are on probation or parole.






You are under house arrest, regardless of conviction status or status of the conditions of confinement.

How to register

Contact Inmate Program Administrator to request a voter registration form. Upon release contact the PA Department of State directly at 1-877-VOTESPA (1-877-868-3772) to have one mailed to you.

How to vote

Contact Inmate Program Administrator to request an absentee ballot. Or call the PA Department of State directly at 1-877-VOTESPA (1-877-868-3772) to have one mailed to you.

REPORT FROM NICOLE SLOANE, ESQ.

Case Remanded for Resentencing when Jury Silent on Amount of Theft

By Nicole Sloane, Criminal Defense Attorney



In *Commonwealth v. Frank Nellom*, 2020 PA Super 139 (Pa. Super. Ct. 2020), a panel of the Pennsylvania Superior Court vacated and remanded a theft case for resentencing reducing the grading from a third degree felony to a second degree misdemeanor.

The Superior Court opinion written by Judge Shogan states that Nellom was charged with theft of services for tampering with the electric meter at his residence to reduce his electric bill. The total restitution for the theft was calculated to be \$3,658 which included both the amount that the electric supplier should have received had the meter not been altered and fees associated with personnel costs to repair the altered meter.

A jury found Nellom guilty of one count of theft of services. The trial court instructed the jury to indicate on the verdict slip whether the value of the stolen services exceeded \$50. The jury found that the amount of the theft indeed was more than \$50. The Court ultimately sentenced Nellom for theft of services graded as a third degree felony. A third degree felony is punishable by up to seven years of incarceration.

In Pennsylvania, the grading of many theft offenses, including the crime of theft of services, depends upon the amount of the theft. Pursuant to 18 Pa.C.S. § 3926(c), theft of services is a summary when the value of the services obtained or diverted is less than \$50. When the value of the services is \$50 or more, the grading is established by a different section, § 3903. According to § 3903, if the amount was between \$50 and \$200, the offense is graded as a misdemeanor of the second degree. If the amount was over \$2,000, then the theft is graded as a felony of the third degree. Any amount in between is graded as a first degree misdemeanor.

In Nellom's case, the Commonwealth charged Nellom with theft of services as a third degree felony based on the value of the stolen services. During Nellom's trial, the Commonwealth presented evidence that the total amount of theft was \$3,658. Had the jury found that the value of stolen services was \$3,658 as alleged, Nellom would have been guilty of theft of services graded as a felony of the third degree. However, the jury in Nellom's case was only asked whether the value of the services exceeded \$50.

The holding in the case of *Apprendi v. New Jersey*, 530 U.S. 466 (2000) was important to the analysis in Nellom's appeal. *Apprendi*

has been interpreted by Pennsylvania appellate courts to mean that any fact that increases the maximum penalty or changes the grading of an offense must be submitted to a jury and proven beyond a reasonable doubt.

In Nellom's case, the Jury was only asked whether the value of the stolen services was more than \$50. The jury answered that the value was indeed more than \$50. As a result, the jury verdict only established that the offense was greater than a summary offense. The jury was not asked whether the amount was over \$2,000 which would have supported the grading of felony of the third degree.

The Pennsylvania Superior Court held that the jury verdict only authorized the court to sentence Nellom for theft of services graded as a misdemeanor of the second degree, the grading for theft of service in an amount larger than \$50. The Superior Court therefore remanded for resentencing.

REPORT FROM FAMM

Second Chances in Pennsylvania Are Common Sense

I was recently chatting with my friend Charles Brown. We didn't talk about anything especially exciting – just what our lives are like during this pandemic and what he'd cooked for his mom and sister on Mother's Day (a seafood feast). But afterward, I thought hard about how what a miracle that conversation was. When Charles was 16, the Pennsylvania justice system decided he should spend the rest of his life behind bars. He's now 56, three years out because of long-needed reforms that reduced his sentence. He's working hard at a job he loves, making up for lost time with family, and dedicated to helping young people inside and outside of prison. He likes to sit on the front stoop of his place and people-watch, listening to music.

Yet, if Pennsylvania had had its way, Charles Brown would have died in prison. There are so many people in the Pennsylvania DOC like him, people who deserve second chances. Many got into trouble when they were young, like Charles. I'm so lucky to have met a lot of these people, and I can say with great certainty that a huge portion of them deserve a second chance, like Charles got.

So what does a second chance look like? At the advocacy group where I work, FAMM, we're focused on exactly this question. The way we see it, it's a given that people in prison deserve at least a "second look" – an opportunity to show that they can leave prison and live productive lives in their home communities. Pennsylvania can support second chances through expanding access to clemency and parole eligibility for people serving excessively punitive sentences. We must balance punishment with mercy in our justice system, and

broadening the application of these kinds of mechanisms in our justice system is common sense.

Here's are just a few of the reasons why:

Our current system is expensive. Decades of research and evidence show that people age out of crime, yet at the end of 2019, more than 10,600 people over the age of 50 were living in our state prisons, with a \$3.5 million monthly cost to the Pennsylvania DOC for prescriptions for this population, alone. There is a baseline annual cost of \$42,000 to incarcerate each individual in the DOC, and those costs rise exponentially as people age.

Racial injustice is baked into the system. Mandatory minimum sentences like life without parole in Pennsylvania disproportionately harm communities, families, and individuals of color. Black people are sentenced to serve life without parole at a rate that is 18 times higher than their white counterparts. The rate of life without parole sentences for Latinx people in Pennsylvania is five times greater than for white people. It's high time to right this particular wrong, especially in the current climate of the nation as a whole, in which correcting racial inequity in the justice system is finally gaining some long-overdue momentum.

Sentencing laws cast a large and cruel net. Life without parole sentences in our state are barbaric. Charles Brown – whose time in prison was marked by remarkable self-determination and growth – kept hope alive when there seemed to be none. These sentences, which offer zero chance of parole – a “second look” and other mandatory minimum sentences are costly and defy logic, and families and communities serve these sentences alongside those incarcerated.

There are not nearly enough mechanisms in place to give people in prison a “second look” at their sentence. Medical and geriatric parole legislation should be passed and implemented widely, especially in the context of COVID-19. People who are ill or elderly are especially vulnerable to the disease and should be considered for release now. Clemency, our state's final fail-safe as designed by the framers of our constitution, should be granted much more frequently than it is. The Board of Pardons can seem merciless in their decisions to deny clemency, and as advocates, we must continue working hard to pressure this agency for change.

Many of you may be reading this and nodding in agreement. Perhaps you have thought through just what a “second chance” would mean for you and your families. At FAMM, we believe that Pennsylvania has an obligation to expand opportunities for people in prison to receive mercy, and we are going to make sure our decision-makers know it. Here's where you come in. At FAMM, our strongest tool to work for reform has always been real stories of real people – like Charles Brown. That's why I'm asking you to send me yours. What does a “second

chance” mean for you?

Let's work together to let our leaders and officials know that we're expecting real reform, real mercy, and real justice. Let's tell them why it matters.

Send your stories to:

FAMM

Storytelling: Attention, PA Stories

1100 H Street NW, Suite 1000

Washington, D.C. 20005

REPORT FROM

BUCKS COUNTY

Bucks County Settles Class Action Lawsuit Involving County Prison Lookup Tool

Individuals booked into the Bucks County Correctional Facility between 1938 and June 18, 2013 may have had protected criminal history information displayed through the jail's inmate lookup tool entitling them to benefits through a class action lawsuit. The CHRIA Settlement Website states that September 17, 2020 is the deadline to submit a claim through mail or internet. See <https://chrialitigation.com>

Additional information on the settlement may be obtained by contacting the court-appointed claims administrator using the following contact information:

Bucks County CHRIA Claims Administrator

P.O. Box 2004

Chanhassen, MN 55317-2004

By E-Mail: info@chrialitigation.com

By Phone: 1-844-960-2170

Those who do not submit a claim will not be entitled to compensation.

There has been an estimated 68,000 individuals booked into the Bucks County Correctional Facility from 1938 to June 18, 2013 who may be eligible for compensation. The settlement was reached by the parties after a federal jury awarded \$1,000 in punitive damages for every class member for a potential \$68 million plus legal fees and costs. The settlement later reached by the parties is \$50 million less than the jury award.

The Philadelphia Inquirer reports that the initial claim was from a 2013 lawsuit by Daryoush Taha against Bucks County. Taha had been arrested, booked and released from the Bucks County Correctional Facility in September of 1998. (Julie Shaw, \$67M federal jury verdict:

Bucks County ‘willfully’ violated criminal-records act, The Philadelphia Inquirer, May 28, 2019, <https://www.inquirer.com/news/bucks-county-violated-criminal-records-information-act-federal-jury-class-action-lawsuit-taha-20190529.html>

Taha successfully completed a probationary program for first time offenders and a judge ordered his record expunged. *Id.* Several years later, Taha discovered his incarceration information including his picture, personal details and initial charges were still available through the inmate lookup tool of the Bucks County Correctional Facility. *Id.* Taha filed a lawsuit which ultimately became a class action lawsuit considering the number of other potential plaintiffs whose protected information was likewise displayed through the inmate lookup tool. *Id.*

Were you recently transferred or assigned a new state ID number? Let us know!

The DOC does not alert us when you are transferred or assigned a new number.

Please write us so we can update our mailing list and ensure quick delivery of your Graterfriends!

Want to subscribe to Graterfriends?

See the order form on page 20.

FRIENDS OF THE SOCIETY

Q & A: Advice from the Outside

Prison Society staff recently spoke with a former juvenile lifer, Thomas Roach, who was released from prison approximately 28 months ago after being resentenced following the landmark Supreme Court decision, Miller vs. Alabama, which determined that it was unconstitutional to sentence juveniles to mandatory life without parole. Mr. Roach was incarcerated for 48 years and spent time at Eastern State Penitentiary, Graterford, Huntingdon, Smithville, Frackville, and Dallas.

Prison Society: Can you talk to us about what it was like coming home?

Mr. Roach: When I first came home, the reality was totally different from my expectations. Even though I was sentenced to life, deep down I always knew that one day I was coming home. So I saved a little money, planned, got involved in programs, all to make sure that I was prepared and so that I would have a good chance at getting a commutation.

When I finally got out, I tracked down my wife and my sister. I was lucky because I had family. While I was in prison, my sister kept me informed about what was going on with family, she brought up nieces and cousins and others to visit me. Family helped me grow while in there and prevented me from getting lost and institutionalized.

When I got out, I looked for the old mom and pop stores that I remembered—but the neighborhood looked so bad and so many of the black owned businesses were closed. Nothing looked the same.

I was gone 48 years... I realized I was different than other guys coming home who weren't away as long. I couldn't find anyone I knew. Everyone was gone—they had either

died or moved on. I had no one to throw a come home party. So, I realized that I needed to abandon the thought I had about reconnecting and pick up with what I had—I'll make my own neighborhood.

I got involved with a senior citizen home twice a month. Then got involved with New Life Church, and they helped me out financially and with getting involved with people in the neighborhood, and that's how I got involved with Mothers in Charge. Before Covid, every Tuesday we would mentor kids and on Thursdays we brainstormed ways to help others who are caught up in the legal system.

Never would I have imagined that I would be by myself in church, or that I would find myself holding the hands of mothers who lost kids to violence. I took someone's life. I caused that same kind of harm to my community. And that helped me heal and process what I did.

Prison Society: What has your life been like since the start of the pandemic? How have things changed?

Mr. Roach: I actually just came out of two weeks of self quarantine. I was in a car with a friend the other week—we had on masks but were riding together and we went to a barbershop and a clothing store. Later that day, my friend called and told me that his test

results came back and he was positive for Covid. I immediately contacted my doctor, and they sent me down to get tested.

Thank god, the next day I found out I was negative, as was my wife. I was masked the whole time—I wear a mask everywhere I go. The masks really work.

But before having to self quarantine, a few juvenile lifers and I have been volunteering giving out food. I load up my car at Friends on 7th and Girard. They are giving out boxes of food and I get 10 or 12 boxes in my car, and then I pass out boxes to elders and others in need in Southwest Philly. All over. We make our rounds in the car. We make sure everyone eats and takes what they need.

Prison Society: Have you talked to anyone you were incarcerated with during the pandemic?

Mr. Roach: I get calls from guys incarcerated who I walked with and who I stay in contact with. Huntingdon is a problem for the spread of the virus since its so old. They just have old bars and no doors. Same with Dallas; Dallas is old and the ventilation is old.

Prison Society: Where did you spend most of your time incarcerated?

Mr. Roach: I spent about 20 years in Graterford. I was sentenced to Eastern State and then Graterford. Then I was at Huntingdon for 14 years, then to Smithfield, then to Frackville, and then to Dallas. Eastern State was the easiest for me because family could walk there to visit since it's right in the middle of Philadelphia. So despite it being old, I could see loved ones and most of the guards were young and friendly.

It was an uphill battle after that getting family to visit because I was so far away.

Prison Society: Do you have any advice for people who are still incarcerated?

Mr. Roach: If I had to do it all over again, I would spend more time in the educational system. You never know when you are coming home—I was told I was going to die in prison, so don't assume you never will come home. I was told no for decades, and then suddenly the Supreme Court let me out and there was no plan for us.

I lost so many jobs because I didn't get computer and phone training. Everyone in there should get mandatory education, no matter what your sentence is. Before I left, I had a 45 minute technology class. It was so rushed and so last minute.

So put some of the yard time and exercise time aside and get education. If they tell you that you can't take a class, write to Harrisburg and get the system to let you in these classes. It has been an uphill battle to find a good job. I'm 70 years old. I'm the second oldest juvenile lifer alive. People look at me like I'm an old man,

but I can work with the best of him. I'm staying positive and I feel like something good is going to come about this year. You don't know when your day is coming to go home, and when it comes, you better be ready.

Wondering about the status of a submission?

We receive a large number of wonderful articles every month, but we are unable to print them all.

Why was my submission denied?

Length: While we do often edit long articles down to fit our 500 word limit, sometimes articles are simply too long for us to edit without losing the voice of the author.

Too Personal: We look for articles that the majority of our readers can relate to. Sometimes personal stories can do this, and sometimes they can't. Case specific articles that do not talk about the wider criminal justice system in relation to their case are often too personal.

Similar Content: We try to print a wide variety of topics in our newsletter. If we have received too many articles related to the same topic, we may not take them all.

Timing: The process of putting together each issue of Graterfriends is about 2 months. Sometimes, we

As we have gained more volunteers on our Graterfriends team, we are working to provide more personalized feedback to our authors. Often times, we really like articles, but they just need a tweak or two. You should begin to see more and more letters with feedback on both your accepted and denied submissions. Our team, while growing, is still limited, so we will be doing our best to do this for each article.

What about submissions for the literary/creative issue?

For those of you submitting content for our literary/creative issue, we are holding off on all feedback until closer to the publication later this year. You will be seeing feedback from us in the fall as we decide which pieces we can and cannot include.

What if I didn't receive any feedback?

There's a chance we miss some of your submissions in the shuffle. Please write us if you have any questions about a piece you submitted. We have electronic copies of them all.

Thank you to our authors, and for those of you who have not written for us yet, we strongly encourage you to. The more voices we have- the better!

BOOK RECOMMENDATIONS

Book Providers and Services. Recommended by John Adams at Morgan County Jail and Clifford Karolski at SCI Camp Hill

Free Book Service Providers

Ithaca College Books Thru Bars
Ithaca College Library
P.O. Box 113
Brooktondale, NY 14817

Prison Book Program
Lucy Parsons Bookstore
1306 Hancock Street, Suite 100
Quincy, MA 02169

Providence Books Through Bars
42 Lenox Avenue
Providence, RI 02907-1910

Books Behind Bars
Prison Mindfulness Institute
P.O. Box 206
South Deerfield, MA 01373

Book 'Em
The Big Idea bookstore
5129 Penn Avenue
Pittsburgh, PA 15224

Books to Prisoners Left Bank Books
92 Pike Street, Box Seattle, WA 98101

The Country Bookshop
Vermont Books to Prisoners
P.O. Box 234
Plainfield, VT 05667

Antioch College Books to Prisoners Project
One Morgan Place
Yellow Springs, OHIO 45387

Appalachian Prison Book Project
PO Box 601
Morgantown WV 26507

Ashville Prison Books Project
Downtown Books and News
67 N. Lexington Ave.
Ashville, NC 28801

Helpful Tips for Requesting Books

For Faster Delivery:

- You should limit your category/genre selection list to no more than six.
- Always specify if your facility allows used and hardcover books.
- Do not request books from the same donor for a minimum of 90 days (three months).
- Avoid messy hand-writing.
- Always include your address at the bottom of your letter.
- Always allow at least 90 days for delivery.

Sample Letter:

Wednesday, March 27 2019

Hello,

I am writing to respectfully request any softback books you can provide on the following True Crime, Fantasy, Poetry, Westerns, and Self-Help.

Thank you so much for your time and efforts.

Respectfully Submitted,

John Adams #123456

Po Box 2000

Wartburg, TN 37887

Reminder: Donations like books are expensive, and often not tax write offs. If it's within your ability to send a donation please do! Even if it's only one stamp. Anything helps.

Proverbs 3:27 - Do not withhold good from those whom it is due when it is in your power to do it.

CREATIVE ISSUE

We would once again like to remind our readers and contributors about our plans to publish a creative issue of Graterfriends later this year.

Submissions should be short stories, poems, memoirs, essays, or visual pieces. All appropriate content will be considered.

PPS staff reserve rights to make judgments of what is and is not appropriate.

Thank you!

IN MEMORY *of George Floyd*

His Story is Our History

Taj Jemal Lee, GT2434, SCI Mahanoy

On May 25, 2020, the actions of four Minneapolis police officers caused the death of another unarmed, African-American man. As a victim and witness of police brutality and excessive force, I asked myself: "What would the videotaped death of another unarmed black man mean? What realistic effect would Mr. Floyd's death have on systemic racism, social injustice, or criminal injustice? What impact would his death have on the legislators or appellate courts? After all, is the system really broken? Or is it functioning exactly how it was designed to operate?" Then I asked myself: "Had my skepticism paralyzed my optimism; or had my awareness denied my subconsciousness ignorance? Had the past 15 years of my 60-year prison sentence imposed as a first-time, non-violent, low-level drug offender hardened my heart, or heightened my senses?" Both!

As I watched tens of thousands of men and women from every nationality march and protest in unison around the world, my fear and anxiety rose. What was their ulterior motive? Was it a justified excuse to disobey the stay-at-home orders issued by states to combat COVID-19, or were they truly exercising their constitutional right to peacefully assemble? Were they truly appalled by the murder of another unarmed African-American, or were they seizing the opportunity to riot and loot? Because, if black lives mattering was the cause, why were we the minority presence at our own movement? Why did it take George Floyd's death when we had just watched Ahmad Aubrey murdered on tape? Why weren't we appalled at the egregious misconduct committed by the Louisville, Kentucky Task Force, that afforded them the opportunity to be at Ms. Breonna Taylor's home in the first place?

The systemic racism that created the excessive force mentality of law enforcement is the same system that created the social injustice that exposed us to criminal injustice! It is cause and effect. But we've known this now for how long? We've been "resident captives" for 528 years in a country whose Supreme Court approved racial segregation under the "separate but equal" doctrine 33 years after President Abraham Lincoln's Emancipation Proclamation freed slaves in areas "then" in rebellion!

Resident captives of the same country that saw Congress pass the Civil Rights Act of 1875, giving equal rights to blacks in "public accommodations" and the right to participate in jury duty, only to have that same Supreme Court invalidate the Act in 1883! The same country that shunned a professional athlete who kneeled during the National Anthem to bring attention

to the same issues being protested about around the world right now as if it weren't more appalling that the National Anthem includes the rarely sung, but indelibly written line, "no refuge could save the hireling and slave from the terror of flight, or the gloom of the grave!"

So instead of frivolous conversations, it's time for those that know to enlighten those that don't! Google "how a bill becomes law," find who you can contact, learn what you can do to hold politicians to their words. This is bigger than who the president is! If your local city councilman isn't representing your neighborhood, vote him out! If your mayor isn't governing your city, vote her out! Cops do what bad cops do because the court system allows them to do so! Start exposing those abusing their power and position, or the voice of the martyrs and marchers shall be in vain! Remember, the revolution will be televised!

Rest in Peace, George Floyd!

David Meade, LL8695, SCI Forest

The protestors are enraged as they express their emotions,
Through inveigh bitterness of pain & grief,
As they yell out in frustration amid signs of sentiment such as,
"Black Lives Matter" while laying on the ground uttering out,
"I can't breathe."
Our protest is about equality, justice & freedom for all humanity.
Some are looting, some are cohorts, Antifa's, but the main goal is for
The righteous to get justice for George Floyd and his family.
Only 1 out of 3 officers were charged with 2nd degree even
Though that the actions of the other officers were very complicit.
How could a cop or any human being be only charged for 3rd degree
As he intentionally and deliberately placed his knee upon Mr. Floyd's
Neck for approximately 8 1/2 minutes?
America has fallen on deaf ears as the racism increases,
As the minority is broken as though there is no hope,
And if we depend on justice to occur through this unjust system
Then that's like reading a riddle or a hilarious joke.
The protests are occurring in Philadelphia, New York, Chicago & Minneapolis,
Simultaneously and all across ubiquitously.
As the protestors yell out in baritones, "No Justice! No Peace!"
As they march in unison and voraciously.
The looters are sabotaging the true effects of the protests,
Thousands of properties are being destroyed,
But despite the destruction and racists groups,
I would like to send my deepest condolences to the families of
Ahmaud Arbery, Breonna Taylor
and Mr. George Floyd!

OUR VOICES

2020 Census & The Right to Vote *Jason Kollock, HC9934, SCI Houtzdale*

As you may know, 2020 is a year in which the census counts all Americans. This is so state and federal taxes can be distributed based upon the needs of counties, cities, townships, and boroughs. The census will also determine how many seats your state gets in the federal legislative branch, as larger state populations are given greater representation in Congress.

In Pennsylvania, as with other states throughout the country, inmates in state and county facilities are included in the census. The counties, cities, townships, and boroughs those inmates are housed in will receive more funding and more representation in the legislative process. However, while the census categorizes us as residents of where we are imprisoned, we are deprived of one of our most basic rights: the right to vote. We are counted as citizens, so that our districts have accurate representation, but we are deprived of the basic right to choose those representatives. Legislators decide on issues which can and do affect us and our families for years to come, and we have no say in their elections, even as our very existence increases the funding they receive from the federal government.

Within the United States, the right to vote is vital and must never be taken for granted. In many states, individuals do not regain their right to vote even after serving their sentence. They are forever stripped of their ability to participate in the legislative process.

Your voice counts! It is time to be recognized, not only in the census, but at the polls as well. Tell your family and friends to petition online and to go to their legislators to demand our right to vote too.

FATHER

Steff Span, LU9891, SCI Houtzdale

The word Father has a strong meaning to me. It is also a word that makes me curious. Everyone has a different definition. To some, it's the patriarch of a family, a provider, mentor, or the pillar of a foundation. To others, it's simply a sperm donor. Everyone has a Father. Some of us know him, others don't. Some of us wish we did, but others could care less. Stepfathers are good substitutes but are never enough. We love them but there's still a lot that only a biological Father can teach. Many Fathers have strong relationships with their children, but the majority don't. I myself always wanted a closer relationship with my own and I believe that's why I strive hard to have one with my own daughter. I believe, if I do, it will possibly teach me more about myself and life in general. I've always known him and spent time with him occasionally and even though I see him in my actions and

genetic features I realize there's a lot I don't know about him or myself. I can't recall any affection other than a few bucks, fixing a car together or sharing a blunt or bottle. I can't recall him ever cooking me a meal or even if he can cook, what his favorite book, movie, or song is.

Seeing my Pop on an adjacent tier in a State Penitentiary made me clench my teeth. As far as I can remember, this was the most I'd ever seen him in my 30 years of life. Part of me was happy; I knew where he was and that he was safe. But, I was partly sad that it came to this to get to know him. Finally, I couldn't get answers to some questions, but pride wouldn't allow me to ask. Mixed emotions arose when he was granted his freedom before me. I pray it's not too late. Fear stops me from wanting to strive for a stronger relationship, but curiosity motivates me. So many empty memories, broken promises, and let downs make me want to give up and move on. What should I do? If only my Father could give me advice.

Up the Susquehanna Without a Paddle

David S. Hamlin, MD7181, SCI Rockview

The things I am going to address are as important as they are sensitive in nature. I will be commenting on SORNA, Pennsylvania's version of Megan's Law, a piece of legislation that allows the Commonwealth to add years to offenders' sentences after the fact, punishing all who do not comply, even if they do so unknowingly.

Twenty-six years ago, I committed a sexual offense. I did my sentence. I accepted responsibility, and I paid the costs. I built a life thereafter, first moving across the country to California, then returning to Pennsylvania. Since serving my time, I have NEVER sexually offended another person.

But, I knew nothing about Megan's Law or any laws that applied to prior offenders; twenty-six years of never committing a sexual offense meant less than SORNA's ironclad policies.

The Commonwealth complains about re-offending, but the truth is, it does not believe in its own ability to rehabilitate. Once you have committed a sexual offense, you are forever marked, no matter how you grow and change. New laws are enacted and applied to older sentences, burdening you with harsh penalties without so much as giving you a notice. This is what SORNA did. Every man in Pennsylvania who ever committed a sexual offense, regardless of what they have done in the time since that offense, must endure a life on parole, even if the system does not mark it as such.

Pennsylvania has since decriminalized a "failure to register" since I was once again incarcerated. I should be free. If I can be punished for this registration law, which was passed after my first conviction, I should also benefit from its decriminalization since my second. But I am not free. Governor Tom

Wolf has task forces for drugs, violence, and guns, but there is no task force for those who have been unfairly incarcerated. Evaluations must be done. To continue to classify someone as a sexual offender after he has completed his prison term is to act as if his debt to society has not been, and can never be, paid.

The Commonwealth is quick to “serve justice” and send you up the river, but it takes its sweet time in seeing injustice righted. They have sent me up the Susquehanna, to SCI-Rockview, without a paddle.

REPORTS FROM THE INSIDE

Lifers Lost

Andrew O’Lock, CJ-3037, SCI Huntingdon

The month of May was particularly hard for the men at Huntingdon. We experienced more cases of COVID-19 than all of the other PA prisons combined. While there are many issues concerning the prison and the pandemic, I want to memorialize those we lost. Unfortunately, we lost the following men: James “Bump” Bennett (74 years old), Carl “10 Speed” Munford (58), Augusto “Junior” Gonzalez (58), and Clarence “Smoke” Sutton (71). We also lost Julius “JB” Brown (70) from a heart attack. These men were leaders, mentors, and simply good people. They were loved and respected by all of those who knew them. May all of our brothers rest in peace.

The tragic reality of the situation is that they should not have been in here still. All of these men were lifers incarcerated for over 25 years, most of them closer to 40 years. They should have been reunited with their families and communities long ago. Elderly men pose no danger to society. When will lifers be given a chance to become positive and productive members of their communities? When is it enough? How many more brothers and sisters do we have to lose?

Lt. Governor Fetterman Gives Hope to Pennsylvania Lifers

Daniel Cummings, AF4891, SCI Phoenix

My name is Daniel Cummings. I am the husband of a rape survivor. August 20, 1972, my wife was drugged and brutally raped. On August 23, 1972, I made a mistake. I took the law into my own hands and killed my wife’s rapist. This mistake has kept me locked behind the walls of Pennsylvania penitentiaries for nearly five decades.

On May 7, 2019, I received a letter from Secretary Brandon Flood informing me that the Board of Pardons had granted

my case a public hearing, which was scheduled for May 30th. I immediately contacted my family and told them the good news. My nieces and nephews were elated. I could hear their voices hollering out, “Uncle Dan is coming home!”

The first words from my brother Kenneth were, “Praise the Lord, let’s pray.” We used the rest of my phone time in prayer. My family would have to travel from Florida to attend my hearings, and I was concerned about them having to travel and take time off from work to be there. With a bit of humor, my brother said, “Don’t worry about that, we will be there... even if we have to crawl, we will be there.”

On May 28th, 2019, I was transferred to SCI Camp Hill for my conference with Lieutenant Governor, John Fetterman, Attorney General, Josh Shapiro, a corrections expert, a psychiatrist, and a victim representative. On May 30th, 2019, my case was held under advisement. This means the board members did not vote – they felt they needed more time and information to make a determination. On September 13th, 2019, I was issued a pass for a virtual reality viewing of the Philadelphia Community Corrections Center where I would be living. I also had a conference with my appointed counselor and the Center’s director. My family was now more hopeful than ever that my case would be going on to Governor Wolf for executive clemency. On September 17, 2019, I received my seventh denial from the Pennsylvania Board of Pardons and my hopes of beginning a new life were once again bashed.

After this denial, I was beginning to lose hope in the commutation process. I no longer feel that way. The following statement from the Lieutenant Governor encouraged me to continue to move forward with a positive attitude: “Lt. Governor John Fetterman said that he has one goal for his tenure in Harrisburg... to make sure people don’t needlessly die in prison.” I hope that my case will be included in the board’s new process of releasing those who have served over 40 years.

Then, I received an update from the Board of Pardons: “Application Number: 33670 has been granted another public hearing scheduled for the June 2020 session.”

I encourage lifers across the state to file for commutation. The process is getting better.

Eye Opening Organizations

John Dwyer, FN0350, SCI Fayette

Let’s give some credit where it’s due: the inmate based organizations in prison don’t get enough love in my opinion.

The T.V. show *Pit Bulls & Parolees* showed SCI Frackville’s rescue animals. What wasn’t said on the show was how the dog program at SCI Frackville got started. The funding didn’t come from the Administrative or Activities Budget. The majority of it came from the inmate-based organization

H.O.P.E. (Helping Other People Everywhere).

I was at SCI Frackville and was part of the H.O.P.E. organization when the dog program came into existence. There wasn't a word on T.V. about our work. What the show did mention was how well the inmates treated and took care of the animals, which it had to say because of public backlash. Otherwise, there would've been someone who would cry from roofs about leaving those wonderful dogs with those monsters, the inmates. So, H.O.P.E. got no love, no recognition.

Those on the outside may think that the prison simply allowing us to have these organizations is enough and that we should be grateful. What the public doesn't know is that these organizations are donating about 85% of their money to the surrounding communities. Most of the inmates at SCI Frackville are from Philadelphia, and you would think that that's where H.O.P.E. would send the most funding, but instead they choose to enrich the community of Frackville. I can speak for SCI Frackville because I was the treasurer of H.O.P.E. for many years.

In my opinion, we need to do two things. First, we have to let the public know all the things the inmate-based organizations do for the communities in Pennsylvania. It's not in the prison's best interest to promote all the good we try to do. The D.O.C. doesn't want us to gain public support, so it's our responsibility to put it out there.

Second, being from Philadelphia, I didn't know a lot of eligible nonprofits to donate to in Frackville. I believe we need to compile a comprehensive, statewide list for people like me who don't have access to online support to find them. We need a reference guide of nonprofits. This will make it easier both for organizations who need help and for the ones who are willing to give it.

I applaud all of our organizations and the work they are doing throughout Pennsylvania. If nobody recognizes you, I do and I appreciate it. Keep supporting all communities and don't forget about your own.

ADVOCATES

On Ramadan

Jamie Dutty, OQ0206, SCI Cambridge Springs

Every year during the month of Ramadan, I find myself in the hole or bickering back and forth with the COs about the rules and the practices of my faith. Today was the first day of my fast, and as excited as I was for the start of something so beautiful and righteous, sadly, this year was no different. Unfortunately, for the Muslim community inside of these institutions, there are many prejudices against our faith. Many of the men and women working here are former military members and will forever hold the acts of Osama

Bin Laden and his followers against the Muslim community as a whole. Well, I am here to remind them of the very thing I had to remind myself on this glorious day: the greatest characteristic of a Muslim is humility. I am a proud Muslim woman and my character humbly reflects that. Aauodu billaahi minash-shaytaanir rajeem, bis-millaahir rahmaanir raheem.

The Money Scheme

Omar Askia-Ali, AF0814, SCI Coal Township

The real purpose of the prison-industrial complex is to make money off the backs of the "have nots" of our society. One scheme to garner wealth off of the "have nots" is gerrymandering, which is a technique of drawing legislative districts to ensure that favored incumbents face no serious competition in general elections. The same scheme also takes advantage of the prison system. Prisoners are gerrymandered to count in the areas in which they are housed rather than the community from where they came before their incarceration. According to a 2009 study by the Prison Policy Initiative, there are eight legislative districts in Pennsylvania that would be too small to count as districts were it not for prisoners.

We must not overlook the effects of prison gerrymandering, because it in particular has adverse effects on the black community. By counting in suburban areas the incarcerated residents from Philadelphia, the Census Bureau inadequately counts the residents of our neighborhoods. This results in inadequate funding for our schools, rehabs and recreation centers, libraries etc. These government funds go to rural communities so as to enrich and improve a way of life for their voters and supporters at the expense of prisoners and their families. In turn, our communities become impoverished and downtrodden with crime and a lack of jobs, all for the sake of greedy politicians.

We, as citizens of Philadelphia, need to become more vocal in our stance against prison gerrymandering because it is financially destroying our communities, especially communities of color. We need to become more aware and involved in fighting this illegal practice.

For more information about prison-based gerrymandering go to www.prisonersofthecensus.org or contact the Prison Policy Initiative at:
PO Box 127
Northampton Mass. 01061

The transfer of electoral power from city to countryside, from black to white, makes a mockery of one person, one vote. Philadelphia's growing political loss is rural Pennsylvania's ill-gotten gain.

Prisoner Strikes- Prison Litigation Reform Act

Carl Lane, AS1293, SCI Forest

Recently a fellow litigator asked me whether a prisoner's strikes under the federal PLRA, 28 U.S.C. §1915(g), count as strikes under the three-strikes provision of Pennsylvania's PLRA, 42 Pa. C.S. §§6601, et seq., where the prisoner has no state court strikes under 42 Pa. C.S. §6602 (f). These sections of the Prisoner Litigation Reform Act specifically concern the ability of prisoners to file suits *in forma pauperis*, literally "in the manner of a pauper." If a prisoner-plaintiff files a suit *in forma pauperis*, he or she will not be held liable for the costs of that legal action. However, these suits are limited to three unsuccessful attempts, after which a prisoner-plaintiff becomes ineligible to file any more suits *in forma pauperis* and is responsible for his legal fees.

Since I've never encountered this issue before, I decided to do some research. In *Brown v. James*, a case from 2003, the PA Commonwealth Court counted unrelated federal cases, which a federal court determined to be strikes under the federal PLRA, as strikes under the state PLRA because, as "defined in Section 6601 of the Code, 'prison conditions litigation includes civil proceeding arising 'in whole or in part under Federal or State law with respect to the conditions of confinement...'" Then, in 2007, the court determined in the case of *Corliss v. Varner* that, "[F]ederal cases will count as strikes for purposes of Section 6602(f) of the PLRA." In another case from 2007, *Pew v. Mechling*, the PA courts affirmed, without discussion, the trial court's counting of federal cases as strikes under Section 6602.

None of these cases discuss the issue in-depth, and not one opinion provides a thorough statutory analysis. So, it's possible that, under the right circumstances, another court could be persuaded to decide differently. I think it could be strongly argued that federal strikes should not count under the Pennsylvania PLRA.

The Pennsylvania PLRA contains a provision that explicitly allows for the consideration of federal cases - but only under certain conditions. The Pennsylvania PLRA allows for dismissal if the prisoner-plaintiff has previously filed a lawsuit in any court—state or federal—against the same defendant as the current lawsuit and the prior court found that the action was filed in bad faith or that the plaintiff presented false evidence or testimony. See 42 PA. C.S. §6602(f)(2). The existence of this narrower provision, where prior federal cases are relevant, shows that the legislature knew how to instruct the courts to consider all prior litigation—state or federal—but chose not to in Section 6602(f)(1). This lends support to the idea that, in general, prior federal cases have no bearing on the applicability of the Pennsylvania PLRA three-strikes provision.

D.O.C Inmate Labor Wages

Walter Smith, GG5203 SCI Smithfield

Attention, Inmates, Prisoners, and Convicts! I implore you all to get behind a worthy cause. One that benefits us all, and those who are unfortunate enough to follow.

I've been incarcerated for almost 17 years, and over 14 of those years, I've watched commissary, cable, medical co-pays, cost of medication, and the overall cost of living go up, and up, while the wages for inmate labor have not budged from 19¢ to 42¢. Society has recognized the increase in the cost of living, and minimum wage has since been increased to account for those costs. Because we are not considered part of society, the Department of Corrections would like to believe that the increase in the costs of living do not affect us. Does the Department of Corrections believe that it alone experiences the increased costs of living? How long will these pay rates be stuck in time, while the cost of medical care, medication, cable, commissary, etc. increase year after year? The D.O.C expects us to get by on a Pay Scale of 19¢ to 42¢ an hour, which is just not conducive in today's society. Inmates earn an average of \$15.00 to \$75.00 a month, and that's if one is medically cleared to work, and not just receiving General Labor Pay. To add insult to injury, not only is the pay unfair and outdated, but some inmates are stipulated by the courts to pay court costs, and fines in excess of 20% of all earnings, or an order of child support in excess of 50% of all earnings. The time for a pay scale increase is overdue, and I implore all those who are affected to take a stand.

The American Civil Liberties Union of Pennsylvania has directed me and any inmates who also have complaints about this issue to exhaust whatever internal grievance processes are available within our institutions and then send all copies of these grievances to the ACLU. I was also advised to contact the ACLU National Prison Project regarding this issue.

I advise anyone whom this issue affects (any and everyone who is a prisoner in the D.O.C) to get involved and start the process. It's long overdue and it's time for a change. How do we expect things to change, if we are not willing to do what it takes for change to occur?

Anyone interested in joining the fight should exhaust the grievance process and submit all copies to the ACLU.

Contact Information:

ACLU Foundation of Pennsylvania
P.O. Box 60173
Philadelphia, PA 19102

RESOURCES

PA State Officials

Governor Tom Wolf

Governor's Correspondence Office
508 Main Office Building
Harrisburg, PA 17120
P: 717-787-3391
F: 717-772-8284

Attorney General Josh Shapiro

PO Box 22653
Philadelphia, PA 19110
P: 215-886-7376

Senator _____

Senate PO Box 203 __ __ *
Harrisburg, PA 17120

Representative _____

PO Box 202 __ __ *
Harrisburg, PA 17120

*If you know the three-digit district number for your Senator or Representative, add it to the PO Box number. If you do not know, information for Senators is available at www.pasen.gov; information for Representatives is available at www.house.state.pa.us.

DOC Secretary John Wetzel

19020 Technology Parkway
Mechanicsburg, PA 17050
P: 717-728-2573
W: www.cor.pa.gov
E: ra-crpdocsecretary@pa.gov

Prison Society Mentoring Program

Families and Individuals Reintegrating Successfully Together (F.I.R.S.T.), our mentoring program, is a voluntary program for men currently in the Transitional Housing Unit (THU) at SCI Chester and SCI Phoenix.

The program helps prepare incarcerated individuals for successful reentry mentally, emotionally, and logistically. After a series of workshops on relevant topics (such as social media, applying for medical benefits, securing housing, and obtaining education and jobs), mentees are assigned to mentors, to meet one-on-one for at least six months to develop and achieve a personalized goal plan. We are also working with soon-to-be-released Juvenile Lifers across the state to help them bridge into life outside in the community.

We are always seeking mentors and mentee participants. For more information, or for a mentor application, please contact:

Joseph Robinson, Mentoring Program Case Manager
P: 215-564-4775, ext. 1005

FAMM

FAMM, a DC-based sentencing reform organization, is working to fight mandatory minimums in Pennsylvania, but needs case examples to help convince lawmakers to support fair sentencing.

If you are serving a long mandatory sentence for a drug or gun offense, please send 1) your name, 2) your contact information, 3) contact information for an outside friend or family member, 4) a brief description of your offense, and 5) your sentence, to:

FAMM

Attn: Pennsylvania Stories
1100 H Street, NW, Suite 1000
Washington, DC 20005

Note: FAMM does not offer direct legal assistance, but the organization will contact you by mail if they'd like to learn more about your case.

The Prison Society and Broad Street Ministry

The Prison Society at Broad Street Ministry is a collaboration providing reentry support for people returning to Philadelphia. At Broad Street Ministry, individuals can receive a P.O. Box, change of clothes and personal care items, as well as meet with a reentry associate. Broad Street partners with multiple non-profit organizations who offer on-site assistance with medical care, housing, employment, public benefits, and obtaining personal identification.

Broad Street Ministry

315 South Broad Street
Philadelphia, PA 19107
P: 215-735-4847
W: www.broadstreetministry.org

LAMBDA Resources for LGBTQ People in Custody

Lambda Legal's mission is to achieve full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and everyone living with HIV through impact litigation, education and public policy work.

As a 501(c)3 nonprofit organization, we do not charge our clients for legal representation or advocacy, and we receive no government funding. We depend on contributions from supporters around the country.

National Headquarters

120 Wall Street, 19th Floor
New York, NY 10005-3919
P: 212-809-8585
W: www.LambdaLegal.org

RESOURCES

Expungements

Philadelphia Lawyers for Social Equity

1501 Cherry Street
Philadelphia, PA 19102
P: 267-519-5323

Expunge Philadelphia

Juvenile Expungement Hotline
P: 267-765-6770

Community Legal Services

Center City Office
1424 Chestnut St.
Philadelphia, PA 19102-2505
P: 215-981-3700
North Philadelphia Law Center
1410 W. Erie Avenue
Philadelphia, PA 19140
P: 215-227-2400

ACLU

Whether it's achieving full equality for LGBT people, establishing new privacy protections for our digital age of widespread government surveillance, ending mass incarceration, or preserving the right to vote or the right to have an abortion, the ACLU takes up the toughest civil liberties cases and issues to defend all people from government abuse and overreach.

ACLU Pennsylvania Central Office

P.O. Box 11761
Harrisburg, PA 17108
P: 717-238-2258
W: www.aclupa.org
E: hbginfo@aclupa.org

Prisoner's Rights

Abolish Death by Incarceration

c/o Decarcerate PA
PO Box 40764
Philadelphia, PA 19107
P: 267-217-3372
W: www.decarceratepa.info
E: decarceratepa.pgh@gmail.com (Pittsburgh)
E: cadbiphilly@gmail.com (Philadelphia)
E: decarceratepa@gmail.com

PA Institutional Law Project: Philadelphia

The Cast Iron Building
718 Arch Street, Suite 304 South
Philadelphia, PA 19106
P: 215-925-2966 (Philadelphia)
F: 215-925-5337 (Philadelphia)
P: 570-523-1104 (Lewisburg)
P: 412-434-6004 (Pittsburgh)
W: www.pailp.org

E: alove@pailp.org

Prison Activist Resource Center

PO Box 70447
Oakland, CA 94612
P: 510-893-4648
W: www.prisonactivists.org/resources
E: info@prisonactivists.org

Reentry Services

Philadelphia Reentry Coalition

P: 1-215-683-3379
E: philareentrycoalition@gmail.com

Franklin County Reentry Coalition (Franklin Together)

533 S. Main Street Chambersburg, PA 17201
P: 717-263-5060 ext. 314

Life Without Parole

Women Lifers Resume Project of PA

PO Box 324
New Hope, PA 18938
P: 814-393-5400 (Cambridge Springs)
P: 570-546-3171 (Muncy)
W: www.wlrpp.org

Reconstruction Inc.

ATTN Fight for Lifers
PO Box 7691
Philadelphia, PA 19101
P: 215-223-8180

Pennsylvania Innocence Project

The Pennsylvania Innocence Project has a four-fold mission to: (1) secure the exoneration, release from imprisonment, and restoration to society of persons who are innocent and have been wrongly convicted; (2) provide clinical training and experience to students in the fields of law, journalism, criminal justice, and forensic science; (3) collaborate with law enforcement agencies and the courts to address systemic causes of wrongful convictions; and (4) strengthen and improve the effectiveness of the criminal justice system in Pennsylvania through public education and advocacy.

Philadelphia Office

1515 Market St
Philadelphia, PA 19102

Pittsburgh Office

914 Fifth Avenue
Pittsburgh, PA 15219

W: www.InnocenceProjectPA.org
P: 215-204-4255
E: InnocenceProjectPA@temple.edu

LEGISLATIVE HIGHLIGHTS

PPS is partnering with FAMM, ACLU of PA, Americans for Prosperity, the Commonwealth Foundation and others to support positive reforms. In January, representatives from all five of these organizations spent a day at the State Capitol sharing their priorities with lawmakers and expressing their bipartisan support for criminal justice reform. The following are new legislative criminal justice initiatives introduced since August. For information on other currently pending criminal justice reform legislation, see previous issue. [Note: SJC = Senate Judiciary Committee, HJC = House Judiciary Committee.]

Governor Wolf signs occupational licensing reform into law on July 1st.

SB 637, now **Act 53**, contains reforms to occupational licensing in Pennsylvania, removing some barriers to advancing employment opportunities for people with a record of involvement with the criminal justice system.

Prime Sponsors: Senator DiSanto (R) and Senator Schwank (D).

Governor Wolf signs two policing reform bills into law on July 14th.

HB 1841, now **Act 57**, creates an online database to house the separation records of law enforcement officers; requires law enforcement agencies to complete extensive background checks on new applicants; and also requires these agencies to disclose employment information.

Prime Sponsor: Representative Readshaw (D).

HB 1910, now **Act 59**, improves and broadens training requirements for police officers and magisterial district judges. Act 59 also requires PTSD-focused mental health evaluations for police officers within 30 days of a lethal use of force incident, or when requested by a supervising office or by the police officer.

Prime Sponsor: Representative Dan Williams (D).

SENATE BILLS

SB 14 would make reforms to Pennsylvania's probation system. SB 14 would create mandatory probation review conferences with a presumption of termination after 3 years for misdemeanors and 5 years for felonies; and would allow opportunities to earn early review through things like completing community service, maintaining employment, and completing educational or vocational programs. SB 14 would also reform if, and how long a person can be incarcerated for technical probation violations.

SB 14 passed unanimously in the Pennsylvania Senate on July 15, 2020, and is now in the House.

Prime Sponsors: Senator Bartolotta (R) and Senator Tony Williams (D). Prison Society supports this bill.

SB 1080 is a proposed Constitutional amendment that would create limits on the Constitutional power of the governor to grant reprieves. SB 1080 would require that the Pennsylvania Board of Pardons would be a part of the reprieve process, along with the governor.

Introduced on June 22, 2020 and referred to Senate Judiciary Committee.

Prime Sponsor: Senator Arnold (R). Prison Society opposes this bill.

HOUSE BILLS

HB 2651 would require that incarcerated veterans be given a "veterans benefits briefing" prior to release that would educate and inform the individual on available benefits, and how to access them at the state and federal level.

HB 2651 was introduced on July 1, 2020 and referred to House Judiciary Committee.

Prime Sponsor: Representative Murt (R).

HB 1538, would require people a three year waiting period before reapplying for parole after receiving a denial for the following conviction categories:

Section 2502(C) (Relating to murder)
Section 2503 (Relating to voluntary manslaughter)
Section 2901(a.1) (Relating to kidnapping)
Section 3011(b) (Relating to trafficking in individuals)
Section 3012 (Relating to involuntary servitude)
Section 3121 (Relating to rape)
Section 3122.1(b) (Relating to statutory sexual assault)
Section 3123 (Relating to involuntary deviate sexual intercourse)
Section 3124.1 (Relating to sexual assault)
Section 3124.2(a.1) (Relating to institutional sexual assault)
Section 3125 (Relating to aggravated indecent assault)
Section 3126(a)(7) (Relating to indecent assault)
Section 4302(b) Relating to incest)

HB 1538 also requires that victim testimony be heard in person during parole hearings. Witnesses and evidence submitted on behalf of the parole applicant would not be required to be heard in person, but may be conducted via videoconference.

Section 2502(c) (Relating to murder).
Section 2503 (Relating to voluntary manslaughter).
Section 2901(a.1) Relating to kidnapping).
Section 3011(b) (Relating to trafficking in individuals).
Section 3012 (Relating to involuntary servitude).
Section 3121 (Relating to rape).
Section 3122.1(b) (Relating to statutory sexual assault).
Section 3123 (Relating to involuntary deviate sexual intercourse).
Section 3124.1 (Relating to sexual assault).
Section 3124.2(a.1) (Relating to institutional sexual assault).
Section 3125 (relating to aggravated indecent assault).
Section 3126(a)(7) (relating to indecent assault).
Section 4302(b) (relating to incest).

Passed Senate Appropriations Committee 21-3 on June 22, 2020.

Prime Sponsor: Representative White (R). The Prison Society opposes this bill.

HB 2566 creates a mandatory minimum sentencing enhancement of at least 10 years for convictions that involve the possession of an illegal firearm during an offense. The illegal firearm possessed does not need to be loaded or functional for the mandatory minimum to apply.

Introduced on June 8, 2020 and referred to House Judiciary Committee

Prime Sponsor: Representative White (R).

HB 2056, or “Cody’s Law,” would create a 2nd degree felony graded aggravated assault provision when bodily injury is caused to a person with Autism Spectrum Disorder, or a physical or intellectual disability.

HB 2056 passed the Pennsylvania House 167-35 on May 20, 2020, and is now in Senate Judiciary Committee.

Prime Sponsor: Representative Struzzi (R).

HB 2016 would make exposing a law enforcement officer to bodily fluids a first degree misdemeanor, and a third degree felony if an individual knew or should have known the bodily fluids could be dangerous or infectious.

Passed the full House 170-32 on May 20, 2020, and is now in Senate Judiciary Committee.

Prime Sponsor: Representative Schmitt (R).

HB 1827 would create a sentencing enhancement in situations of caused or aided suicide where the individual who died by suicide is either under the age of 18, or is determined to have an Autism Spectrum Disorder or intellectual disability.

HB 1827 passed the full house 188-14 on May 20, 2020, and is now in Senate Judiciary Committee.

Prime Sponsor: Representative Keefer (R).

In Memoriam: Tributes to Those Lost During COVID-19

The Graterfriends team was greatly moved by Andrew O-Lock’s piece *Lifers Lost* found on page 11. The large-scale impact of this pandemic has led to many individual’s deaths becoming part of a statistic, especially inside our prisons and jails.

We would like to offer up the opportunity for others to write a tribute to someone on the inside that they have lost. We will feature these tributes in the next issue of Graterfriends.

Please write us a tribute with the following information:

Individual’s name
Facility they were incarcerated at
A few sentences about their life and impact.

VIDEO VISITING: VISITOR INSTRUCTIONS

The Department of Corrections is offering video visiting for ALL incarcerated individuals and their authorized visitors. While only recently implemented, video visits will be held seven days a week. The DOC conducted 5,174 video visits between March 19-April 2. There are more than 2,100 video visits scheduled to take place through April 25. This number will continue to increase due to daily scheduling happening at state prisons.

How to Set up a Video Visit

1. The visitor on the outside needs to download the Zoom Cloud Meeting application on a smartphone, tablet, or computer- AFTER DOWNLOADING, THE VISITOR WILL NOT USE ZOOM UNTIL THE DAY OF THE CALL.

2. Each facility has a different Zoom resource email that the visitor must contact to schedule the visit.. The corresponding emails are below:

Albion - RA-CRALBZOOMSCHED@pa.gov
Benner Township - RA-CRBENZOOMSCHED@pa.gov
Camp Hill - RA-CRCAMZOOMSCHED@pa.gov
Cambridge Springs - RA-CRCBSZOOMSCHED@pa.gov
Chester - RA-CRCHSZOOMSCHED@pa.gov
Coal Township - RA-CRCAZOOMSCHED@pa.gov
Dallas - RA-CRDALZOOMSCHED@pa.gov
Frackville - RA-CRFRAZOOMSCHED@pa.gov
Forest - RA-CRFRSZOOMSCHED@pa.gov
Fayette - RA-CRFYTZOOMSCHED@pa.gov
Greene - RA-CRGRNZOOMSCHED@pa.gov
Houtzdale - RA-CRHOZOOMSCHED@pa.gov
Huntingdon - RA-CRHUNZOOMSCHED@pa.gov
Laurel Highlands - RA-CRLAUZOOMSCHED@pa.gov
Mahanoy - RA-CRMAHZOOMSCHED@pa.gov
Mercer - RA-CRMERZOOMSCHED@pa.gov
Muncy - RA-CRMUNZOOMSCHED@pa.gov
Phoenix - RA-CRPHXZOOMSCHED@pa.gov
Pine Grove - RA-CRPNGZOOMSCHED@pa.gov
Quehanna Boot Camp - RA-CRQUEZOOMSCHED@pa.gov
Retreat - RA-CRRETZOOMSCHED@pa.gov
Rockview - RA-CRROCZOOMSCHED@pa.gov
Smithfield - RA-CRSMIZOOMSCHED@pa.gov
Somerset - RA-CRSMRZOOMSCHED@pa.gov
Waymart - RA-CRWAMZOOMSCHED@pa.gov

3. The visitor sends an email to the corresponding Zoom resource email with the following information:
Visitor Name(s)
Address(es)

Date(s) of Birth
Phone Number(s)
Schedulers E-mail address
Inmate Name
Inmate ID
Requested Visit Date
Requested time slot (provide a 4-hour time slot within the facilities visiting hours)

4. The facility will send the visitor an email with an assigned date and time of the visit OR the facility will ask the visitor for additional times because the times they gave were filled. Unless the facility emails you back with a date and time, a visit has NOT been scheduled.

We recommend giving them a date a month in advance to avoid back and forth emails trying to schedule a visit- the facilities are receiving hundreds of requests

5. The email with the scheduled date and time will contain a link and a meeting ID number. On the day of the visit, the visitor will click on the link to open the meeting in Zoom. They will then be prompted to type in the meeting ID number to begin the call.

Guidelines for Visits

- Up to 3 authorized visitors may participate in a video visit
- Each inmate is permitted 1 hour long visit a week and only 1 weekend day is permitted per month.
- The visiting rules for Video Visitation are generally the same as those for visiting in the facility.

Share these instructions with your loved ones if they are having difficulty with virtual visiting.

Were you recently transferred or assigned a new state ID number? Let us know!

The DOC does not alert us when you are transferred or assigned a new number.

Please write us so we can update our mailing list and ensure quick delivery of your Graterfriends!

READER SURVEY

We welcome comments and suggestions from all readers. Please complete this form and mail it to Pennsylvania Prison Society.

Is there any information you would like to see in Graterfriends that is not already included?

We are in the process of working to make our resource guide more helpful to our incarcerated readers. Are there any resources we have not included in past issues that you would like to see included in future issues, such as resources you have used in while incarcerated and have found useful? They can be related to books, legal help, reentry, etc.

COVID-19 SURVEY

*As part of our continued efforts to monitor prison conditions, we are asking you for your help understanding what is happening on the inside. Since we have added some new questions, **even if you have taken a version of this survey previously, it would help if you would fill it out again.***

*Please fill out this survey and mail it back to us at:
230 South Broad Street, Suite 605, Philadelphia, PA 19102.*

1. Do you feel safe? Yes | No
2. How satisfied are you with the accessibility of medical care during the COVID-19 pandemic?
Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied
3. How did you get information from the prison about COVID-19? (select all that apply)
Paper Bulletin on Unit Facility Info Channel on TV
Verbal communication by staff Town Halls run by prison administration
I did not get this information Other, please specify: _____
4. Do you have access to a TV?
Yes, block TV Yes, personal TV Yes, block TV & personal TV No
5. How satisfied have you been with communication about prison policy from the prison staff?
Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied
6. How frequently do staff members wear masks?
Never Rarely Sometimes Often Always
7. Did the incarcerated people around you follow good health practices in the last week by washing their hands often?
No Yes Unsure
8. Did the incarcerated people around you follow good health practices in the last week by cleaning shared items after use (example: phones)?
No Yes Unsure
9. Did the common areas you have access to get cleaned at least two times a day in the last week (examples: dayrooms, showers)?
No Some areas, but not all Yes, all areas Unsure
10. How often did you get cleaning chemicals from the prison to clean your cell / sleeping area in the last week (examples: soap, bleach, or peroxide)?
Never Once last week 2 or 3 times last week Unsure
11. Did you get enough cleaning chemicals to thoroughly clean your cell / sleeping area in the last week?
No, I did not get any No, did not get enough Yes Unsure
12. Did you have enough soap to regularly wash your hands in the last week?
No Yes Yes, but I had to purchase some from the commissary Unsure

13. How many times in the last week did you shower?

None, I was not able to shower None, I chose not to shower
1-2 times 3-4 times More than 5 times

14. How satisfied are you with the size of the meals you were served this past week?

Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

15. How satisfied are you with the quality of the meals you were served this past week?

Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

16. What activities/services is the prison administration providing to people in custody? (select all that apply)

Board Games Puzzles Bingo Religious Services
Library Book Delivery Other, please specify: _____

17. Last week, did you access the law library?

No, did not try to No, was not able to Yes

18. How much time outside of the cell (not including yard time) do you get per day?

Less than 30 minutes 30-60 minutes 60-90 minutes 90-120 minute 120+ minutes

19. How many times did you go to the yard last week?

I did not go to the yard (did not want to) I did not go to the yard (not allowed)
1-2 times 3-4 times 5 or more times

20. How many free phone calls did you make in the past week?

None 1-2 3-4 5 More than 5

21. In the past week, did you send at least one free email?

No, did not try to No, was not able to Yes

22. Did you get a free video visit in the last week?

No Yes, but bad service Yes, & it worked Does not apply to me

23. Since the start of the COVID-19 lockdown, have you spoken with anyone from psychological services?

No, have not tried to No, have not been able to Yes

24. Are you aware of the DOC policy change that medical co-pays are waived for flu-like symptoms (fever, cough, chest tightness, etc.)? Yes | No

25. How satisfied are you with the way your facility has responded to COVID-19?

Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

26. If you'd like to add to your answers above: What is the atmosphere of the prison like?

27. If you'd like to add to your answers above: What is the attitude of the staff like?

28. If you'd like to add to your answers above: What are your concerns about how the prison is managing the coronavirus outbreak?

29. What facility are you in? _____

30. Are you in the RHU? Yes | No _____

31. What is your housing unit? _____

32. What date did you fill out this survey? _____

33. Have you taken a version of this survey earlier? Yes | No _____

OPTIONAL (your name will not be used in reporting our results)

Name: _____

PPN number: _____

Thank you for your feedback. We are here during these uncertain times.

PLEASE NOTE if you have other concerns, not related to the questions above, please write to us on a separate piece of paper. If you provide additional information on this survey, it may get lost.

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July/August 2020

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