



We are a positive voice for prisoners through a monthly newsletter focused on CA prisoner/prison issues.

Our goal is to publish truthful information to educate, motivate and inspire prisoners, families, general public, lawyers, legislators and local lawmakers.

We give a voice to the prisoner.

We oppose the Three-Strikes Law, Mandatory Minimums, Marsy's Law, Life Without Parole, Death Penalty, Solitary Confinement.

We believe Lifers should be paroled if found suitable.

We believe that juveniles should not be sentenced to Life Without Parole.

We support drug and alcohol treatment in lieu of jail, rehabilitative sentences, restorative justice, second chances, sensible sentences that fit the offense.

We support non-profit prison reform groups and help to get their message out by offering free space in the newsletter.

We encourage family volunteers to show up when needed, and provide helps to write letters to politicians, judges, newspapers,

We believe there is power in our votes, and all families, including felons who are not in prison and not on parole need to 'show up' at the polls and exercise their right to vote..

WE DO SO MUCH MORE—

Check out our website at www.SJRA1.com

SJRA is not a legal services provider.

We are a publication, offering information on CA prison issues. We have one person on staff, Barbara Brooks, who is not paid, not an attorney and does not give legal advise.

SJRA cannot:

1. Provide you with legal representation,
2. Give you legal advice or answer any legal questions regarding specific aspects of your case or your loved one's case,
3. Assist you with your appeal or post-conviction petitions,
4. Help you file claims against the Department of Corrections or Bureau of Prisons, or
5. Recommend other attorneys to you for any of these purposes.

If you need legal help, contact a lawyer or the State Bar Association in your local area.

PLEASE NOTE: SJRA can no longer respond to legal mail

If you write asking for any of these things, we will not respond to your letter.

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(Circle which applies)
SUBSCRIPTION or ADDRESS CHANGE

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I wish to subscribe to 12 issues (\$18) or 40 Forever stamps. (Circle)
OR I wish to subscribe to 6 issues (\$9) or 20 Forever stamps. (Circle)

Free Persons:

\$20-12 issues or \$11-6 issues

Date of Request _____ PRISON _____
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 2 or 3 Striker? _____ Lifer? _____ LWOP? _____ JVLWOP? _____ DP? _____

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 Mail to: _____, SJRA . PO Box 71 . Olivehurst, CA 95961
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A California prisoners newsletter everyone is talking about

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Published by

 Sentencing and Justice Reform Advocacy

SJRA FAMILY VOLUNTEER

I (represent) OR (I am) _____
 CDC# _____ Prison _____
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COUNT ME IN!

My Name: _____
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Please checkmark your interests:

- More changes to 3-Strikes AFTER Prop 36 passed.
- Re-entry after leaving prison.
- Innocent
- Life WithOut Parole
- Juvenile Life Sentences
- Solitary Confinement
- Prison Rehabilitation
- Death Penalty
- Mentally Ill
- Other _____

Note from Barb

Today's date, Apr 22, 2013
You are reading the March 2013 issue.

Dear Loved Ones,

We are still rejoicing over the recent releases under Prop 36. We were so happy to hear that Sue Reams son, Shane was released the day before Easter! Talk about a new beginning...and Vivian Moen's son, Doug Rash was also released, I'm not clear about the date. But it was so good to hear this, because all three of us moms had worked for years together, since 1996 or thereabouts, trying to achieve the almost impossible task. It would have broken any of our hearts if one of our loved ones had not made it.

I was glad I could go to Eugene Dey's court hearing in Sacramento, and hear the judge resentence him. I've talked to him several times since his release, and he is doing so well.

Mike Lane's(CTF) daughter called to tell me he was released Apr 18th...

I have received quite a bit of mail returned by the prison, marked 'Paroled,' or 'not in system,'...I checked them out on the Inmate Locator and these 3-strikers are no longer in the system: Lonnie Johnson Sr, Abraham Tubbs-(PVSP), Kelly Scherer-(CCC), Trai Phan (CMC), Gabor Magyari (CEN), Shawn Monroe (FSP), Steven Borden (RJD), Martin Benavidez(CSP-LAC), Louis Chades (CEN), Thomas L. Crutcher (CSATF), Reginald Eldridge (WSP). It would be nice if those who are resented will drop us a note letting us know.

At this time of gratitude and celebration, it is a bittersweet moment, because we are slowly hearing that some who we worked tirelessly for, were denied resentencing.

Our hope is that upon appeal, these denials will be reversed. It has to be hard to buck a judge's discretion. Perhaps some of you would have opinions on this.

Eugene Dey mentioned SB 260 in his article. It is a bill for those who were convicted as juveniles. The bill was introduced by Sen. Hancock, and coauthored by Sen. DeLeon and Steinberg. They have added Section 1170.195 to the Penal Code, and **only a portion of the bill is quoted below**. The *italicized* are words added into the original writing of the bill.

"Upon motion and after 60 days notice to the prosecution, the sentencing court shall hold a hearing to review the sentence of a person who was under 18 years of age at the time of the offense and was prosecuted as an adult, after the person has served 10 years in prison. After reviewing the sentence, the judge may suspend or stay all or a portion of the sentence, reduce the sentence to any sentence that could lawfully have been ordered at the time of the original judgment, or both reduce and suspend or stay all or a portion of the sentence, provided that the person at the time of the hearing meets the eligibility criteria of the alternative disposition."

"The court may also consider other evidence that is relevant, such as "the person's *record of serious disciplinary violations*, whether the person has performed acts that tend to indicate rehabilitation, or the *capacity* for rehabilitation, including, but not limited to, availing himself or herself of *any* rehabilitative, educational, or vocational programs, available at his or her classification level and facility, the *person's* use of self-study for self-improvement, the *person's* statement describing his or her remorse and work towards rehabilitation, the *person's* youth at the time of the crime, including his or her immaturity, *impulsiveness*, failure to appreciate risks and consequences, family and home environment, *intellectual functioning, mental disorder, or disabilities*, the circumstances of the offense, including the extent of participation in the offense and the way familial and peer pressures may have affected him or her, and whether the person might have been charged and convicted of a lesser offense if not for the lesser abilities of youth, including, but not limited to, an inability to effectively deal with police officers or prosecutors, or a *limited capacity to fully understand the proceedings* or to assist his or her attorney."

The victims or victim family members will still be notified of the resentencing hearing, and still retain their rights to participate in the hearing.

This does not apply to those sentenced under Section 190.4 or 190.5, subdivisions (b) to (i), inclusive, of Section 667, or Section 1170.12, or to life imprisonment without the possibility of parole.



HOME AT LAST!

Shane Reams with Mom, Sue Reams

I have received so much mail from those who were convicted as juveniles asking for info, that it is much easier to publish this in the newsletter, rather than answer each letter. We do have several other bills, and I will attempt to refer to those in the next issue.

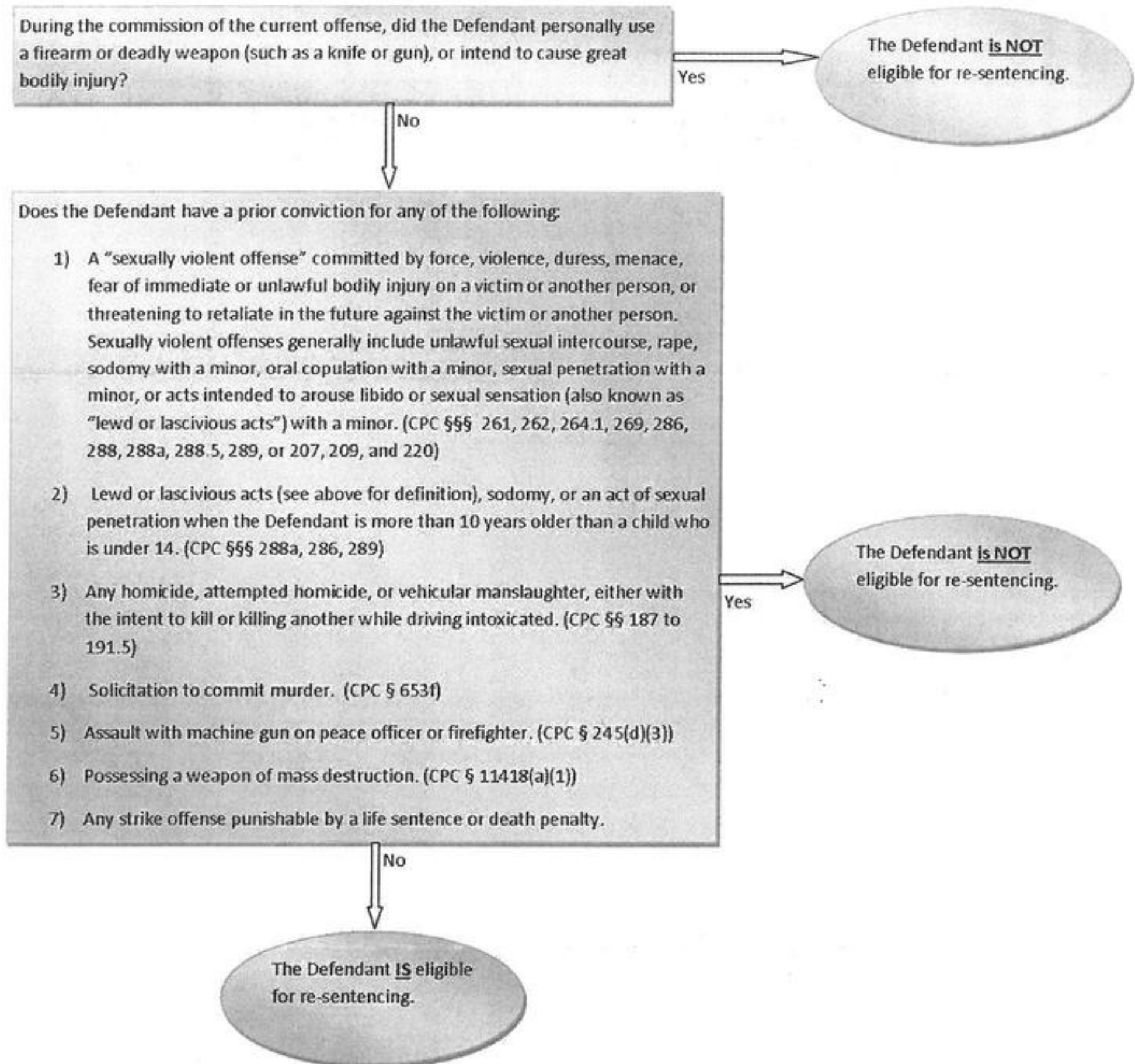
Of interest to some is the recent US Supreme Court ruling regarding police forcing blood tests on those arrested on DUI. In *Missouri v. McNeely*, they ruled the police may not forcibly take blood from a drunk driving suspect without a warrant. This is a Fourth Amendment violation. Next issue I plan to print more on this.

Before I close, I want to mention to you all, if you haven't noticed on the last page, I am trying to cut down on having to process stamps every month, because it is so time consuming to be updating the data base for all those sending 3 stamps per month. So check out the last page, and if you cannot send stamps for at least 6 issues, please send 4 stamps for one issue. ALSO, we are having problems sending so many indigent newsletters out each month. If you are indigent, but you still have stamps, PLEASE send stamps for the newsletter. We are not a huge corporation. We are one person trying to serve prisoners with this newsletter. I know that MOST indigent people have a few resources. Need is the mother of invention, and all prisoners know how to work those needs out. We hope to continue sending to those who CANNOT provide stamps. God Bless Us All...

YES WE CAN!
Barb

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Flowchart-Is the Defendant eligible for re-sentencing under Prop 36? (Cont'd from Page 11)



Three Strikes Justice Center, LLP (TSJC)

an organization aimed at assisting lifers in their Prop 36 petitions.

For more info, contact us at the address below, or visit www.ThreeStrikesJusticeCenter.com.

Three Strikes Justice Center

*855 Bryant Street, Suite 201

San Francisco, CA 94103

Office: 415-913-7742

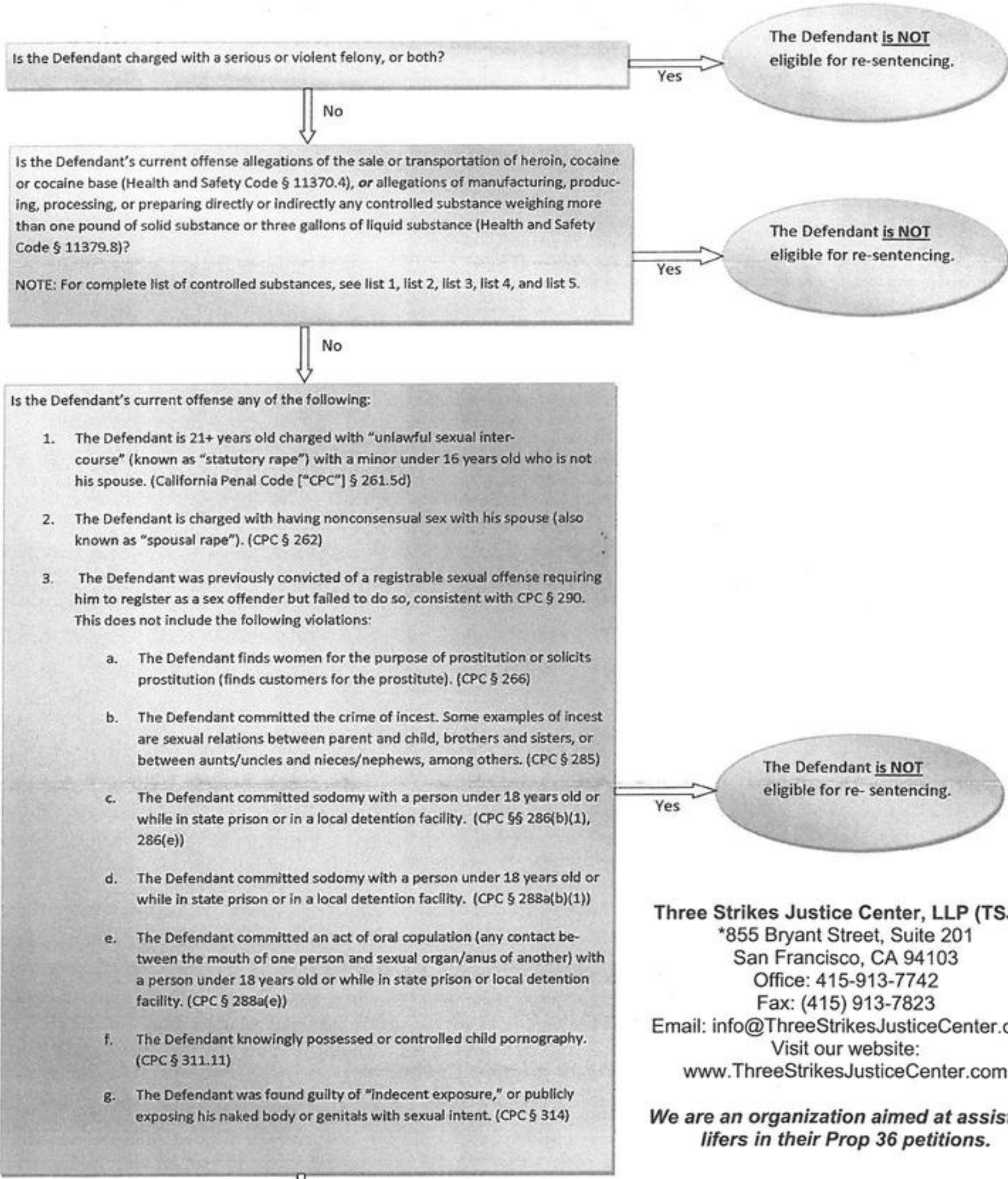
Fax: (415) 913-7823

Email: info@ThreeStrikesJusticeCenter.com

*Correction: In Oct-Nov 2012 issue, the printed address(850) was incorrect. Please mail to 855 as shown.

Three Strikes Justice Center, LLP (TSJC)

Is the Defendant eligible for re-sentencing under Proposition 36?



Flowchart Cont'd on Page 8

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Three Strikes Strikes Out – In Part

Fifteen years later, and I am among the first released in Sacramento County under Prop 36. Thankfully, the DA didn't oppose. My family, Keith Chandler and Barbara Brooks attended the March 22 hearing. The judge I have blasted on many occasions came out of retirement to let me go. On March 29, my girl met me at the gate. After spending the weekend with my people, I checked myself into a transitional housing program.

Now it begins. As a litigious and literary activist, I chose to reenter through transitional housing, like a working internship of sorts. Even though I have a position with a nonprofit organization as a rehabilitative specialist, I still wanted to check into the program. I wanted to decompress after 15 years. At \$600 a month, excuse the pun, it's a steal. Transitional housing is an effective reentry tool for a reason: the experience is restorative.

My first week was interesting. I started off by jogging through the neighborhood, learning how to use my smart phone, and shopping. More important, I began connecting with personal allies in the struggle. One of the first things I did was go downtown and meet with the attorneys. Keith and I spent few hours with the public defender and tracked down my trial attorney. I thanked them all.

After 15 years of disproportionate incarceration, I finished my

first week of freedom when the *Sacramento Bee* conducted an in-depth interview. I knew the reporter felt my passion and knew this story was going to be different. Over the weekend I celebrated my 47th birthday with my parents and hung with my fiance.

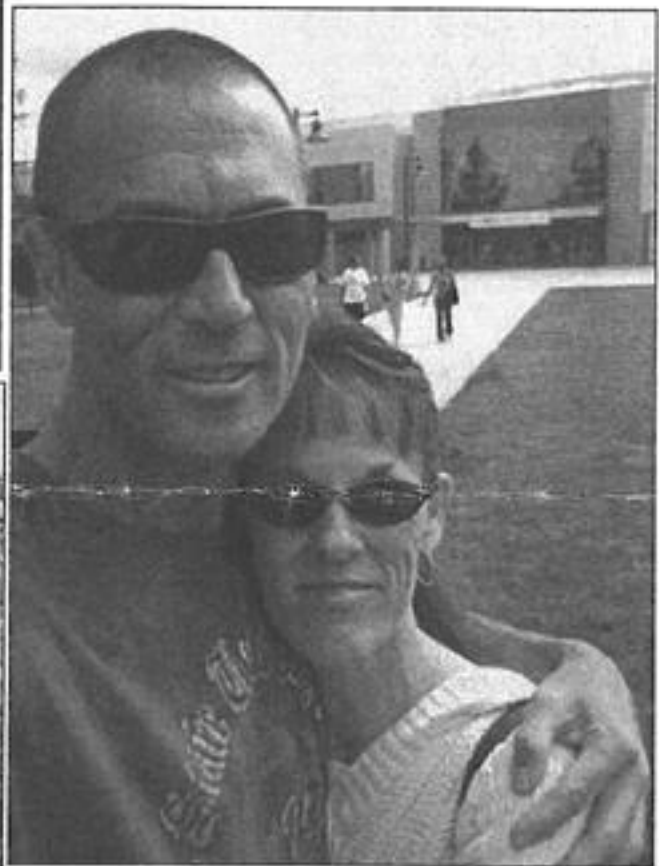
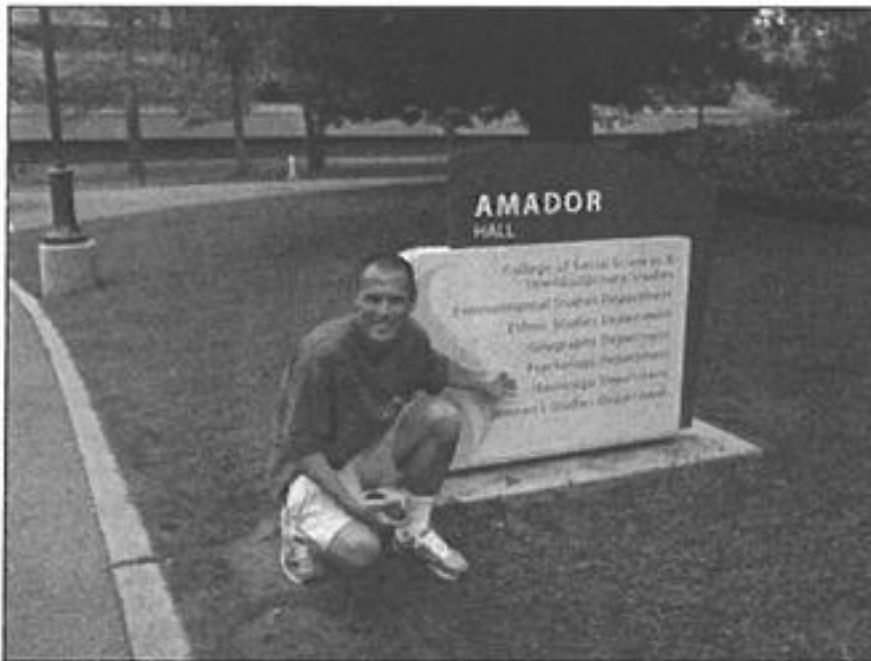
My second week was a progression. On Monday morning the *Bee* photographer showed up and took pictures at the house and DMV. For whatever reason, I didn't have to show any identification to DMV. Perhaps it was the photographer making everyone nervous, or the fact that I had already filled out the application. Nonetheless, I nailed my test.

On Tuesday, Keith and I attended the hearings for SB 260 (juveniles). There is overwhelming support for the juvenile justice measure and only moderate opposition – so far. But I

feel the momentum shifting – as evidenced by my ability to attend the legislative process. While I didn't hear any talk about time credits or the feds, but a couple of days later the feds (*Plata/Coleman*) ordered the state to come up with a viable plan to reduce the population further or suffer a contempt order. The state is not inclined to take orders, but time credits are the only long-term solution. We shall see.

I am honored to be a part of the Advocate as I advocate for my people. I haven't even processed what it was like to be sitting in the Senate Public Safety Committee while my cell phone blew up. Perfect timing as Keith introduced me as the guy on the front page of the newspaper. I plan to attend all the major functions and hearings.

Once the dust from Prop 36 clears, other related reforms are forthcoming. For years, successful class actions suits have created a factual predicate for major reforms. What that means with for those on death row, serving indeterminate SHUs, or buried under a mountain of time, it is impossible to say with certainty. However, changes will continue to be forthcoming – I know that much for 100 percent certainty.



Welcome Home Eugene,
We Love You and
Wish You Great Success...

California Tries to Regain Fuller Control of Prisons

By NORIMITSU ONISHI
Published: April 20, 2013
New York Times

"Barry Krisberg, a law professor at the University of California, Berkeley, and an expert on California's prisons who testified in the 2011 Supreme Court case, said it was unlikely the state would succeed in its appeals because of that 2011 ruling.

"He can't win these cases," Mr. Krisberg said, referring to the governor. "In my view, it's nearly impossible to go to the same Supreme Court and within a year ask them the same question."

Instead of looking only to realignment, Mr. Krisberg said, the state must consider the politically difficult option of shortening sentences for good behavior, a policy that previous governors have carried out without an increase in crime.

"If they were to restore good-time credits for the people who are doing everything we're asking of them in prison, they could get these numbers," he said, referring to the 137.5 percent goal."

Read full article:
California Tries to Regain Fuller Control of Prisons
By NORIMITSU ONISHI
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CAMPAIGN FOR THE OTHER DEATH PENALTY PROJECT

A message from Kenneth Hartman

Dear Friends and Supporters:

On Monday, April 15, 2013, the IndieGoGo (www.igg.me/at/todpp.com) campaign for The Other Death Penalty Project went live online.

The Other Death Penalty Project is working to raise funds to print and distribute the new anthology "Too Cruel, Not Unusual Enough."

The issue of life without the possibility of parole sentences has moved into the center of the death penalty abolition debate. The Other Death Penalty Project has been at the forefront of that debate, and we believe that this anthology will help to further advance our goal of ending all forms of the death penalty, including death by imprisonment. I'd sure appreciate your help with the fundraising plan. If you can, please go to www.igg.me/at/todpp.com and make a contribution. We have until May 25 to meet our goal. Please also encourage your friends and contacts to visit the site and make a contribution. If you are unable to make your contribution online, please make your check payable to:

The Other Death Penalty Project
P.O. Box 1486
Lancaster, CA 93584

Thanks for your support.

And please tell everyone about this campaign...everyone: seriously, everyone!

Take the best of care and strive to be happy. Peace...

Sincerely,
Kenneth E. Hartman
Executive Director
The Other Death Penalty Project

CALIFORNIA INNOCENCE PROJECT

225 Cedar St., San Diego, CA 92101

<http://innocencemarch.com/march-with-us/>

March With Us To Free The California Twelve!

Ed Contreras • Alan Gimenez • Michael Hanline
Suzanne Johnson • Kimberly Long • Dolores Macias
Rodney Patrick McNeal • Guy Miles • Quintin Morris
Kiera Newsome • Joann Parks • William Richards

Join us on this 600+ mile freedom march across the state.
From San Diego to Sacramento—11 rallies and 2 public walking days.

Starting April 27, 2013, attorneys, students, exonerees, and family members of the wrongfully convicted will join hands in a march from San Diego to Sacramento. We will start at California Western School of Law (350 Cedar Street, San Diego, 92101) at noon and finish in downtown Ocean Beach. We will have a kickoff party at the Harp at the conclusion of the walk. Be sure to check back for updates as we get closer to the start date. See you out there!

Two events in Sacramento. On June 19, 2013, we'll speak at Pacific McGeorge School of Law to students, attorneys, and the legal community. Check back for details regarding possible MCLE credits, room location, and time. On June 20, 2013, we'll walk the last mile from the stadium to the Governor's mansion where we'll deliver the petitions to the Governor's office. We'll head back to the McGeorge house for a dinner celebration. Check back for details about ticketing and reservations to the post-march dinner and speaking event.

Get people to sponsor your walk. We hope everyone can raise \$200 in donations to CIP. Invite as many people as you can to march with you. Please submit a completed sponsor sheet <http://innocencemarch.com/wp-content/uploads/2012/05/ob-rally-pledge-sheet.docx> (see here) on the day of the walk with cash or checks made out to the California Innocence Project.

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Founder of the Prison Law Office,
Former Director of the Prisoners Rights Union,
35 years experience representing
men and women in prison.

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