

RESTITUTION FACTS

In addition to all the melding into the real world issues for lifers (and others on parole) there is often that little thorn of restitution—the hard dollars part of paying the debt to society. Don't ignore it, it won't go away and can cause you some real problems, so here's a bit of information on how to make the burden manageable.

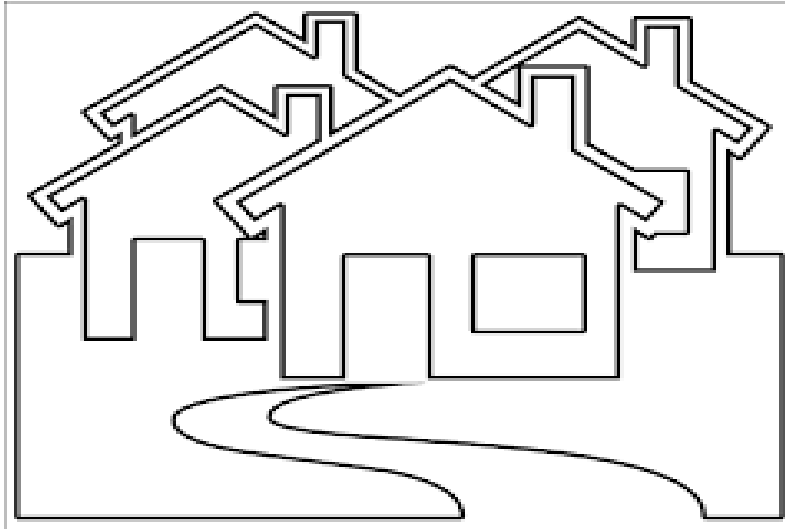
If you've were paying restitution while inside, it doesn't disappear when you go home. Once released, any unpaid balance is referred by CDCR to the Franchise Tax Board (FTB) 90 days after release. FTB will begin collection procedures for this debt as they do any back 'tax' debt—by wage garnishment, bank levy or setting up a payment plan. The last way is the least painful. Even if you've been making payments while in prison, once you are released, FTB is who you will be dealing with. The FTB will send a letter (Demand for Payment notice) notifying you of the amount owed and provide a number to call to set up a payment plan that is workable for both collection of the debt and survival of the parolee. If you don't take this 'opportunity,' FTB will begin the process to levy bank accounts (pretty much raid any bank account you have for as much as they can get) or garnish your wages—same process as a levy but against your paycheck. By law, FTB can take up to 25% of your wages. Until your total debt is paid.

Once you develop contact with the FTB, that agency, not CDCR, becomes the conduit for restitution payments. Important here is that you keep FTB up to date on your correct and current address. You can do this via your parole officer or notifying FTB. Even if FTB can't find you, you are still on the hook for payments. And be assured, they will eventually find you.

As far as how much you're on the hook for—that may be adjustable. Restitution can be for two reasons; assessed by the courts for fines and costs, and monies ordered paid to the victims or family members or others who have suffered adverse economic impact for substantiated economic loss. That economic loss must be deemed 'reasonable' by the court and substantiated.

Parolees can return to their sentencing court and petition that court for a reduction in the amount of monies assessed as a fine; but not for monies earmarked for direct payment to the victims. However, a criminal order of restitution is issued it is a lifetime debt; there is no statute of limitations on the collection.

Parolees with restitution questions can call the Restitution Services at the Office of Victims and Survivors Rights and Services at CDCR. Call toll free, 877-256-6877 and ask to speak to a restitution analyst.



DAPO ISSUES DIRECTIVE ON NEW 290 HOUSING RESTRICTIONS

In early March the California Supreme Court, in response to a lawsuit, found that mandatory blanket residency restrictions imposed on those required to register under 290 guidelines posed unconstitutional restrictions on housing for those individuals. The court found in *In Re Taylor* that such restrictions placed 97% of available rental housing in San Diego County unavailable.

The court officially noted what many, including members of DAPO, had known for some time; Prop. 83/Jessica’s Law, which allowed the blanket bans, actually “contributed to homelessness, and hindered their [those required to register under 290 restrictions] access to medical, drug and alcohol treatment, counseling and social services available to other parolees.” The justices further found that rather than assisting in the supervision of parolees, the restrictions hampered parole agents.

A few weeks following the court decision CDCR/DAPO issued a new policy on sex offender residency requirements, which both outlined the court’s decision and noted “Because of the ruling, the California Department of Corrections and Rehabilitation’s Division of Adult Parole Operations (DAPO) could not lawfully enforce the blanket residency restriction in San Diego County.”

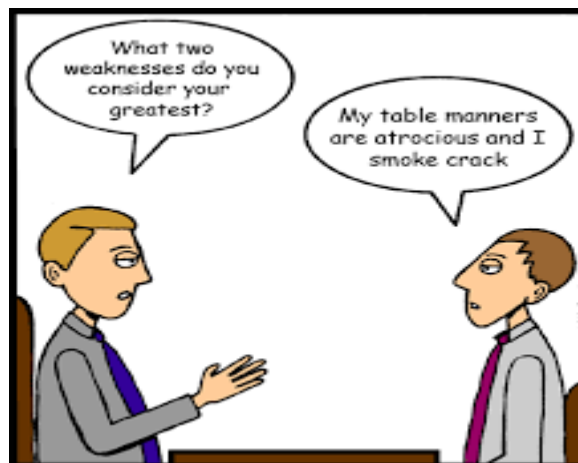
Along with other law enforcement agencies who have been reassessing their blanket residency restrictions for 290 registrants, reading the handwriting on the wall that while the “[c]ourt’s ruling is specific to San Diego County, its rationale is not. After reviewing the Court’s analysis, the State

Attorney General's Office advised CDCR that applying the blanket mandatory residency restrictions of Jessica's Law would be found to be unconstitutional in every county. As a result, CDCR will not be enforcing blanket residency restrictions imposed on some sex-offender parolees."

The court ruling does not impact the separate authority of DAPO to impose residency restrictions on a case by case basis. In fact, the DAPO policy specifically notes that "DAPO will assess each sex-offender parolee based on his/her individual case factors," and will "determine if they require special or alternate residency restrictions tailored to their commitment offense, criminal history and potential for future criminality."

The restrictions imposed by DAPO on a case-by-case basis may be more or less restrictive than the blanket bans fostered under Prop. 83, but so long as they are imposed after review of individual factors such restrictions will still fall under DAPO's authority, independent of Jessica's Law, to impose conditions.

High risk offenders or those with cases involving minors under the age of 14 are still banned from residing within a half mile of any K-12 grade school, under authority of PC 3002 (g) (2). And, the new policy declaration noted, DAPO would continue to enforce other aspects of Jessica's Law.



WHAT NOT TO DO—AT THAT JOB INTERVIEW

Going for a job interview, especially if it's been a few years (or decades) since your last one can be a harrowing event. Here's a few tips to put on your mental radar now, so that come interview time, these little details won't trip you up.

1. Don't be late or super early. While it's good practice to show up a few minutes before your appointment, showing up 20, 30 or more minutes before your scheduled time can create havoc in the schedule of the interviewer, and, possibly the business. What the heck are they supposed to do with you, standing around waiting? And don't even think about being 'fashionably late;' in the job world, there is no such thing. Be on time, simple as that.
2. Don't show up in inappropriate clothing. If you're applying for a construction job, no need to wear a suit and tie, but don't arrive in your flip-flops, ripped jeans and muscle shirt. Slacks, tucked in dress shirt and possibly a jacket are great for non-physical jobs, while jeans and polo

shirts will work for less office-type environments. Visit the location you'll be working at and take a look at what other employees are wearing during the work day, that should give you a clue.

Be sure you've shaved recently, or trimmed facial hair. And a word on tats: things have changed and some businesses don't raise an eyebrow about tattoos, but if you're pretty well sleeved out or have some hardline ink, a long sleeve shirt might be a good idea. And if you have concerns, inquire about the dress code during the interview.

3. Don't be unprepared. Come with a print copy of your resume. Yeah, you probably had to submit an application and resume on line, but bringing a hard copy to the interview shows you're serious about showing your qualifications, ready to discuss your work history and eager to provide information. Plus, it's a handy reminder of times and locations of other, perhaps distant jobs.

4. Don't answer without thinking. Respond to the questions asked. Much like a parole hearing, wait until the interviewer has completed the question before you jump in with an answer. And answer as completely as you can. If asked what you like about the field you're applying for don't say 'everything,' think of the part of the job you like the most and be prepared to talk about why. And much like commissioners, interviewers will often ask what your strengths and weaknesses are—and everyone has both. If you're detail-oriented, that's a strength, as is promptness and dependability. If computers or math aren't your thing, those are weaknesses you can admit to—unless you're applying for a position as a computer repair tech.

5. Don't demean past bosses, fellow employees or various segments of the population at large. If you talk dirt about 'those people,' who ever 'those people' might be to you, you might be surprised as how many interviewers might be part of 'those people.' Of course, you'll have challenges discussing your past incarceration, but if you stay on the path of having paid your debt to society and now being determined to reenter the world with your best efforts, no one can fault you for that.

6. Don't be rude. Be sure to thank the interviewer, no matter how well or poorly you think the session went or how good an interviewer he/she was. They have a given you time and attention from their day, and they are owed civility and consideration.



"My worst day out here is a thousand times better than my best day in there ever was."



Former lifers speaking at LSA's recent Lifer Family Seminar in Yorba Linda. From left David Sloane, Richard Soto, Gary Eccher, Phong Dang and Billy Mayberry. Not picture, Kevin Brown. The event was a bit of a reunion, as all 6 men had, at one time or another, served time on 5 yard at Avenal State Prison.

IF YOU'RE IN TRANSITION

If you're in a transitional facility, we'd like to hear from you. Email, letter, even phone call (when you can catch us sitting in the office and not out raising dust in someone else's office). We want to know how your location/program is meeting your needs, as a paroled lifer.

Are you stuck in ever-more substance abuse programming that is possibly keeping you from reintegrating into the world? Did you have to go through a black out period? Are you still 'behind the wire' without the wire?

Or possibly you've been lucky enough to land in a facility that truly understands the needs of lifers and is helping you get your ID, learn to navigate society, even about social media? Is your agent knowledgeable about lifers, agreeable to considering travel passes?

Specifics, including program names/locations and even your PO's name and area are important information we can use in helping change parole into what it needs to be for lifers. Contact us: Life Support Alliance, PO Box 277, Rancho Cordova, Ca. 95741. Email at: lifesupportalliance@gmail.com or phone, (916) 402-3750.

Your input and observations will be of great help to us, and we will protect your identity.

THIRD ANNUAL LIFER CELEBRATION
Sponsored by Eccher Consulting

JULY 20, 2015

NOON TO 6 PM

BOISSCRANC PARK

7520 DALE STREET

BUENA PARK, CA 90620

Please RSVP name and number in your party to: reddoglaw@gmail.com

Come enjoy the park, the weather, the food and the fellowship. There are now over 2,000 lifers on parole in California. Come meet up, share memories (there were some good ones) and network. LSA/CLN will be there too!

Below, pictures from last year's event.



COME JOIN THE FUN, THE FELLOWSHIP AND THE OLD AND NEW FRIENDS!