

# GRATER FRIENDS

A Publication of The Pennsylvania Prison Society

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

Volume 46, Issue 5

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

September/October 2015

## Prison Overcrowding: A Brief Look

by Steven P. Arthur, 65313-097  
U.S. Penitentiary, Tuscon, AZ

The United States of America incarcerates more of its citizens than any other country in the world. And every year that number increases. Nobody disputes this fact. Now, some of that increase can be accounted for, in time, by an increase in population. But not enough to explain the rapidly rising numbers of incarcerated persons. Yet, this country still rates at the top of any list of criminal activity. So, why are criminalization and increased penalties not working? Simple: people not only often believe themselves above the law, as many of our financial and political leaders do, but also think that they will not be caught. This is not true for the average citizen, although we regularly and clearly see the disparity in penalties for the two groups. When the regular citizen is convicted of a crime in this country, more often than not, without the political or financial connections, it only solidifies the person's inclination toward a criminal lifestyle.

Because the focus of the penal system is on warehousing people and not rehabilitation, we will never find ourselves significantly reducing the prison population.

Most methods of reducing prison population today revolve around reducing prison sentences of those already incarcerated. Not that I'm opposed to that method, but that still is only the equivalent of putting a Band-Aid on a gushing wound. What we need is to educate and rehabilitate. Education in prison systems is a joke. Certainly there are programs in place for GED, but from my experience as a GED tutor for the Federal Bureau of Prisons, these programs are not well staffed and the students are forced to attend classes, or lose earned good time.

Even if a student were inclined to obtain more education after receiving a GED, a secondary education is cost prohibitive, aside from a few free vocational classes. It is no secret that most universities and community colleges offer online classes that are still not available for most inmates. Why, in this day and age of technology, can we

(See Overcrowding, continued on page 17)

## Life is a Maze

by Termain Saulsbury, GP-3965, SCI Camp Hill

"Maze" is defined as a complicated, confusing network of passageways, or pathways. Each direction can be complex, each choice we make in life can be difficult and have major consequences. It is very important to fully understand our behavior and its effects on others, and to explore new strategies in solving problems and developing goals.

Have you ever tried to solve a maze puzzle? It's one of those puzzles where you go in one end, and try to find your way out. You go one way in to find a dead end, so you try another way, sometimes backtracking in an effort to find the correct route. There's only one way through the maze and you have to try every option available.

Well, here we are, in this "maze" of life seeking the source of true contentment and happiness. You've already tried other routes, all which ended with disappointment and a dead end. "Another route," you say to yourself, "I'll try another way! The way of material things. If I can only buy that new car, dress, suit, boat, etc., then I'll be satisfied." And so you did, but only to find another dead end and disappointment. Other routes? Of course. Every maze has an exit, a new town,

(See Maze, continued on page 16)

## In this Issue

From the Editors,	Legal Chat .....	11
Think About It .....	Legal Forum.....	12
Report from Nicole	Pass the Word.....	13
Sloane, Esq. ....	Literary Corner.....	14
Mailroom .....	Announcements .....	15
Our Voices .....	Graterfriends Form.....	18
Legislative Highlights. 10		

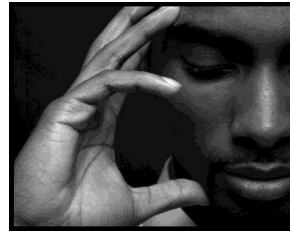


## From the Editors

We in Philadelphia recently witnessed a rare event when Pope Francis visited our city during his September visit to the United States. Even more historic was his visit to the Curran-Fromhold Correctional Facility (CFCF), one of Philadelphia County's jails. A first-hand account of his effect on those in attendance can be read on page 20. We hope that more religious and other leaders in our country and world start paying more attention to the need for criminal justice reform and to the importance of reentry that truly allows returning citizens to be treated like U.S. citizens.

On another subject, we want to be sure that prisoners and their loved ones are aware of a new DOC rule: Greeting cards in colored envelopes will no longer be accepted in inmate mail, due to precautions regarding contraband entering the facilities. Prisoners may still receive simple greeting cards (no music, glitter, pop-ups, etc.), but they must be in white envelopes. Please spread the word to anyone who may be sending you mail.

Finally, when submitting an article you wish to see published in *Graterfriends*, please remember to include a note giving us permission to print and indicating that you are the original author. Our staff is small and we all wear many hats, as they say, and we are not able to ask for your permission to print an article. We receive some we would like to print, but simply cannot publish due not having permission from the author. A one-time note indicating that anything you send us is printable is not enough; we must receive a note with each submission. Thank you for your cooperation, and we look forward to reading and publishing your articles.



## Think About It

### WE SHOULD BE THANKFUL

by George Rahsaan Brooks-Bey  
AP-4884, SCI Coal Township

Sometimes I leave my cell early to eat with the disabled inmates on the early food line. Other inmates are hired to assist them when they go to the food lines. On this specific day, I heard one of the inmate workers tell another worker, "I hate it when this so-called holiday season comes around. What does a person serving a life sentence without the possibility of parole have to be thankful for?" I turned toward the two inmates and said to them, "You should be thankful for every breath you're able to take. Being in prison for 40 years for a crime I did not commit, serving a life sentence without the possibility of parole, gives me the right to respond to you. You don't think I have earned it?" He did not respond, and I continued on my way to the mess hall.

We are surrounded by the miracle of God's creation, but we are too selfish to take notice and too wrapped up in complaining and foolishness and the trials and tribulations of our daily existence to notice. We set aside one day per week to give thanks to our Creator and one day a year to celebrate Thanksgiving. However, even on that day we get lost in football and stuffing ourselves with turkey, pies, and cakes, forgetting all about being thankful or giving thanks!

**(See Thankful continued on page 9)**

# GRATERFRIENDS

**EXECUTIVE DIRECTOR AND EDITOR-IN-CHIEF:**  
Ann Schwartzman

**DESIGNER and EDITORIAL:** Mindy Bogue

**EDITORIAL ASSISTANTS:**  
Emily Cashell, Siaoni Jackson, Kourtnei Rivers

**FOUNDER:** Joan Gauker

The Pennsylvania  
**PRISON SOCIETY**  
SINCE 1787

245 North Broad Street · Suite 200  
Philadelphia, PA 19107

Telephone: 215.564.4775 · Fax: 215.564.1830

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

*Graterfriends* is a publication from the Pennsylvania Prison Society. The organization was founded in 1787 and works toward enhancing public safety by providing initiatives that promote a just and humane criminal justice system.

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.

Letters more than a page in length (200 words) **will not** be published in their entirety in Mailroom or Legal Chat Room, and may be considered for another column. All columns should be no more than 500 words, or two double-spaced pages.

To protect *Graterfriends* from copyright infringement, please attach a letter stating, or note on your submission, that you are the original author of the work submitted for publication; date and sign the declaration.

If you have a question about *Graterfriends*, please contact Mindy Bogue, Communications Manager at 215-564-6005 x112 or mbogue@prisonsociety.org.



**Report from  
Nicole Sloane, Esq.  
Criminal Defense Attorney**

**PENNSYLVANIA SUPREME COURT FINDS  
MIRANDA RIGHTS ARE REQUIRED BEFORE  
A CUSTODIAL INTERROGATION BY A PAROLE  
AGENT REGARDING NEW CRIMINAL ACTS**

In the case of *Commonwealth v. Cooley*, 10 MAP 2014 (Pa. 2015), the Pennsylvania Supreme Court vacated Defendant's judgment of sentence and remanded for a new trial finding Defendant was subjected to custodial interrogation during an encounter with state parole agents. The Court held that agents should have administered "Miranda warnings" during the interaction.

Members of law enforcement are required to administer Miranda warnings, specific warnings designed to caution an individual who is in custody and being questioned. The warnings are designed to keep law enforcement from violating an individual's Fifth Amendment right against self-incrimination.

Cooley's fateful interaction with state parole agents began when his parole agent received a voicemail from a family member of Defendant's fiancé. The family member informed the agent that Defendant owned and was discharging firearms. The family member also alleged that Defendant was selling drugs from his residence. When Cooley met with parole agents, agents handcuffed Defendant and searched him for weapons, finding none. Agents informed Defendant of their intent to search Defendant's residence for drugs and firearms. Agents asked Defendant if they would find contraband during the search. Initially, Defendant told agents that he didn't know what would be found during a search of his residence. During further questioning, Defendant admitted that a firearm would be located in a drawer under a couch in his home.

The agents transported Defendant, still in handcuffs, to his residence. Agents searched Cooley's residence and found a firearm, marijuana, plastic baggies, and a large amount of cash. When confronted with the contraband, Defendant admitted that the drugs belonged to him. When asked whether a firearm would be found in his vehicle, Defendant admitted that a firearm was under the passenger seat. During the entire encounter with parole agents, Defendant was handcuffed and never given Miranda warnings.

Police officers arrived while agents were searching the home and charged Defendant with persons not to possess firearms, carrying a firearm without a license and possession with intent to deliver a controlled substance, all charges supported by the contraband found by agents after Defendant's admissions.

Defendant filed an omnibus pre-trial motion seeking to suppress his statements. The trial court denied the motion. After a jury found Cooley guilty and the trial court judge later sentenced him, Cooley appealed the denial of his suppression argument. Defendant argued on appeal that his statements to parole agents should have been suppressed by the suppression court because agents failed to give Miranda warnings before questioning Defendant.

The Superior Court disagreed and upheld the decision of the suppression court. In an opinion written by Superior Court Judge Jack Panella, the Superior Court panel held that Miranda warnings were not required during questioning by the parole agents. The Superior Court believed that Defendant's statements were part of a parole interview rather than a custodial interrogation and therefore the suppression court properly denied Cooley's motion to suppress his statements.

Defendant asked the Pennsylvania Supreme Court for review. The Pennsylvania Supreme Court agreed with Defendant, disagreeing with the Superior Court panel as well as the suppression court. The Pennsylvania Supreme Court acknowledged that a parolee does not lose the Fifth Amendment privilege against self-incrimination. Indeed, a parolee, like any other individual, must be given Miranda warnings when subject to custodial interrogation.

In a June 15, 2015 opinion authored by Justice Michael Eakin, the Pennsylvania Supreme Court recognized the difference between whether the custodial questioning is to be used for revocation proceedings or criminal prosecution as it makes a difference as to whether Miranda warnings are required. In this case, Cooley had been on parole for 17 months without incident and had just returned from an approved vacation. The Pennsylvania Supreme Court pointed out that there was no evidence that Defendant had been handcuffed during prior meetings with parole agents. Yet, during this meeting, Defendant was handcuffed even though there was no evidence that agents felt threatened. Agents then questioned Defendant about crimes for which he was not on parole. The Pennsylvania Supreme Court found this interview by agents was not related solely to the conditions of Cooley's supervision.

The Pennsylvania Supreme Court held that Defendant was subject to custodial interrogation by parole agents. Because parole agents failed to administer Miranda warnings before questioning Defendant, his statements should have been suppressed. Further, the suppression court's failure to suppress the statements was not considered a "harmless" error because the Court could not determine beyond a reasonable doubt that the statements did not contribute to the guilty verdicts. In conclusion, the Pennsylvania Supreme Court vacated Cooley's judgment of sentence and remanded the case for a new trial.

**NOTICE:** This report is provided for informational purposes only. It should not be substituted for advice by an attorney familiar with the facts of a specific case. Unfortunately, Ms. Sloane cannot address individual questions or provide advice on individual cases. For additional information, you should consult with your trial or appellate counsels.



# Mailroom

## TOGETHER WE STAND

Peace and blessings to the many sisters and brothers who remain captive within one of the most devious prison systems in America.

To *Graterfriends*, salutes go to y'all for continuing to give a wonderful platform where prisoners and family and supporters can speak out without harassment or retaliation coming.

Since entering the state system in 1998, I have yet to see a righteous act of unity from men wearing browns to accomplish a meaningful change. How is that we as a unit can allow ourselves to be taken advantage of in various ways (including our families) by the DOC and sit and take the abuse?

Brother and Sisters, the DOC has a wealthy economic structure. Therefore, they don't have money when we don't buy from them. How are we to pay \$250 for an \$80 TV? Or \$154 for a \$50 tablet? And that's without purchasing songs, email, etc. We have to hit them in their pockets to help improve conditions.

Nothing in the DOC in Pennsylvania has gotten better through time. Absolutely nothing — not for us in browns, anyway. Pre-release was taken, no substitute for good time, nothing for our lifers. So, no more sitting around and talking about what we need to do. Make a righteous stand for a better cause.

Dennis "D the Barber" Waller  
DP-3694, SCI Huntingdon

## WHAT'S NEXT?

Not only have our cable prices been raised, but our BET, VH1, and MTV channels were confiscated from us like they were contraband. The nerve, right? Did any of you do anything about it? Did you? If not, be quiet. We have more work to do. What's next? Not everyone can afford a tablet, or is willing to spend their money frivolously. Stop being so docile and realize that our feelings, needs, and thoughts are just about obsolete as far as DOC is concerned. Look at how our medical department is run. Stop being capitulated by the concept that it's OK for our needs to be infringed upon. After all, we're the ones who are paying. This is becoming a perpetual occurrence, like so many other things. What's next? The DOC is pulling the wool over our eyes. Start being vocal about how they handle things when it comes to us. I'm not advocating you to act a fool. There's power in the pen. It doesn't stop at central office. Go beyond, that's why we have state representatives. We haven't been given a pris-

on raise since around 1991, if I'm correct. But, commissary items are inflating and medical is bilking us. Now, we're only served eggs once a week. Let's put forth laborious deeds to rectify these existing problems that aren't going to go away. Let's stop waiting on the men and women, let's do our part. There is power in numbers, and unity in power. Are we going to be unified or what? You tell me. What's next?

Dana Lomax Williams  
OU-6598, SCI Cambridge Springs

## FAIRNESS

Canadians, Cubans, and American convicts are guaranteed access to health care. Working Americans are not. Why do they tolerate that unfairness? They should sue like a prisoner would do.

The pilgrims who landed on Plymouth Rock were a persecuted religious minority who settled in America without anybody's permission. Why can't the Yazidis, Rohingya, and the Arab Christians displaced by the Islamic State do the same thing?

America is a nation descended from immigrants who came here seeking economic opportunity and religious freedom. None of them had permission from the Native Americans to come here. What right do we have now to deny entry to others?

What right does any government have to fence off its territory to keep people in or out? Humans have been moving around the world for over 50,000 years in response to local climate change, war, and other factors. They aren't going to stop now or ever.

What good would a 30-foot wall on America's southern border do? There are already many tunnels underneath it, and migrants could always travel by boat across the Gulf of Mexico just as migrants are crossing the Mediterranean sea to Europe.

Richard Gross  
FF-9878, SCI Graterford

## OPEN LETTER TO SENATOR BOSCOLA

I am a state prisoner at SCI Mahanoy. I have been incarcerated for over 15 years. I am not writing to complain, but to ask you a question: Why would you write a bill that would hurt families across Pennsylvania?

I concede to you that prisoners like myself need to take full responsibility for the crime we have committed. That includes paying full restitution, fines, and court costs. We need to make amends to our victims when possible, and to our families for the pain we have caused them by being incarcerated.

One of the greatest struggles of being incarcerated is staying in touch with family. I am sure you know that

family structure has already been broken down in low social economical communities. Senator Boscola, do you realize that those eight free envelopes provide hope for prisoners and the families that support us? For many prisoners, those envelopes are the only means of communication we have with the outside world.

I am aware that Pennsylvania is looking for ways to cut prison costs, but SB 452 would also affect the mentally challenged. I'm often asked to write letters for those who can't read or write. Many of them don't have outside support; they have no money or needed toiletries. But, they desire to communicate with family. Senator Boscola, what can I tell them when those eight envelopes are no longer provided? Although many in our society would rightly say, "If you didn't commit the crime you wouldn't be in prison," I say that there is a difference between a hand-out and hand up. The envelopes help people reunite with their families. Is the cost of a few envelopes a month too much to pay to see families communicate?

Dr. Martin Luther King once said, "A just law is a man-made code that squares with moral law or the law of God. An unjust law is a code that is out of harmony with the moral law."

Senator Boscola, you are in my prayers and I look forward to hearing from you.

Henry Wimbush  
FF-2226, SCI Mahanoy

### WE NEED "NO TIME LIMIT" BILL

Some time ago our state senator was good enough to draw up a bill stating that anyone who could prove their innocence would be able to file their case at any time... no time restrictions.

When Former Governor Corbett heard about this, he said he would never sign such a law.

I feel it was very good of Senator Greenleaf to submit this bill, but he wasn't able to get it passed.

Now, we have Governor Thomas Wolf, who has been behind prison reform and has the support of both Democrats and Republicans. What I cannot understand is, knowing this, why hasn't Senator Greenleaf resubmitted this bill?

I am asking everyone to write Senator Stewart Greenleaf and ask him to resubmit this bill. With such support from everyone, it would seem that this bill would be passed with no trouble.

Taking this step is a major turnaround. Afterward, we can look at other situations that are in need of reform. Write ASAP.

The next issue I feel we should address is resubmitting the bill calling for 25 years for lifers.

Adolph Schwartz  
AH-9451, SCI Waymart

### CHANGED MEN

My name is Bradford Gamble, and I am serving a life sentence.

My deepest desire is to start a movement called, "Changed Men." Our main focuses will be parole for lifers and engaging the youth. This will be accomplished through a letter-writing campaign.

First, this campaign is to target all state officials (i.e. governor, senators, Mayor of Philadelphia, state representatives) concerning parole for lifers. Briefly share your prison experience, how you have become a changed man, and why you believe parole is a viable option for you as a lifer.

Second, the movement is also about reaching out to the youth in our communities. I believe changed lifers in Pennsylvania have a strong message that needs to be heard. We have the tools, knowledge, and experience to help youth avoid the mistakes we made. By sharing our personal experiences, I believe we can help boys/girls and young men/women — everybody, really — become better thinkers and contributing members of their communities. Words are powerful tools, and I strongly believe we can reach a generation of misguided young people if we would just begin to put our personal stories down on paper. This is very valuable and worthy community service project for all the changed men serving time behind bars. Our message is legitimate — we have been though hell and back. People need to hear what you have to say.

Please let everyone know who you are today. Put your heart and soul into those words. We can help others while at the same time helping ourselves.

The struggle continues.

Bradford Gamble  
AF-6787, SCI Coal Township

### DISCRIMINATION AT SCI BENNER

I want to voice my outrage over the discrimination toward myself, a male homosexual, and a male transgender homosexual in the DOC. I am currently housed in the Special Needs Unit at SCI Benner because of my sexuality. My issue is that when I engage in affectionate behavior with another inmate, I am told by my unit manager that this is a PREA violation. But, when the transgender inmates in my unit do the same, it is tolerated. So, why is it wrong for me? Because I identify as a male, while they identify as a female? Furthermore, why can't inmates conduct this behavior during visits with loved ones, but certain inmates can do so openly in the unit.

Thank you.

Anthony Thomason  
GP-2993, SCI Benner

**(See Mailroom, continued on page 8)**



## Our Voices

### MERGING THE DOC AND PBPP

by Eric M. Miskovitch, LP-5744, SCI Graterford

In the last couple of issues of *Graterfriends*, hopefully you saw the introduction of SB 859 and 860. These speak of the merging of PBPP and the DOC. I suggest this goes one step further; get rid of the PBPP altogether. Here's why: on August 24, 2015, the PBPP's Open Records Officer responded to my RTKL request. He provided, *inter alia*, an affidavit stating that, despite his best efforts, he could not locate within the PBPP's record the definition of "Parole Services."

I find this fascinating in that the PBPP has an annual operating budget of approximately \$51,000,000 per year. They also receive grants and funding from various agencies.

Of course, some monitoring of certain offenders makes good sense. However, I think the tax payer would be curious: What services do you offer (none) and why does all of this cost so much? In my mind, the PBPP has only done one thing for many: torture parole violators with back-time recalculations. I can affirm that this entity has never offered to lend a hand in any capacity, they only issue demands telling you to get treatment, get a job and not get arrested. \$51,000,000 a year to do that? I thought we already paid the police department to deal with people who get arrested.

I think a savvy businessman may want to look into starting a private probation/parole practice that could afford a parolee many more "services" (one or two would be more, being that the PBPP offers zero) and could do that for 10 cents on the dollar. Alternately, insofar as a merger is concerned, the DOC could easily "parole" offenders without utilizing the bloated agency it currently uses. The DOC could demand the parolee to report to various penitentiaries or satellites facilities (like ones it already owns in its existing CCCs) for, again, pennies on the dollar.

The PBPP employs over 1,200 people with a starting salary of \$115,932 per year for a board member. No wonder this obtuse agency has been around for so long. I bet they have a strong union. But I regress, and indeed, society does benefit from the PBPP. It gives 1,200 citizens silly busy-work style jobs that provide not a singular "service" to its alleged and so-called "client," the parolee. Over \$51,000,000 a year, and for what? Great job, bloated governmental agency!

Hey, like you've always told us: we are all responsible for the decisions we make. You've made the decision to accept the tax payer's monies and not afford them a single thing in return. As, such, you must now deal with the consequences of your actions.

### NO GOOD DEED GOES UNPUNISHED

by Darren Gentilquore, GX-1572, SCI Smithfield

There is a man housed at SCI Smithfield who is visually impaired, but he has not been assigned an aide. Therefore, he must ask perfect strangers to take him places or do tasks, like write an inmate request to staff or grievance. His visual impairment came at the hands of a doctor employed by the DOC.

I befriended this man and earned some degree of his trust. I began doing all of his paperwork, escorting him to his call-outs, and taking care of much of his day-to-day needs. This is all volunteer work, with no compensation whatsoever.

On July 5, 2015, I escorted him to his assigned living quarters. He was getting ready to go somewhere. I did as I usually do: advise him where the things (coat, paperwork) were that he needed for his call-out. I was just making things easier on him to speed up the process.

He turned, tripped, and fell. I, being a former worker in the emergencies services field, stepped over the threshold and caught him, just a split second before he hit his head on the toilet. One would think saving a blind man from serious injury – or, God forbid, worse – would label me a hero, as I would be on the streets. That could not be further from the truth. Instead, it earned me a DC -141 misconduct for being in an unauthorized area.

The Hearing Examiner (HEX) at the first hearing gave me 15 days cell restriction, and stated that the DOC's mission statement that dictates the DOC is trying to make us better citizens does not apply on the inside: "Things are different in here." The HEX denied my witness' testimony, as she and most HEXs do. They just want to be done with it and protect the staff member, who receives a paycheck from the same place the HEX does. I appealed the misconduct to the PRC, who remanded it back for a rehearing.

By the time I had a rehearing, the 15-day cell restriction was completed. The HEX still refused the witness that would offer evidence that my quick actions saved his life and only heard the unit manager who stated, "Yes, I am fully aware that you help Mr. [name omitted] and take him to his call-outs. And morally you were completely right."

The HEX then found me guilty again and gave me the same 15-day cell restriction. But as a lesson to me and anyone else who dares to have the audacity to appeal their misconduct, win a remand, and further waste her valuable time, she said that the first 15 days of cell restriction did not count. It was as if the first hearing never occurred, therefore neither did the 15 days I already served.

The entire misconduct hearing process in the PA DOC is clearly corrupt and needs to be taken over by an outside independent organization not in any way affiliated with the DOC, and so should the entire grievance process.

## CUTS IN FOOD DESERVES PROPER RESPONSE

by Ernest Woods, HA-2728, SCI Rockview

As everyone in the Pennsylvania DOC knows (both inmates and staff alike), there are and have been many cutbacks in just about everything due to budgetary considerations, from education programs to the quality of toilet paper issued. The most important one that directly affects inmates three times a day is the constant and continuing paring away of the amount and overall nutritional quality of the food served. While the taste has certainly improved over the last couple of years (at least here at Rockview), the amount served and especially the amount of protein borders on deficiency, not meeting the basic requirements of an adult male.

It's been a slow, yet relentless, effort over the last few years to cut back — and in some cases completely cut out — serving animal protein with certain meals such as Macaroni and cheese (usually served with un-breaded fish), pizza (usually served with a small scoop of ground beef), Grilled cheese sandwiches, (usually served with a slice of ham). Then they totally cut out Chicken legs, roast beef, steak and sliced turkey, one of which was offered for the Sunday lunch menu once a week. All of these are now gone from the menu completely, without a protein replacement.

The story about putting a proverbial frog in a pot of room temperature water and very slowly turning up the heat until it is cooked alive is only a myth. The fact that the frog will jump out long before the water gets hot enough to start cooking is because a frog breathes through it's skin, it will sense that the water as it warms just past one hundred degrees Fahrenheit, oxygen is almost completely depleted and it will simply jump out or at least try to escape from a sure death of asphyxiation and not by slow cooking. This is not an intellectual decision by the frog but an instinctual response induced by its environment. Humans also have instinctual responses to their environment as well. But these could come too late with severe consequences. It's time to act in an intelligent way and respond to these constant menus cut backs with proper response. Otherwise, one day there shall be an instinctual response which was foreseen but became uncontrollable. Perhaps this is what the DOC ultimately has in mind. I don't pretend to know what ignorant administrators plan and realize.

In many other states and county correctional systems, tobacco has been banned for many reasons. Yet, the PA DOC continues to sell it, not from the goodness of their hearts or any other consideration other than the amount of money their commissary systems makes with it. It's doubled-taxed and retailed priced enough that the amount of money made helps the all-mighty budget. Think about this next time you get paid for your 18 to 42 cent an hour job. The budget is king. To file any kind of grievance recently is an exercise in futility as many know. The administration has gotten it down to an art

(See Food, continued on page 17)

## FALSE OATHS AND FATAL LIES

by Kevin Brian Dowling, DY-6243, SCI Greene

Law enforcement officers swear oaths when given their badges and every time they testify. They are permitted to lie to suspects, but not under oath. Yet, high percentages commit perjury daily including forensic experts who are often sworn officers as well.

A former San Francisco police commissioner named Peter Keane wrote an article published in the *San Francisco Chronicle*, where he stated in part: "Police officer perjury in court is commonplace...It is a perversion of the American justice system that strikes directly at the rule of law. Yet, it is the routine way of doing business in courtrooms everywhere in America." The blue code of silence ensures that an honest cop will not report a corrupt one.

All citizen witnesses swear an oath before testifying. Many have a reality show mentality, a poor understanding of the burden of proof, and are vulnerable to manipulative police and prosecutors. They consciously lie to help lock up the perceived bad guy.

Prison inmates swear an oath before testifying as well. Most are already convicted felons, career criminals, and enjoy testifying against those who worked for a living. Prosecutors openly coach these jailhouse informants and provide them information on the case. They give them free passes on their admittedly serious crimes. In effect, prosecutors commit a crime against these victims of these snitches. One former prosecutor likened the relationship between informants and their handlers to "falling in love with your rat." Rewarding snitch testimonies constitutes bribery of witnesses and manifests itself in many forms. Serious charges are dropped, sentences reduced, preferential treatment and jobs in prison, money placed on commissary accounts, financial help to move, and even purchase a business.

From 2008 to 2013, nearly 50,000 federal convicts (out of 400,000 convicted) had their prison terms reduced in exchange for testifying against someone. Pennsylvania state cases are even worse. Virtually all the current 181 death row and over 5,000 life-sentenced prisoners had lying snitches used to convict them.

Death penalty statutes list aggravating factors warranting the imposition of death. California has a unique rule of "perjury causing execution": if an executed inmate is determined to have been innocent, and your perjury was the prime reason for conviction, you can be charged with his murder and face execution yourself.

Legal scholars estimate that is least one percent of America's prisoners are innocent. The number is closer to four percent, with death row and lifers as the primary

(See False Oaths, continued on page 16)

**Mailroom, continued from page 5**

### SNU STAFF NOT PROPERLY TRAINED

In a recent issue of *Graterfriends*, an inmate complained of Special Needs Unit (SNU) staff not being trained to work in the unit, contrary to DOC policy. We have the same problem in the SNU over here at SCI Benner. We often get COs in the SNU who are not only rude and ignorant, but also disruptive to the unit with their disrespect and misunderstanding of the needs of SNU inmates; they're neither trained nor qualified to work in the SNU. Whose fault is this? In our case, it is our unit manager's fault. What makes the SNU even worse is that there are inmates she allows to remain in the unit who don't have special needs, are ignorant and impulsive, and interfere with SNU activities. They bully and agitate, and put down the inmates who really can benefit from the SNU. How can a unit manager, who tolerates these inmates, be tolerated herself?

When those who truly belong in the SNU return to society un-rehabilitated, society will blame them. It is utterly disgusting that the mental health inmates who are afraid to speak out, or simply don't know how to voice their feelings, are suffering in silence at the hands of others who prey on them. So, for these inmates who are reading this and are in the same position, please speak out. I speak for you now, but one voice will only be heard; the voices of many will be felt.

Ronald Kocher  
LY-6586, SCI Benner

### CENSORSHIP

Censorship is just another word for grievance denied, or someone saying, "I will get back to you," with no intent to ever get back to you. Censorship is a refined art of spinning someone for long enough that they hope you will just forget what you needed or you will become bored and move on. Censorship is also another word for "to hell with it I give up," or "won't appeal the denial of my grievance," or "I am about to see the parole board and I want to go home." Well, many don't have that option, or they really need something done. When inmates dump loads of bull dung on the system, it stops a lot of the tangible problems from being resolved.

Why bother with frivolous grievances and lawsuits if

Do you want to subscribe to  
*Graterfriends*?  
See the order form on  
Page 18.

you have no intent to stick things out and win the war you started for your cause? You might be able to one day help your fellow inmates with a good lawsuit you win, in case they have a chance at fair and equal treatment. One of your very first steps should be to remain silent and not tell every single inmate that you are planning on filing a grievance or lawsuit. Do not show your lawsuit around the law library. As much as I hate to say it, some inmates in brown forget that they are inmates over time, and start to work along with the opposition or administration (the DOC, whatever you wish to call it).

Keep your private papers private, do your homework, and ask what you need to ask of the law clerks, but never give anyone your material. If you do, you will defeat the process and someone will tell someone and faster than you can say "crap" the administration will know your plans. They might even be given a copy of your documents — we really never know what tabs are being kept on us.

Be smarter than you were on the day your problems brought you into this stage of life. It is my plan for when I get out — should a miracle fall my way — to use what I have seen and learned to help others who feel like I did when this all started. To be a voice outside the walls that confine so many. To be part of someone's day that means something to them, let it be a glimmer of hope or a simple phone call to someone on behalf of someone whom the system and family may have forgotten.

Rodney Petty  
KG-4439, SCI Chester

### NO ONE KNOWS YOUR OWN EXPERIENCE IN PRISON BETTER THAN YOU

My first few years in a state prison were no more than years of mental torture that the human spirit is not equipped for. Everything was designed to make my life as bad as possible, and this treatment made me overly depressed. I was forced to deal with the deviousness and deceitfulness of the majority of staff members: from administrators, to the useless counselor; from angry medical staff, to higher officials and regular officers.

What really caught my attention is how everyone in this operation has to agree with compulsive lying from pathological liars. They condone each others' lies. It's a malicious game they play to win and cover up any foul play, on me and any other inmate. Staff lying to and about each other appears to be their major profession. Not only that, but they invest entirely too much time in wrongful convictions and sections just because, "We can," they say.

I have been a victim, and have witnessed the many officials and guards who are bored, hoping and waiting for some action. They have been punishing me and other inmates without audio visual recording, which makes it



easier for prison administration and staff members to deny any wrong doing on their part. They punish inmates without knowing the facts.

To write a grievance on staff and officials, giving detail and facts, is usually denied, dismissed, and written up as frivolous. This operation is no more than a bunch of two-faced cutthroats ready to condemn, and they think anyone incarcerated doesn't deserve a second chance. These people have designed everything in their power to psychologically hurt us, with mental execution, illegal strategies, compulsive lying opposing evidence and covering up the things society wouldn't believe they are capable of.

The prison operation is for people who want more power, control, or higher positions, gained by twisted schemes that are cleverly contaminated. They are ridiculously loyal to each other. This operation is no more than a group of powerful manipulating thugs who are organized and don't let anyone from the outside to interfere.

Marguerite Mason  
ON-9183, SCI Muncy

### STAND UP FOR EACH OTHER

It has been said that the Tree of Liberty must be refreshed from time to time with the blood of patriots and tyrants. On this side of the fence, true words are enforced like this daily. We are a people who live in fear of an overpaid individual who seems to take out his frustrations with life on the people of the prison.

Every day I see and hear of fellow inmates doing this job of the police, from snitching on people trying to get a little extra food in the kitchen to people on the block who are more then anxious to do the guard's job and rat on anything going on in the unit. This sickens me to watch over the last. I have watched good men get caught up in this contest with fellow inmates because the old code of the nonexistent. I hang around the "old heads" a lot and they tell me of a time where you could trust an inmate to have your back when it came to an issue with a cop. Now, I watch people scurry around to help the cop bury the man wearing the same three letters on his back. I am told of a time where there was mutual respect between inmates and now it's a matter of what can I do or who can I betray to get parole. You must remember we are all in this together, whether you are here at Laurel Highlands (quite possibly the easiest-going resort in the PA prison system), or you are at the camp or elsewhere. It's time to band together and stop fighting among our selves and take a stand for what we believe in. We have rights, too.

Jack Decyk  
LF-1090, SCI Laurel Highlands

### **Thankful, continued from page 2**

When I give thanks on this special day, I will give thanks for the miracle of my brain that makes me capable of aiding and assisting others with their legal and family problems, and helps me to think positively and to articulate my feelings and emotions. When I give thanks to God on this day, I will include in my prayer the biggest, most awesome miracles of creation — sunsets, mountains, and the gift of life.

I will give thanks for allowing me to be able to help my niece's son — who is going through rehab — because he made me feel grateful to be blessed with qualifications to help when my help was really needed. I will give thanks for the moment of kindness I received when the inmate I had rebuked earlier that day apologized and told me he respected both my opinion and me as an elder.

I am thankful for the smile the female psychologist gave me when she told me she had read my article in July/August *Graterfriends*, and then she told me, "Keep up the good work." I am thankful for every ray of sunlight I receive. I am thankful that I will be able to taste a Thanksgiving meal. I am thankful that I can still find something to smile about in spite of my unlawful imprisonment and manifest injustice.

The next time you feel that life is mean, unfair, or completely evil and that there's no good in it for you or anyone else, try this: make a list of some of the beautiful things you have seen, the kindnesses people have done for you without obligation, and the gracious moments that have turned up in the week's encounters. Memory is one of God's gifts to the human spirit, without which neither life nor experience could have any meaning.

I am thankful for the Prison Society volunteer who got me my so-called lost reading glasses back when I transferred from SCI Frackville. I fully realized I should be expressing my gratitude and thanks, not just once a year, but with "every breath I take," and I pray that everyone unfortunate enough to be behind a prison wall can express their gratitude this Thanksgiving and every day.

**"Poverty is the  
mother of crime."  
—Marcus Aurelius**



# Legislative Highlights

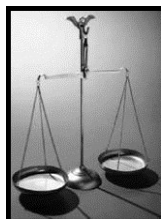
by Ann Schwartzman, Executive Director, and Samantha Cruz, Intern

The Pennsylvania General Assembly is currently in its 2015-2016 Legislative Session. If you can access the Prisoner Reentry Network ([www.phillyreentry.com](http://www.phillyreentry.com)), check the “Legislate” tab on top to search for bills and additional information. Please note, this information is correct as of December 4, 2015.

We have also included a federal bill, which is a bipartisan effort to improve federal criminal sentencing laws and rehabilitative programming. The bill has continued to gain support and momentum. It aims to restore fairness to the criminal justice system, as well as promote better outcomes for public safety.

BILL NO. PRINTER	DESCRIPTION	CHIEF SPONSOR	PPS POSITION
HB 44 PN 2405	Mandates the use of five-year mandatory minimum sentences for violent crimes with firearms. Requires the sentence be imposed consecutively to any other sentence. <b>(Passed House; referred to Senate Judiciary 10/30/15)</b>	Rep. Rick Saccone R-Allegheny and Washington counties	Oppose
HB 1089 PN 1881	Further provides for collection of restitution, reparation, fees, costs, fines and penalties via garnishment. Mandates a minimum 25 percent deduction from an inmate’s earnings and 50 percent from deposits made to their personal account in county and state correctional facilities for restitution of court costs and fees. <b>(Passed House; in Senate Judiciary 6/29/15)</b>	Rep. T. Stephens R-Montgomery County	Oppose
HB 1601 PN 2455	Further provides for sentencing and penalties for trafficking drugs to minors and for drug-free school zones; in other offenses, further provides for drug trafficking sentencing and penalties; more. <b>(Passed House; referred to Senate Judiciary 10/30/15)</b>	Rep. Mike Vereb R-Montgomery County	Oppose
SB 859 PN 1421 and SB 860 PN 1422	<b>Consolidation of Corrections &amp; Parole — Merger Bill.</b> Amends Title 42 and Title 61. The Department of Corrections and Rehabilitation will create parole violator centers to expand its ability to work with parolees during the reentry process. State parole agents will be appointed and supervised by the Department, but the Parole Board will continue to have authority to establish the conditions of parole. State parole agents will be required to receive training in social work, criminology, psychology, psychiatry, and criminal justice. No substantive changes to the Crime Victims Act. <b>(Passed Senate 2/23/15; passed House Judiciary and House Appropriations; re-reported to the House 7/21/15; on Senate floor for second consideration 11/18/15; referred to Senate Judiciary 11/30/15)</b>	Sen. S. Greenleaf R-Bucks and Montgomery counties	Support

FEDERAL BILL	DESCRIPTION	CHIEF SPONSOR	PPS POSITION
S.2123	<b>The Sentencing Reform and Corrections Act of 2015 (SRCA).</b> Reforms federal sentencing for convictions related to drug and firearm offenses, allowing judges more discretion. Creates mandatory minimum sentences for interstate domestic violence and certain export control violations, and more <b>(On U.S. Senate floor 10/22/15)</b>	U.S. Sen. Chuck Grassley (R-IA)	Support



## Legal Chat

### PENNSYLVANIA LIFERS ARE ENTITLED TO EQUAL PROTECTION

Attention all Pennsylvania lifers: On June 26, 2015, the United States Supreme Court set precedent with a landmark case involving equal protection of rights in *Obergefell v. Hodges* 576.

The 14 petitioners claim that the respondent violated their Fourteenth Amendment right to equal protection by denying them the right to marry, while citizens of other states enjoy this right. This case is also about more than just gay marriages; it expounds upon equal protection right in general.

The argument can, should, and will be made that the over 5,000 lifers in Pennsylvania are being denied equal protection by being excluded from the right to liberty through the privilege of parole, whereas citizens of other states, such as New York, fully enjoy this privilege. A clear equal protection violation.

In addition to the Fourteenth Amendment, Article IV of the U.S. Constitution makes it clear that “the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.”

I urge all Pennsylvania lifers to challenge the legality of their sentences by filling a PCFA petition under 42 PA.C.S (b) (iii) by August 26 2015. If you cannot make this deadline, I urge you to file a state petition for writ of *habeas corpus* in common pleas court to exhaust your state remedies.

Over 5,000 lifers are held in Pennsylvania prisons. This certainly meets the criteria of being broad in scope and affecting a large number of people to gain acceptance in the U.S. Supreme Court. Use the *Obergefell* case as a precedent to win parole eligibility for lifers in Pennsylvania and throughout the nation.

There is strength in numbers. We can make a difference. Now is the time. May God bless our efforts for freedom and justice.

Simeon Bozic  
HI-9179, SCI Greene

### 2 YEAR SUSPENSION OF ATTORNEY JAMES S. BRUNO

I am a prisoner who has never written to *Graterfriends*. I told myself that I would only do so if I had some information that may benefit others. Hopefully, this information benefits many.

“Attorney James S. Bruno (Attorney ID #30841) by order (from Pennsylvania Supreme Court) dated November 13, 2014, was suspended from the practice of law for a period of two years retroactive to February 16, 2013, to be followed by a two-year period of probation after reinstatement, subject to conditions.”

The quote above comes directly from documents I received from Anthony P. Sooroski at the disciplinary board. He suggested that I go to [www.PAdisciplinaryboard.org](http://www.PAdisciplinaryboard.org) to access all of the disciplinary history of James Bruno.

In the November 13, 2014 order, the Pennsylvania Supreme Court (Page 8) states that Bruno admitted that he has ADD and depression that caused his misconduct, which involved failure to file responses, failure to comply with court order, failure to file timely petitions for allowance of appeal, and notice of appeal to Superior Court, etc.

In this order, the court categorizes Bruno’s condition as a psychiatric disorder in which he has been receiving treatment and takes the medication Adderall (Page 14).

There is not enough space here to touch on everything I would like, but what is so unsettling is that the Philadelphia Superior Court and Pennsylvania Supreme Court were well aware of this inept dysfunctional lawyer and his prior ineffectiveness that goes back to 1998, yet the superior court kept appointing him to death row and murder cases, and the supreme court continued to reject any claims brought against Bruno.

In closing, I strongly suggest that all who had James Bruno as an attorney in the last 18 years (at least) ask their families or a lawyer to go to [www.PAdisciplinaryboard.org](http://www.PAdisciplinaryboard.org) and get the disciplinary history on James Bruno. For verification of this case, see *Office of Disciplinary Counsel v. James S. Bruno*, 2014 PA. Lexis2955 (Nov. 13 2014, decided).

Erik Cathell  
DY-6920, SCI Forest



## FALSE IMPRISONMENT

by Adolph Schwartz, AH-9451, SCI Waymart

My name is Adolph Schwartz. I am 69 years old. I am serving a life sentence in Pennsylvania, and have 49 years served. I hold an outstanding record and I am on our commissioners list of lifers who should be commuted. But no matter what I do, I am denied a hearing in which I could present evidence that was withheld from my trial that proves my actual innocence.

Why does my government want me to die in prison as an innocent man, rather than let the truth be told? The two politicians who created this tragic situation are both dead, so they cannot be prosecuted. Other officials I have contacted may be embarrassed, so rather than help me, it seems as though they will allow me to die in prison as an innocent man.

I have filed petitions in both state and federal courts, which denied every one I filed. In doing so, they ignored our Law's that would set me free. I also filed my case before our state board of pardons — twice — and each filing was denied a hearing. By doing this, they have continued a conspiracy that has gone on for the past 49 years.

I have collected 12 letters from high ranking officials who have either supported or verified that I have been wrongfully convicted.

I has also had 12 attorneys, two reporters, a law school, organizations, innocence projects, friends, and family members who stepped in to help me, but soon walked away from me, then acted as though they never knew me.

I am a United States citizen, born and raised in Philadelphia. What I cannot understand is how, in America, can a case like mine exist?

I am poor and uneducated, which helps them keep me from ever finding help. Those who stepped in to help me then walked away...this is unbelievable.

The only way I might get justice is to put my story out there and hope that someone out there will step in to ask why I am in prison.

I have written officials in Washington, D.C. and Pennsylvania, but no one answers my letters. I recently wrote out all the constitutional violations and sent them to the Philadelphia District Attorney and his assistants. Out of

(see False Imprisonment, continued on page 14)

## TABLET/BREACH OF CONTRACT

by Bryant Arroyo, CU-1126, SCI Frackville

A pilot program has been instituted to provide Pennsylvania inmates with tablets designed to download music and send and receive emails to and from their loved ones. I believe that out of the 27 or 28 prisons in Pennsylvania the following five prisons are actively participating in the pilot program: SCIs Coal Township, Albion, Frackville, Retreat, and Cambridge Springs.

Since then, some serious issues have arisen concerning the process to purchase the music once you choose the catalogue of music. For example, the tablet freezes prior to downloading your music and doesn't allow you to unconfirm the music, placing the music in pending sync. This compels you to purchase the very same song that you are refusing to buy.

I'd like to take this opportunity to furnish you with the necessary information to file a cause of action for Breach of contract/Buyer's Damages for Non-Delivery or Repudiation of the contract.

### Breach of Contract

A cause of action for breach of contract is establishing by pleading:

1. the existence of contract, including its essential terms;
2. a breach of duty imposed by contract; and
3. resultant damages

See *Pennsy Supply, Inc. v. Am. Ash Recycling Corp.*, 895 A.2d 595, 600 (Pa.Super.Ct.2006).

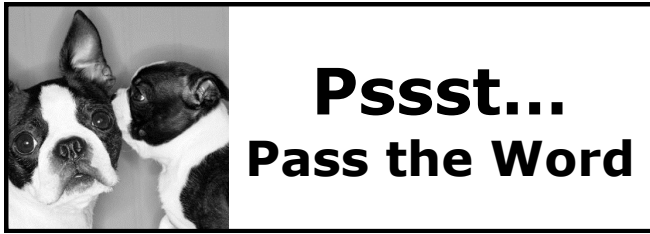
### Notes

A breach of contract claim may be based on an oral or written agreement. See, e.g., *Somerset Cmty. Hosp. v. Allan B. Mitchell & Assocs., Inc.*, Pa.super.188, 194, 685 A.2d 141, 144 (1996). Because a breach of contract claim is based on an agreement, the pleader must state specifici-

(see Contract, continued on page 16)

## MOVING?

Are you being transferred to another prison, or getting released? Please inform the Prison Society so that we can change your address in our database. We don't want you to miss any issues of *Graterfriends*. Please write to the address on the bottom of page two.



## Pssst... Pass the Word

### WRITE A LETTER

by Marty Dunbar, CM-9649, SCI Smithfield

One day at a time, this is what doing time is all about. We who are locked up and incarcerated away from our love ones must understand that we must write letters to our families and/or friends, explaining that we did indeed make a mistake that caused us to be incarcerated, and that everyone deserves another chance.

It really hurts me when I see officers on the unit after he or she gives me my mail and pass the other cells on the unit. As I take my mail and walk away from my door, I see other prisoners looking with a sad face — not just older prisoners, but also young ones. It's the same way with the visiting room here; it's the same people that go out and enjoy being with their love ones. You ask yourself why this happens. It's because they know how to write and aren't running around on a dummy mission trying to mess up their parole.

Write a letter to your family, and stop running around the institution acting like your some kind of fake gangster. When you are begging to move to a cell with someone with a TV, you should take your butt to school and get into your institution's programs. When the time comes that you're able to see the state parole board you have a better chance to go home. Stop calling yourself a gangster.

I want to say this to the leader of the prisoner organizations in the state of Pennsylvania: Put in your bylaws and your yearly plan of action two free bus trips a year for prisoners in the institution who do not get visits. We do this at SCI Smithfield. I also ask you to support the Pennsylvania Prison Society and try to implement the visitation program like some of the other state institutions have. It will be much better for those who cannot afford to travel far, and because of their age or some kind of illness.

In closing, I want to thank and also congratulate the leaders of the new lifers organizations that were recently approved by the SCI Smithfield prison administration this month. I am sure you well represent your members well.

### RE: A QUESTION FOR INMATE SERVICE ORGANIZATIONS

by Kenneth Land, GM-9869, SCI Benner

Mr. Harper, check out the cases and statutes in the law library that deal with these issues. However, I can tell you that what you were told does not coincide with policy 3.1.1 Fiscal Administration (pages 18, 21, and 22). These state:

“Inmate General Welfare Fund (IGWF): The IGWF consists of non-appropriated funds from the following sources: inmates' individual accounts; sales from commissary, hobby craft functions, and personal services available to facility employees, and donations from organizations or individuals for the benefit of the inmates. This money from all state correctional facilities is contained in a central fund under the control of the IGWF Council and is invested. Investment income is used solely for the benefit of the inmates of the facilities.”

#### Approved Categories for Fund Expenditures:

The following is a list of approved categories for expenditures of IGWF monies. Purchases outside of these categories must be approved by the Secretary/designee.

#### Activities Areas:

Recreation and athletics:  
Audio visual;  
Outside entertainment;  
Day room expenses; and

#### Major holidays, to include:

Decorations in inmate areas; and/or  
Gifts to inmate packages at amounts established by the IGWF Council.

#### Library:

Recreational readings – books, periodicals, tapes, or other media;  
Furnishings (except administrative); and  
Computer software and limited hardware

#### Inmate programs

#### Visiting room

#### Family resource programs

#### Chapel:

Nonspecific religious items; and  
Items for use in the chapel that are used for various religious and secular activities – sound systems, seating, and storage cabinets.

#### Banquets and Picnics – reimbursement of staff costs

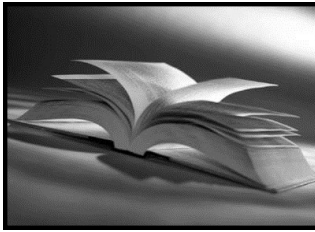
#### Major purchases – over \$5,000

#### Community Corrections Centers

#### Income generating activities

#### Inmate postage

(See Inmate Organizations, continued on page 19)



# Literary Corner

## LEGACY (FOR NOAH)

by Diane Hamill Metzger, OO-5634, SCI Muncy

He looks just like my grown-up son;  
Recent photos I've seen tell me so.  
I've yet to meet the precious boy,  
Who was born three years ago.

Some would say that it's my karma,  
To miss yet another's growing tall,  
Yet, if suffering's to be endless,  
Then there is no god at all.

I wish I could send him wisdom,  
That only living one's life can bring;  
So I wish him strength and love and health,  
And a song his heart will sing.

I have no gold to leave to him,  
But some words that he'll hopefully see.  
And seeds from my endless spirit,  
To grow in his memory.

If I were a praying woman,  
Then my fervent plea skyward would be:  
Let life be better to Noah  
Than it ever was to me.

## It's that time of year, again!

**Sometimes we must cancel bus trips if weather in Pennsylvania gets bad. If you are concerned about your bus trip to a prison, the quickest way to learn if a bus is canceled is to visit our website at [www.prisonersociety.org](http://www.prisonersociety.org).**

## SEVEN WAYS TO LOOK AT FREEDOM

by Fredrick Page, BU-2238, SCI Graterford

I

Amid multitude of men,  
Lies a common thread  
An instinctive out cry for freedom.

II

Inside me a raging torrent,  
As a sea,  
While freedom displays it's many depictions.

III

Freedom strides regally individual in heart.  
Its realities conflicts among a vast global community.

IV

Our freedom and our resistance  
Are unified.  
Our freedom and our resistance and our expression  
Are unified

V

At times I'm vividly stuck between,  
Freedom's hopeful existence  
Or the struggles in its non-existence,  
Scarred by its distortion.  
Or it's elusiveness

VI

Wealth enticing capitulates my being  
Through clever disguise.  
The idea of having freedom  
Often abused, sometimes distorted.  
Still desired  
A fleeting gift  
Often appearing unattainable

VII

Oh freedom created so wonderful,  
Why allude to oppression, corruption and war.  
Your blessing is long hoped for.  
Resonating in my footsteps

Deeply rooted in spirit you are admired.

### False Imprisonment, *continued from page 12*

10 or so packages that I mailed out, only one was answered, by a judge. She told me to file for a PCRA petition.

I am not asking for money, or an attorney, I need a little help to get my story told. I believe that if this is done, there will be so many officials stepping in that my case will be opened immediately.

I pray that whomever reads this will step in to ask our government what is going on here.

I will end here closing with thank God for the strength he gave me to fight all these years and not to give up. I thank you for your time and concern in this tragic situation.



**Inmates diagnosed with psychological or psychiatric disorders after you were sentenced:** If you were diagnosed by the DOC with such a condition after you were sentenced, please contact The Center for Returning Citizens and request our case study questionnaire. We may be able to assist you in overcoming time bar for collateral appeal. Please do not call us or send records to us.

James Hendel  
Center for Returning Citizens  
1501 Cherry Street  
Philadelphia, PA 19102

**If you are a prisoner who has written a book,** Prisons Foundation wants to publish it. There is no charge to publish or read your book. Your book will be scanned and published exactly as we receive it. Any language is acceptable. It may contain drawings and photos. For more information, contact:

Prisons Foundation  
PO Box 58043  
Washington, DC 20037

**Families Against Mandatory Minimums (FAMM) wants to hear from Pennsylvania state prisoners** who are serving long mandatory sentences for drug and gun offenses.

FAMM, a D.C.-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) contact information for yourself, 3) contact information for an outside friend or family member, 4) a brief description of your offense, and 5) your sentence (example: I received a 10-20-year mandatory minimum), to:

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

FAMM does not offer direct legal assistance and cannot respond to every letter received, but the organization will contact you by mail if they'd like to learn more about your case.

**Fight For Lifers West In Pittsburgh, Pennsylvania,** has meetings every third Saturday at Thomas Merton Center, located at 5129 Penn Ave., Pittsburgh, 15224 at 10:00 a.m. until 12:00 p.m.. Contact FFLW at 412-361-3022 (leave a message) or at [fightforliferswest@yahoo.com](mailto:fightforliferswest@yahoo.com) for more information.

**Pen Pal Program needs Writers** Mary Mother of Captives, based in Greater Philadelphia, hosts a pen pal program that allows the public to "visit" the imprisoned from home. This program has grown to include over 175 state and federal prisons across the country, and the organization currently serves over 575 incarcerated individuals. The writers' names and addresses are kept confidential, and the program helps prisoners know that some "on the outside" recognize their plight and want to help (non-monetarily) support them during their incarceration. The program serves all religious beliefs, races, genders, etc. For many prisoners, pen pals are the only contact they have with the outside world. The program is currently experiencing a shortage of writers; about 100 prisoners are backlogged, waiting for writers to contact them. If you are interested in becoming a writer for this program, contact John or Sue at 610-259-3178, or email [Susan\\_MMOC@comcast.net](mailto:Susan_MMOC@comcast.net). (Please note that this is NOT a matchmaking service.)

**The Veterans Legal Foundation, Inc.,** and the Pennsylvania Veterans Justice Project are asking all veterans incarcerated to notify their family members and friends about supporting veterans. Call or write your district legislators and ask them to support bills that help incarcerated veterans. The Vietnam Veterans of America – Chapter 46 has written an act that advocates legislative reform for all veterans who find themselves involved with the judiciary system in Pennsylvania. All concerned citizens should contact their family member/veteran and let them know that they are supporting any new legislation that helps incarcerated veterans. Please contact the Veterans Legal Foundation, Inc. for more information:

Melvin C. Dill, Jr. or Richard Tut Carter  
PO Box 155  
Chester, PA 19016  
484-350-6945

**State prisons in Pennsylvania no longer accept greeting cards that arrive in colored envelopes as part of incoming inmate mail.** Only white envelopes will be permitted. This new rule was established to stop contraband from entering the prisons. If greeting cards continue to be used to introduce contraband, the DOC will ban all greeting cards.

**Contract, continued from page 12**

cally whether the agreement is oral or written. See Pa.R.Civ.P.1019(h). if the claim is based on writing, the pleader must attach a copy of the writing referred to in the complaint, or material part therefore; or, alternatively, if the writing or a copy of it is unavailable, the pleader must allege that is unavailable, state why it is unavailable, and set forth the substance of the contract. See Pa.R.Civ.P.1019(i).

**Buyer's Damages for Non-Delivery or Repudiation**

If the seller fails to deliver the goods or radiates the contract, the buyer may, subject to proof to market price, recover as damages:

1. the difference between the market price at the time when the buyer learned of breach and the contract price; and
2. any incidental or consequential damages

See 13 Pa.C.S.A.SUB.Sec.2713

**Notes**

The Uniform Commercial Code, Article 2, sales-13 Pa.C.S.A. Sub.Sec. 2101.-2725- applies only to transactions in goods. See 13 Pa.C.S.A.Sub.Sec.2102

Incidental damages arising from the breach of the seller include (1) expenses reasonably incurred in inspection, receipt, transportation, and care and custody of hood rightfully rejected; (2) any commercially reasonable charges, expenses, or commission in connection with effecting cover; and (3) any other reasonable expenses incident to the delay or other breach

See 13 Pa.C.S.A.sub.Sec.2715(a)

Consequential damages arising from the breach of the seller include (1) any loss resulting from the general or particular requirements and needs of which the seller at the time of contracting had reason to know that could not reasonably be prevented by cover or otherwise; and (2) injury to person to property proximately resulting from any breach of warranty.

See 13 Pa.C.S.A.Sub.Sec.2715(B0)

The statue limitations for actions related to contract for sale under the Uniform Commercial Code is four years. See 13 Pa.C.S.A.Sub.Sec 2725(a). by the original agreement , however , the parties may reduce the period of limitations to not less than one year, but they may not extend it. See 13 Pa.C.S.A.Sub.Sec.2725(a)

For the purpose of the statue of limitations, a clause of action for breach of contract accrues when the breach occurs, regardless of aggrieved party's lack of knowledge of the breach. See 13 Pa.C.S.A. Sub.Sec.2725(b)

The above legal research was gleaned from *Pennsylvania Causes of Action, Third Edition*, published by *The Legal Intelligencer*, 1617 JFK Blvd., Ste. 1750, Philadelphia, PA, 19103, (215) 557-2300, [www.thelegalintelligencer.com](http://www.thelegalintelligencer.com)

**False Oaths, continued from page 7**

victims of the perjury parade. When your lies take someone's freedom, or their lives, it is no minor sin. And, remember that the harm suffered by that person's family is a plague on your accursed soul, as well.

An unknown author said, "The rule of law is like a three-legged stool supported by the honest judge, an ethical bar, and an enforceable oath." What happens when all three are broken? In the 18th century, English legal scholar William Blackstone said, "It is far better to let the guilty people go free, that convict a single innocent person."

**Maze, continued from page 1**

new friends, new hobby, new this, new that. You even went so far as to try the route of "church" or "religion," but that didn't work either.

When you forget what got you here, it is easy to feel lost. Learn from your past and get your bearings. Take a break to center you, and then remember that what you tried didn't work. There are a number of people in this maze with you. Sometimes you will be sharing information and ideas. Other times, you will be walking alone. Either way, you will begin moving toward your goal, and you will not know which way you are moving until you reach a wall. If you forget there's a goal, all you will see is the walls.

Remember, you have a purpose to strive for. Stop thinking in limitations, think toward positive improvement.

Every person is the architect of their own character. Day by day, what you choose, what you can do, and what you think is who you become.

**Please Remember that any letters we receive will NOT be published without express permission to print and a note stating that you are the original author.**

**If we receive a submission without either of these two requirements, we will not print it.**

**Thank you.**



### Overcrowding, continued from page 1

not secure computers or networks that would allow students access to online classes without exposure to security risks? I am no computer network engineer, but I'm certain it can be done.

Some would argue that inmates don't deserve this opportunity. However, it is a fact that most of these men and women will eventually be released. That means they will be back in your neighborhoods and cities, whether you like it or not. Do you want these individuals to return to their criminal behavior because that is all they know or feel they can do? Or, would you prefer these individuals experience some type of personal maturation and come out of prison with a change in attitude, education, or opportunities to contribute to society?

I prefer the latter; it just makes more sense.

Prisoners are not a different species; they are our friends and family members. If you don't think you know someone who has been in trouble with the law in some way, then you are either very naive or live in a remote area. If we truly want to reduce prison populations and not make a business venture of it, as many companies are currently doing, then we must focus on rehabilitation.

There was a time not too long ago when a person would commit a crime, pay the penalty and be able to start over. In today's society, everything we do is documented and forever published on the Internet — especially criminal activity. Do we have the right to know that much about a person? I don't think so. It is essential, within limits, that law enforcement agencies have access to our criminal histories and pertinent information for criminal investigations. We must cooperate with the law enforcement agencies so that they may do their jobs and maintain some semblance of civil obedience among citizens. But re-criminalization of convicts is all that is being accomplished with the availability of criminal histories

---

### Food, continued from page 7

and science of denying reasonable and well-documented grievances on all levels that in the truth were often granted in the past years. And the vast majority of grievances don't warrant a lawsuit or tort, so the inmate essentially is without relief on most issues. Again, the budget is their chief concern.

Two options exist: individual yet en mass appeal the governor's office and passive boycott individual and/ or group; but it must be non-violent and taken seriously or it shall come to nothing. I fear though it's not yet time or even perhaps later our instinctive nature may procure an unplanned action which may prove to be disastrous for all involved and resolved only in our instinctual inclinations and very little else.

online. No good is coming out of identifying individuals, by their crimes on websites, to Joe Public. I won't argue that knowing your neighbor was convicted of a sexual crime would be useful when allowing your children to play outside. But what were people doing before the Internet could offer that information? They were being good parents and watching their kids. It's ill-advised and irresponsible to allow your children anywhere, without some type of supervision. Have we as a society become so dense as to think that by knowing the background of all our neighbors that we can keep them from harm?

Imagine having your deepest, darkest secrets posted online for everyone to see at any time. Is it fair? No, it is not. People make mistakes. And most of us want another chance to do the right thing. We have to be allowed to change and put those mistakes behind us and learn from them. Otherwise, only those who are perfect will never have anything to worry about, and I don't know anyone like that. Do you? We cannot continue to lambaste someone over past mistakes. How will they ever become better people if there is no opportunity to do so?

I cannot be the only person to recognize these simple truths. Certainly, there are more issues to be debated and studied. I don't deny that. So lay it out there. Let's debate these issues. I'm a reasonable person. I will listen to your arguments. Why don't our politicians feel the same? They are either the densest people I know of, or they have their own agendas. And I prefer to think that those people who are currently in the position of power that run our country are smarter than me. So, what's the agenda?

**The Prison Society does not provide compensation for overcrowding in the Philadelphia Prison System.**

**It's a rumor.**

Contrary to what you may have been told, no compensation is available from the Prison Society — or any other agency — for individuals who have experienced overcrowding at the Philadelphia Prison System

*It's simply not true.*

The Pennsylvania Prison Society is a non-profit organization advocating for and providing initiatives that promote a humane, just and constructive correctional system.

**Pope, continued from page 20**

ing from the ceiling. The inmates already in place were the center of attention of the event: there were only three rows of chairs directly in front of the dais and these chairs were filled with the 100 clients, with the 15-20 female inmates, brought over that morning from the women’s jail, sitting in the front row. Sections of chairs to either side of the stage were filling with invited guests, but we were all off to the side. The planned interchange between Pontiff and inmates was literally and figuratively front and center.

When entering, I was taken by the inmates’ seriousness in tone and respect for their surroundings. They had all been awakened at 4:30 a.m. that morning and after a shower and close search, were issued new prison “blues” for the event. I saw that they all had sets of Rosary Beads, some in their hands; many more wore them around their necks like jewelry.

After an announcement by the warden that “He is on the ground,” we all took our seats. The Pope was led in by a group of clergy and Prison Commissioner Louis Giorla. Everyone stood EXCEPT the inmates, who had been told not to leave their chairs unless the Pontiff personally addressed them as individuals. In retrospect, there might be a concern that the Pope thought this rude, but the down-to-earth nature of this Pope would certainly belie that. The commissioner introduced the Pontiff to loud applause and explained that the large wooden armchair with the Vatican Seal had been designed and built by the inmates and their woodworking instructor. The Pope looked at it admiringly, rubbed his hand along it and then gave an emphatic “thumbs up” to

the audience, provoking laughter and applause from the whole room. Pope Francis sat in the chair while Commissioner Giorla completed his introduction and then stood to another round of applause.

The Pope spoke for 15 minutes to the inmates. His remarks, in Spanish and through an interpreter, were directed at the prisoners, but with the knowledge that those who run that specific prison, as well as those who run jails and prisons throughout the country, would be listening. The Pope spoke of hope and the restoration of trust and faith. He spoke of healing of wounds, the more permanent healing by rehabilitation, and specifically said for the world to hear:

“It is painful when we see prison systems which are not concerned to care for wounds, to soothe pain, to offer new possibilities. It is painful when we see people who think that only others need to be cleansed, purified and do not recognize that their weariness, pain and wounds are also the weariness, pain and wounds of the entire community....This time in your life can have only one purpose: to give you a hand in getting back on the right road, to give you a hand to help you rejoin society.

And then speaking to those not incarcerated, he said:

“All of us are part of that effort, all of us are invited to encourage, help and enable your rehabilitation... a rehabilitation which benefits and elevates the morale of the entire community.”

Many of the inmates seemed to understand spoken Spanish and were nodding and reacting before the interpreter spoke.

**(See Pope, continued on page 19)**

**SUBSCRIPTION INFORMATION**

**Support our mission and become a member!**

Receive *Graterfriends* and *Correctional Forum* for:

\$5	Prisoner	\$200	Patron
\$10	Prisoner Family/ Student	\$250	Sponsor
\$40	Regular Membership	\$500	Founder
\$100	Friend of the Society	\$1,000	1787 Society

Make a check or money order payable to

**The Pennsylvania Prison Society**  
245 North Broad Street, Suite 200  
Philadelphia, PA 19107

Prisoners may pay with unused postage stamps.

Are you a prisoner who just wants *Graterfriends*? You may subscribe just to *Graterfriends* for \$3.

Name \_\_\_\_\_ Prisoner Number \_\_\_\_\_ Institution \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Payment Amount \_\_\_\_\_ Payment Method \_\_\_\_\_

**NEW SUBSCRIBERS: Please allow 6-8 weeks for receipt of your first issue.**

**Pope, continued from page 18**

At the end of his remarks, the Pope acknowledged that all of the inmates had been given sets of rosary beads, and specifically said he was blessing them for their comfort and prayer. Immediately, he left the stage and made his way to the prisoners, beginning with the females. He spoke to each and every inmate and offered words to them, also taking each of their hands. Many inmates wept through their smiles, and more than one gave Francis handwritten letters for him to read about their families, their troubles, and their efforts to reform. As he went down the row, I saw a number of women embrace each other, seemingly in happiness.

At the end of the row of women, he turned and spoke with special guests: the families of Patrick Curran and Robert Fromhold, the warden and deputy warden of Holmesburg Prison, the precursor to CFCF, who were murdered by inmates on May 31, 1973, and for whom the jail was named. The Vatican had asked that families of inmates also be invited, in recognition of the World Meeting of Families, the event that brought the Pope to Philadelphia. The Pope spoke with all of these family members and prayed with them.

He then made his way to the male inmates, bending over and speaking quietly to each while their hands touched. As he made his way to the second row of male inmates, a murmur went through the crowd, as a big burly man in a t-shirt and prison blue pants stood up and embraced Pope Francis. No one was really sure how the security staff, the correctional staff, or the Secret Service would respond. Much to everyone's relief, they all took it in stride, most of all, the Pope himself, who hugged him back and spoke with him. That broke the invisible barrier between the remaining inmates and the Pope, and one after another inmates gave this world leader a big hug. The sight of Francis embracing prisoners brought tears to many eyes, most especially those of the prisoners themselves. After meeting each inmate, he began to make his way to the door. A number of guests

then approached him, including members of the prison board. One of my fellow board members, Dorothy Johnson Speight, whose son was killed by gun violence and is the founder of Mothers in Charge, spoke quietly of her loss. Francis took her hand in his and prayed briefly with her. She gave him a book about mothers who have lost their children to violence. Another board member, Chad Lassiter, a co-founder of Black Men of Penn and a Director of the Emergency Housing Services of the Regional Red Cross, spoke to the Pope quoting Mother Teresa: "There is joy in transcending self to serve others." Mr. Lassiter later stated, "I will never forget that moment of touching his hand and looking into the depth of his humanity, and he into mine."

Pope Francis then met with the families of some of the inmates as well as members of the correctional staff chosen by lottery before leaving by helicopter for his next stop.

As soon as the Pope left the room, members of the media descended on the prisoners, asking for their reactions. I also spoke to a number of inmates. Two different inmates, when asked what their reaction was, fist-pounded their chest, pointed upwards with their finger and cried. Each inmate said it was an experience they would always carry with them. At least one of the inmates, after stating he was a Muslim, was asked what he thought of the Pope, of his visit and of his message. He said it didn't matter to him that he was of a different religion; any person who came to seem them and treated them with love and understanding, and spoke to them as human beings, was someone to be honored and respected.

On my way out of the jail, I thought back to those two women waiting to get into the Nittany Lions game. I hoped that the fact that the Pope was speaking, no matter the venue, may have compelled them to be watching on television. If so, perhaps they would listen and understand his message and might begin to understand the importance of this visit.

**Inmate Organizations, continued from page 13**

See also the law statute Col Pa. C.S. 3123 Deposit of Sales Receipts, Letter A. It shows how funds should be used and not donated to Centre County: "The receipts from the sales of manufactured articles, sold as authorized in this subchapter, shall be deposited into the manufacturing fund and used for the purchase of further material, equipment, machinery, supplies, staff compensation, and inmate pay."

Start writing your unit manager, majors, deputies, then the superintendent. Do your homework before filing a grievance. Rockview prisoners are lax, not into the fight. This prison at Benner is wrong, too.

First Class postage is required to re-mail

The Pennsylvania  
**PRISON SOCIETY**  
SINCE 1787

245 North Broad Street  
Suite 200  
Philadelphia, Pennsylvania 19107

September/  
October 2015

GRATERFRIENDS

NON-PROFIT  
ORGANIZATION  
U.S. POSTAGE PAID  
CLAYSBURG, PA  
PERMIT NO. 84

## THE POPE VISITS PRISONERS: A FIRST-HAND ACCOUNT

by Thomas J. Innes, III

It's 8:00 a.m. Sunday morning, September 27, 2015, and was waiting with other members of the Philadelphia Prison Board of Trustees to be searched by the Secret Service in the lobby of the Curran Fromhold Correctional Facility. We were there as invited guests to be part of an unprecedented event: Pope Francis I was addressing a selected group of inmates inside the jail. My thoughts jumped to a discussion I'd had with my sister just a week earlier. As she was waiting to get through security at a Penn State football game, she overheard two women discussing the plan by Pope Francis to visit the Philadelphia jail. The two opined loudly that it was "a disgrace that he is going to that jail...he should be going to St. Christopher Hospital for Children. There are lots of sick kids there with whom he should be visiting...and not wasting his time on those no-goods." I mused to myself that celebrities and religious leaders routinely visit sick kids, but the Pope's visit here was unquestionably historic. Perhaps his visit would convince at least some of the general public to heed an important part of this Pope's mission — that all of those who live on the margins of our society, including prisoners, are no less deserving of his — and therefore our — attention.

As an *ex officio* member of the Board of Trustees of the Philadelphia Prison System, representing the Defender Association of Philadelphia, I was invited to be present when Pope Francis I visited Curran-Fromhold Correc-

tional Facility during his visit to the United States. Curran Fromhold, "CFCF" (or "F" as the inmates have labelled it, for obvious reasons) is a maximum security facility housing 2800 male inmates, one-third of the local jail population of 8200 men and women. Three-quarters of that total are pretrial detainees, most of whom are held only because they cannot post the bail imposed on them by the courts.

We were told that 100 individuals would be selected to meet with the Pontiff. Most were selected by a panel made up of the jail's chaplains, along with administrative staff and the social work unit. A proposal to include women, especially victims of sex trafficking, who are currently participating in Philadelphia's "Dawn's Court" was also followed. Most of the inmates were Roman Catholic (though many non-Catholics who had shown some sense of spirituality in his/her personal life were also chosen). The nature of the individual's open charges were considered as well, but were not a determining factor; among the inmate chosen were some charged with murder and other violent felonies.

The gym, where the Pope would address the inmates, was almost unrecognizable, given the drapery covering the walls and the rows of high intensity TV lights hang-

(See Pope, continued on page 18)