



UPDATE ON RUMOR/REALITY

Last month we discussed the reports that Governor Brown was soliciting a list of names from each prison for pardon/commutation consideration. Since then we've received several letters from prisoners who assure us they've been told by counselors, administrative staff, housing officers, any number of 'sources,' that they're on 'the list.'

We even received inmate advisory council meeting minutes, noting 'it was announced' that the Governor was considering commutations and reminding everyone to send in their paperwork. When we reached our contacts in the Governor's office with this news, the response we got was "Oh good grief!"

We've continued to follow that rumor, and sources tell us the whole scenario may have been the result of an off-the-cuff remark by the Governor, perhaps at a wardens' meeting or other gathering. Brown has long been willing to consider applications for pardons and commutation of sentences, within reason.

But there is no active, formal or informal program, no official 'list' and, most importantly, no promise that anyone or any certain number of prisoners would be accommodated. For those inmates who have been told by wardens, counselors, other staff, that their name and been submitted on 'the list,' it could be true. Someone might have sent your name to Sacramento for consideration.

But~don't pack your bags as yet. Any consideration of sentence change by the Governor involves a rather lengthy and intense process, not the least of which is an investigation and interview of the candidate by both CDCR and the Governor's office. Most likely any such action would not be a pardon, as pardons are available to those who have completed the sentence for their crime.

According to the Governor's website: *"Individuals who have been convicted of a crime in California may apply to the Governor for a pardon. A gubernatorial pardon is an honor that may be granted to people who have demonstrated exemplary behavior following their conviction. A pardon will not be granted unless it has been earned. Obtaining a pardon is a distinct achievement based upon proof of a productive and law-abiding life following conviction. Historically, governors have granted very few pardons.*

Applications generally will not be considered unless the applicant has been discharged from probation or parole for at least 10 years without further criminal activity during that period" (emphasis added).

What may be available to prisoners still in custody is not a pardon, but a possible commutation of sentence. Again, from the Governor's website: *"Inmates currently serving a sentence for a conviction by the California Courts can petition to have their sentence reduced or eliminated by applying for a commutation of sentence."* A commutation is not a release, or grant of parole, but a reduction in the number of years of an individual's sentence.

And before you flood the Governor's office with petitions for commutation of sentence, understand that Gov. Brown is looking for exemplary individuals, who have stellar disciplinary and programming records. As we noted last month, in this April's commutations the Governor noted that those inmates whose sentence he commuted were commendable in virtually every aspect of their behavior and demeanor in prison, and had been from day-one. Commutations are hard-earned, not just available for the asking, or on the recommendation of staff.

And while those things never hurt, also keep in mind the relative numbers. Last year the Governor reversed 99 parole grants. In April, he commuted the sentence of 7 lifers and LWOPs. And while we hasten to point out Gov. Brown is reversing fewer grants than his predecessors and actually providing relief via commutation, the numbers still speak for themselves.

So, keep your hopes up, keep programming in an exemplary fashion, and make sure that whenever a door of opportunity opens for you, via new legislation, new regulations, even unexpected intervention, you are ready to push through that door of opportunity. But don't count on 'the list' to be your ticket home. It's a bit like the Academy Awards—just being nominated is an honor.

COMMISSINER GARNER TO RETIRE

Commissioner Jack Garner, currently the senior member among BPH commissioners, is retiring after a remarkable 12-year stint as a parole commissioner. Garner, first appointed to the BPH by then-Governor Arnold Schwarzenegger in 2005, was reappointed several times, by both Schwarzenegger and current Governor Jerry Brown.

Although the announcement of Garner's impending departure from the BPH gave no specific date, BPH Executive Director Jennifer Shaffer, in making the announcement, noted the Board's June Executive Meeting would be Garner's last. In his nearly 12 years as a commissioner Schaffer estimated Garner had presided at roughly 4,000 hearings and may be the longest serving commissioner in the BPH's lifespan.

Several fellow commissioners spoke in appreciation of Garner's mentorship when new members arrived at the BPH, and his commitment to civility for all parties. Although we certainly did not always agree with Garner's decisions, his demeanor was always appreciated and his willingness to allow prisoners to tell their story and try to provide them with considered and realistic advice was appreciated.

Garner's departure leaves yet another vacancy on the board, now down to 13 members from an authorized number of 15. Gov. Brown thus has two empty slots to fill, as well as several current commissioners up for reappointment—or not. As the Governor makes his selections, we'll keep our readers up to date.



AMENDS UPDATE—YA GOTTA TAKE THE WORKSHOP

LSA is now nearly 18 months into presentations of The Amends Project workshop, and have issued well over 100 certificates, with several hundred more apology letters in the process. And it is a process.

Increasingly, we receive amends letters from those who haven't attended the workshop, but who assure us they've read all the written material provided in that workshop, and would like us to consider their letter. Sorry. One of the primary requirements is participation in the workshop. Like many self-help groups, the real substance of the program is found in the conversation and interaction in the group, the written material serving as reminders and memory joggers to that person-to-person substance.

Here's the process: we present the workshop, at the invitation of any ILTAG that would like to have us appear, the correspondence portion of the letters begins, and, eventually, a successful amends and apology letter is usually produced by a prisoner, resulting in the issuance of a Certificate of Achievement. Note the start of the process: attend the workshop. It starts there, and yes, we do keep records of who attends.

If you submit a letter without attending the workshop, please know we will return the letter to you, unedited or reviewed. Even if you copy the enrollment forms and talk with those who did attend. It's very important that we retain the integrity of the Amends Project, which starts with attendance at the workshop.

If we haven't been to your institution yet, or if we have, but you missed the workshop, invite us again. We're prepared to travel to any prison (sometimes the logistics take a while to arrange), as many

SB 394: Would automatically send LWOP sentenced before the age of 18 to a parole hearing after their 25th year of incarceration. Currently this bill is Assembly Appropriations Committee.

SB 421: Would create a tiered sex offender registration process, depending on the circumstance of the crime. This bill is in Assembly Public Safety Committee.

SB 620: Would allow the court to strike firearm enhancements in certain cases. The bill is in Assembly Appropriations.



LETTERS, WE GET LETTERS, WE GET SOOO MANY LETTERS

And we try to answer all that we can. Sometimes, however, there isn't much we can say, the writer asks too much, or sometimes, the writer offers too much. Way too much.

We have information on a broad array of subjects, lifer and even general prison topic related. And we're happy to send that information out, when requested. But we aren't 1) your mama; 2) your attorney or 3) your girlfriend. We're happy to help, provide information and suggestions, but we didn't take you to raise.

Don't ask us to do your research for you, look up or plead your case, figure out your sentence and/or parole date, create your parole/relapse prevention plan, offer you a job or housing, find you a free attorney or private (and free) psychologist, figure out how Prop. 57 will (or won't) impact you personally, find your long-lost family, send communication from you to others either on the outside or inside, contact your family or attorney (they can contact us), write support letters for you (really, we hardly know you!), or become your 'special friend.' And if some of those topics seem strange, they're all culled from actual letters.

And while one of the first things we ask, when trying to help a lifer, is what were you convicted of, how long a sentence and how long in. Yes, we do want to know what your crime is, because that helps us determine many things, but, we don't really care about the minute details. We don't judge one crime or prisoner against another, murder isn't 'better' than kidnapping or third strikers. The details of that long-ago event are not as probative, to us, as what you're doing and who you are now. But it often takes quite some time to read through all those details and comments, to get to the point of the communication.

And frankly, to those who might have sex crime conviction, that doesn't offend us; unless you decide to 'share' all prurient details. That we immediately recognize not as someone asking for help, but

someone trying to use us for vicarious thrills. That does offend us. And tells us you're not ready to be released.

Nor are we a pen pal service, and certainly none of our staff of volunteers is looking for a pen pal or anyone to adopt. Don't ask us personal questions, request pictures or visits. Not gonna happen.

Please be brief and on point in your questions and requests, and we'll do our best to provide information. We're all business; we hope you are too.

2017—FIFTH ANNUAL LIFER CELEBRATION PICNIC

June 24, 2017, Boisseranc Park Buena Park, Ca.



Thanks to Garry Eccher and Keith Chandler (middle and right, reclining front row) for once again organizing and hosting this fun and emotional event for lifers and families. Great attendance, plenty of eats and most importantly, wonderful reunions and catch-ups. Easily the most enjoyed—and best behaved—event in the park that day. Above photo is most of those in attendance, but getting freed lifers to gather in one spot on time is much akin to herding cats. Hope to see more of you next year for the Sixth Annual Event.