



LSA-THE BACK STORY

In the 18 months, give or take a few weeks, that Life Support Alliance has been in existence we have grown from a small, grass-roots advocacy group of a few reform minded individuals in Sacramento to a rapidly expanding voice for life prisoners and their families, known in many capitol offices, the Department of Corrections, the Board of Parole Hearings and other state agencies.

While we are still a grass-roots organization, our membership list is swelling, our email serve list exploding and, increasingly, our information and input is being sought and quoted by agencies and other stakeholders. Although the core of our membership remains in California, we now have supporters in many other states across the nation, including Washington, Michigan, Kentucky, Texas and Mississippi. Others who count themselves as our members are in Great Britain, Germany and Mexico. Many of these members have loved ones in the gulag that is the California prison system, but some are concerned simply with restorative justice, rehabilitation and constitutional safeguards for all citizens, even those convicted of crimes.

Increasingly we are asked who we are, where we came from and what plans we have for the future. We are also often asked if we are a tax-deductible organization and how we are funded. All legitimate questions, so perhaps it's time to introduce the major players and programs that make up LSA.

The base of our recognition and growth revolves around a few simple principles:

Location, location, location. We are based in Sacramento and our primary protagonists, Gail Brown and Vanessa Nelson (short bios to follow), live and work only a few minutes from the capitol and the associated legislative and governmental offices. This close proximity to legislators, state offices and officials allows us to be "in your face" weekly, if not daily. We are a constant presence in offices and on emails and telephones of officials, which leads to the second point:

Tenacity. We just won't go away. This is not a one-time, flash in the pan, I'm-angry-so-I'll-write-a-letter endeavor. Reforming California parole and corrections is a long-term, get-your-hands-dirty effort (as state legislators are finally beginning to realize) and we are in it for the long haul. We will not be ignored, we will not be stonewalled and we will not

accept the pat answers and go away quietly. We will keep insisting issues be addressed, questions be answered and information released. We are polite and civil, but we are relentless and persistent, and not afraid to move up the chain of command if one level is unresponsive.

Knowledge and experience. Both Gail and Vanessa have been active in prison reform issues for over a decade each. Veterans of membership in many other reform and stakeholders groups, Gail and Vanessa formed LSA after concluding there was far too much talk and far too little action in many other groups and no one was addressing the unique issues associated with lifers and parole. The decades working in other groups were well spent, providing real experience in dealing with CDCR, BPH and elected officials. After being involved in groups from Statewide Family Council to Inmate Family Councils at various prisons, Gail and Vanessa have dealt with problems and issues across the spectrum and have learned the process and individuals needed to address the issues. Title 15, the Department Operations Manual (DOM) and other California codes are our working documents and we often find we know these sources better than the officials we're working with.

Speak truth to power. The CDCR and BPH can be intimidating monoliths. And they like it that way. It's difficult for many prisoner families to find their voices and speak up about their concerns and issues. LSA can be that voice and bring those concerns and problems to light, speaking the truth to those in power, even when that truth is not what they want to hear.

Research. It always helps to know the answer to the questions before you ask the questions and LSA has made it a point to thoroughly research the issues we address. We are fortunate to have the services of a dedicated, full-time researcher who provides us with many of the facts and empirical data CDCR and the BPH ask for from others but seldom worry about in their own decisions. This is also why we undertook the lifer parole survey and other such on-going surveys. Anecdotal examples of errors and wrongs may be interesting, but it is facts we need to really challenge the status quo.

Our game plan for the future is straight forward: do whatever is necessary to bring the BPH in compliance with the intent of the law in granting parole to lifers. Whether this is continuing to challenge the existence and use of the Forensic Assessment Division (and we are), to opposing or supporting parole commissioner candidates (ditto) to educating legislators and the public on the facts about lifers and parole, our message is the same: Lifers are safe to parole (they do not recidivate), they are expensive to imprison and the BPH is not following either the intent of the law or common sense. The sum of these parts is a waste of California taxpayer monies at no increase in public safety. For reasons from justice to budgets, this has to change.

LSA is incorporated as a 501 (c) 4 non-profit body. Under this designation contributions to LSA are not tax deductible. However, we must maintain our (c) 4 status, as we do take political positions and advocate legislation, activities we could not legally engage in under a (c) 3, tax deductible status. Those organizations that appear to do so either risk running afoul of the IRS or maintain an "educational" arm, which falls under a (c) 3, tax deductible status. Our future plans do include development of an educational division.

We do not charge membership dues or subscription fees. This decision was partly in response to our own experiences with some other prison reform groups, who charge for membership, solicit contributions relentlessly and then provide precious little in results. From time to time we have received modest contributions from our supporters, and we are greatly appreciative of those funds. We have even received two small checks from prisoners' trust accounts, contributions that are especially meaningful to us. Our supporters did respond to our one request for financial contributions, to assist in the printing of our opposition to the FAD for the January public hearing, providing funds to cover about 80% of that expense.

We endeavor to keep our costs low by emailing our newsletter whenever possible, requesting those who receive it in this way print it off and mail inside to their prisoners. Several of our members have joined our mail tree, mailing the newsletter to up to 10 prisoners, thus greatly reducing our postage costs. Many individuals, especially prisoners, send stamps to help defray postage costs and those are put to good use. Our goal is to provide our newsletter to any prisoner who wishes to receive it, even those who are indigent and cannot send us funds or stamps. As our prisoner mail list increases we continue to need new participants in the mail tree. If this is an area in which you can assist, please let us know via email.

In brief, financially, LSA is run on a shoe string, and a very short shoe string at that. What we lack in funds we make up for in persistence, inventiveness and dedication. Anyone wishing to make contributions of any sort can send them to LSA, PO Box 3103, Rancho Cordova, and CA. 95741. We are currently seeking someone who can translate and type our newsletters in Spanish.

If you have questions or issues to be addressed, please call (916) 402-3750 or (916) 743-1654. We accept collect calls from prisoners; however, we do not speak Spanish and so cannot accept those calls.

BROWN'S FIRST BPH APPOINTMENT

Life Support Alliance, along with other interested parties, had been encouraged in recent months by comments from Governor Edmund Brown indicating his intent to "follow the law" as it relates to parole matters. Specifically, Brown indicated in several interviews he does not intend to intervene in lifer parole grants to the extent previous executives, from Pete Wilson to Arnold Schwarzenegger did, nearly universally reversing lifer parole dates.

However, in his first opportunity to show real action in this a new approach to parole matters Gov. Brown failed to hit one out of the park. In fact, his selection for Executive Director of the Board of Parole Hearings isn't even a base hit, but looks more like a possible strike or foul.

Jennifer Shaffer, 42, of Roseville, has a long association with the CDCR's victims' services bureau in various capacities and appears to have little experience in rehabilitation, lifer or even prison issues. Her official biography, as released by the Governor's office is as follows:

Jennifer Shaffer, 42, of Roseville, has been appointed executive officer of the Board of Parole Hearings. Shaffer currently serves as the board's chief of hearing operations for the northern region. Previously, she served in the Bureau of Independent Review with the Office of the Inspector General, as special assistant inspector general from 2006 to 2008 and then as senior assistant inspector general from 2008 to January 2011. Shaffer served with the Department of Corrections and Rehabilitation as assistant director in the Office of Victim and Survivor Services from 2004 to 2005 and then as assistant secretary in the Office of Victim and Survivor Services from 2005 to 2006. Shaffer served as counsel and analyst for California Performance Review in 2004, as staff counsel and deputy executive officer for the Victim Compensation and Government Claims Board from 1997 to 2004, and counsel to the Assembly Committee on Public Safety in 1996. This position requires Senate confirmation and the compensation is \$131,940. Shaffer is registered decline-to-state.

Notwithstanding her short association with the BPH (January of this year), LSA and other stakeholders are very concerned with what appears to be Shaffer's relative lack of experience in directing the day-to-day operations of an agency as large, complex and controversial as the BPH. In her time at the Inspector General's office, including a stint in the Bureau of Independent Review, we have not been able to find any document, statement, policy or report bearing her imprint.

There is nothing so far forthcoming that would indicate Shaffer's philosophy, outlook, or to turn a popular phrase, "insight" into public safety, parole or any number of other prison-related issues. Indeed, even our political contacts have little information about Shaffer and no stakeholders on this side of the fence have indicated they had any input into the selection; though certainly we're not privy to the major inside track.

Our concern regarding her long association with victims' services should be obvious; on a parole board already loaded with law enforcement backgrounds, another individual with a likely inherent bias against parole is very troubling.

In fairness, we must note at Shaffer's introduction to the public at last week's BPH Executive Meeting she expressed her interest in meeting with stakeholders to discuss concerns. LSA, as we have done with commissioners coming up for confirmation, extended a personal and specific invitation to Ms. Shaffer to meet with us and other stakeholders. Whether she avails herself of this invitation remains to be seen. No parole commissioners have done so.

In the meantime, LSA has issued a request for information from any group who has had dealings with Ms. Shaffer and could possibly offer some insight into their experiences with her. Barring any new and relevant information, we are initially opposed to this appointment, both on philosophical and experience grounds, and have asked our members and supporters to express their concern and opposition to the Senate Rules Committee and the Governor's office.

For information on how to do so, please email us at lifesupportalliance@gmail.com and request information on the Shaffer appointment.

HOW THE BUDGET IMPASSE MAY AFFECT THE BPH

A short refresher course on the approval process for Board of Parole Hearings Commissioners.

Commissioners are appointed by the governor for a three year term, subject to approval by the Senate Rules Committee and the entire Senate. That approval can come anytime during the first 365 days of the commissioner's service, thus giving the appointees a full year to serve in the position before formal approval.

Twelve BPH commissioners are to assigned preside at lifer parole hearings. Approximately 4-5,000 hearings are scheduled each year, meaning each commissioner will theoretically be assigned about 400 hearings annually, usually at institutions in the general geographic area of their home district. Due to postponements, stipulations and delays not all those hearings will be held.

In hearings earlier this month the Senate Rules Committee confirmed Robert Doyle, Arthur Anderson and Jeffrey Ferguson as parole commissioners, sending their nominations to the Senate floor for approval. All three were appointees of former Governor Schwarzenegger, Doyle and Anderson are rapidly approaching their 365-day deadline for confirmation. Ferguson was named to the BPH in November, 2010.

Normally, approval by the Senators on the Rules Committee is pretty much an automatic pass to approval by the entire Senate. But California's budget woes, it seems, may visit the BPH commissioners in a more personal way. Following a convoluted series of moves in the budget battle wherein the Democrats passed a budget along party lines, only to have that budget unexpectedly vetoed by Governor Brown, Senate President Pro-Tem Darrell Steinberg (also chair of the Senate Rules Committee) announced in a moment of pique that he would not bring any gubernatorial appointees to the full Senate for approval until a budget is passed and signed.

How does all this impact the BPH? A little math. At present the board is short three commissioners, due to resignations in past months. That brings the total at press time to nine commissioners, including Chairman Doyle. LSA has learned through legislative contacts that Senate Rules will likely decline to hold hearings for two commissioners, Troy Arbaugh and Susan Melanson, before the end of their 365-day hearing window. If Arbaugh and Melanson are not confirmed within the one year window they will simply drop off the parole board and cease to be commissioners. This would bring the number of sitting commissioners to seven.

And now for the budget-based twist. Although the budget was passed on Wednesday and signed on Thursday, Doyle and Anderson were not brought before the full Senate for confirmation prior to July 1, and so have, at least for now, dropped off the BPH and cannot preside at parole hearings. LSA is, at print time, attempting to resolve two conflicting versions of what may happen next. One school of thought holds the two will simply be re-appointed by Brown very quickly and will go the full Senate confirmation in an expedited manner, but other opinions hold those who have failed to secure confirmation within the allowed year must wait at least a year before they can be re-appointed.

At print time no one could provide us a definitive answer, so we are left wondering and more than a little bemused.

Will Doyle and Anderson fail to be confirmed? Will Arbaugh and Melanson be denied hearings? Will the BPH be able to keep up the hearing schedule with less than a full complement of commissioners? Will Steinberg and Brown make up? Stay tuned for the next episode.

LATE BREAKING NEWS

Just as *Lifer-Line* was being printed Gov. Brown announced three new appointments to the Board of Parole Hearings as commissioners. While LSA has not as yet had the chance to totally vet these three individuals we are in the process of doing so.

Worth noting is that two of the three are women and both were previously Deputy Commissioners. If any prisoners have had parole experiences with the two Dep. Commissioners listed below, please write us with your comments and experiences.

Below are the official biographies issued along with the appointment announcements. All three have one year before facing confirmation.

Cynthia Fritz, 39, of San Ramon, has been appointed to the Board of Parole Hearings. Fritz has served as a deputy commissioner with the board since 2009. Previously, Fritz served as a deputy attorney general with the California Department of Justice from 2007 to 2009 and as a deputy attorney with the California Department of Transportation from 2000 to 2007. She served as an associate attorney in private practice from 1997 to 1999. Fritz was admitted to the California State Bar in 1999. This position requires Senate confirmation and the compensation is \$111,185. Fritz is a Republican.

Juliet Macaulay, 43, of Yorba Linda, has been appointed to the Board of Parole Hearings. Macaulay has served as a deputy commissioner with the board since 2004. Previously, Macaulay was an attorney in private practice from 1997 to 2004 after serving as a law clerk from 1995 to 1997. Macaulay was admitted to the Nigerian Bar in 1991 and the California State Bar in 1997. This position requires Senate confirmation and the compensation is \$111,185. Macaulay is a Democrat.

Gilbert Robles, 53, of Arcadia, has been appointed to the Board of Parole Hearings. Robles retired as a parole agent from the California Department of Corrections and Rehabilitation after serving with the department from 1988 to 2010. Robles also served as a youth counselor in the California Youth Authority from 1984 to 1988. He holds a Master of Arts in psychology from Pepperdine University. This position requires Senate confirmation and the compensation is \$111,185. Robles is a Democrat.

THE FACES AND VOICES OF LSA



Gail Brown



Vanessa Nelson

Gail Brown, a Sacramento native, has been married to a lifer for over 14 years; her husband has been imprisoned for over 35 years. Gail’s involvement in prison issues began more than a decade ago and has included participation in the founding of Statewide Inmate Family Council, extended service on various prisons’ Inmate Family Councils and active membership in many other prison groups.

A former small business owner and life-long career woman, Gail now mixes her professional life with Life Support Alliance activities, utilizing her past experiences with the CDCR and prison personnel with the determination and common sense of a business woman to cut through the obfuscation and pat answers to get to the real issues and problems.

Gail’s interest in forming Life Support Alliance jelled with the controversy surrounding the “early release” of prisoners to ease overcrowding. Coming to the realization that fewer “early releases” would be needed if more lifers were paroled, Gail began advocating for action on that front, saying “Instead of debating early releases, let’s talk about those people who are waiting for an overdue release—rehabilitated lifers.”

Vanessa Nelson, also a 10 year veteran of prison reform issues, finds her degrees in Journalism and Political Science to be a great fit for the needs of LSA. After stints as a newspaper reporter and business owner, she now balances her position in management with LSA work, writing most of the newsletters and position papers.

Also a veteran of many prison reform groups, including Statewide Inmate Family Council and several prisons’ Inmate Family Councils, Vanessa’s involvement in prison issues began with the life sentence of a young nephew and has grown to now include an upcoming marriage to a lifer down 22 years.

Long a political and news junkie, Vanessa found the lack of understanding of lifer issues and applicable law among the public and legislators appalling and believes one of LSA's most important functions is the education of both groups on the realities of the lifer population and how it affects California. Along with the LSA mantra that lifers are the safest to release and the most expensive to keep in, her favorite statement is "California can no longer afford vengeance as public policy."

AS DIRTY HARRY SAID.....

"A man's got to know his limitations." That goes for organizations as well. Life Support Alliance receives stacks of mail weekly from prisoners and family members and fields numerous calls nearly every day.

We answer mail as quickly as possible and answer all calls when we can. If you call and are directed to voice mail or receive a busy signal, please know we are likely in a meeting or on another call we cannot interrupt. Please leave a message and we will return your call. If you are a prisoner calling collect, please try again as we do accept collect calls. LSA is not, however, a firm of attorneys and as such cannot offer legal advice, help in filing court actions or provide other legal services. We do maintain a short list of attorneys and private psychologists who specialize in lifer issues, whose work we are familiar with and who we believe will provide dedicated representation to lifers. We are happy to provide names on that list, but make no specific recommendations. We receive no compensation from the attorneys or psychologists for providing their information.

Likewise, we do not provide letters of support to the parole board or governor for those prisoners with whose cases and circumstances we are not personally and professionally familiar. There are many lifers deserving of support, but we simply cannot keep up on the volume of letters needed, and, more importantly, letters of support for those persons with whom we are not fully acquainted would be rightly discounted by the board and potentially weaken both the cause of the prisoner involved and the reputation of LSA.

Unfortunately, we do not have sufficient staff to help lifers or other prisoners find family members with whom they have lost touch, recommend or research correspondence courses from various institutions or follow up on individual 602 complaints filed. And for those who have written offering to include LSA in the proceeds of their business ventures in exchange for start-up funds and the use of our mailing address, well, thanks, but no thanks.

We advocate for lifers and lifer parole. In every possible way, in every possible forum and at every possible level of government, seven days a week, every spare hour of the day. That is our mission.

SURVEYS

Space considerations this month prevent reprinting of our two survey forms for lifers, one regarding those lifers subjected to a Forensic Assessment Division-administered psychological evaluation since November, 2010 and the lifer parole hearing survey.

If you would like to participate in these information gathering efforts, and we urge you to do so, please send us a request for survey and we will mail them to you. Family members, you may send a request via email and we will email you the forms for you to print and send to your prisoner.

We are especially in need of parole hearing surveys from those prisoners who have had hearings with Commissioner Anthony Adams and, as the newly-named commissioners begin to preside over hearings, information from those hearings as well.

Mail to: Life Support Alliance, PO Box 3103, Rancho Cordova, Ca. 95741.