

Voices.Con

Term-to-Life Prisoners Converse

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When faced with years of multiple parole hearings and incredibly limited financial resources, the question of when or if the time to hire a private attorney for a given parole hearing remains perplexing to most parole eligible term-to-life prisoners. In almost every case, there is the added complication that the money spent will be that of a loved one. This requires us to place an intense focus on the cost verses benefit factor. Not an easy task when one considers the many variables involved.

Before going any further into this question, there is one very self-evident fact that must remain firmly in the forefront of our mind; when you attend your next parole suitability hearing, a finding of suitability will be based primarily on your presentation at the Psych. interview, and your presentation before the parole board. There is not much that even the most seasoned of attorneys can do to mitigate a prisoner's poor showing before the Board.

Having that in mind, a close examination of your remaining needs can then follow. The first variable is which hearing will you be attending next. Will it be your initial hearing, or will it be a 5th, 6th, or 7th subsequent hearing? If you are about

to attend your initial hearing, it's wise to try and be as objective as you can be about the statistical realities you face. There is very, very little chance that you will be found suitable at the initial hearing, regardless of how well you present. This is a well established statistical fact. However, your first hearing remains very important in many respects. At your first hearing, this will be your first opportunity to clarify all of the facts of your case, and to present to the Board what you have learned during all of your years in prison. In-other-words, this will be the time when you will first present the Board with all of the facts that you intend to consistently present in all future contacts you will have with them.

In virtually every case, there will be details about your crime that you know to be true, but the "facts" documented by the state seem to be in direct conflict. In fact, the District Attorney who appears at your hearing is counting on it. The minute your words vary from the state's record, be prepared to be accused of minimizing your responsibility. -Something to think about when you are considering an attempt to clarify the record. Obviously, this will require some real

financially FRAIL, cont'd

soul-searching in determining how best to address this. -Just be sure it's a decision you can live with from here on out.

If you believe that an attorney would be an integral part of your desire to present a good initial record, then perhaps it would be beneficial to hire one. If you will not likely be able to afford to hire an attorney for multiple future hearings, then you may wish to consider holding off until a suitability finding becomes more realistic.

In the event that your upcoming hearing happens to be the 4th subsequent or more, and you've been disciplinary clean for about a decade or so, and have a reasonably good Psych. history, self-help and educational history, by all means you should consider a private attorney if it's at all affordable.

Many will be subjected to the presence of vigorous victim opposition at their parole hearing. In this case, it is crucial that your attorney includes in his/her statement a clear legal definition of what establishes parole suitability, and how you have met those standards. These are also the type of hearings where a vigorous post hearing litigation is much more likely. In both of these events, you will want competent legal counsel by your side from start to finish.

For those who happen to live in one of the three states that permit their Governor to review parole decisions (such as California), even if your parole is granted at the hearing, you must be prepared to litigate on the occasion that your "grant" gets reversed by the Governor.

These are only a few of the many considerations that the term-to-life prisoner is confronted with when he/she becomes eligible for parole. It would be wise to truly sit down and objectively consider the totality of your own particular case. Just remember, it all starts prior to the initial parole hearing, and does not necessarily end upon the finding of suitability by a parole board. We wish you the best of luck on your long road toward freedom.

WHAT WE DO

For this is what we do.
Put one foot forward and then the other.
Lift our eyes to the snarl
and smile of the world once more.
Think. Act. Feel.
Add our little consequence to the tides
of good and evil that
flood and drain the world.
Drag our shadowed crosses
into the promise of a new day.
With love: the passionate search
for a truth other than our own.
With longing: the pure,
ineffable yearning to be saved.
For so long as fate keeps waiting,
we live on.
God help us. God forgive us.
We live on.

GREGORY DAVID ROBERTS

* FROM THE EDITOR *

We are proud to announce that, in recent months, the writers and editor of the Voices.Con newsletter have received grants of parole from California's BPH. Their grants of parole are now in various stages of review and will continue to be over the next several months. With these new developments in mind, we may need to temporarily publish the newsletter on a quarterly basis. This would permit us the needed time to focus on our potential releases from prison after having served multiple decades of time in prison. When we are again able to devote the required time to a monthly publish, we will return to that format. Until then, please look for our Spring/2015 issue of Voices.Con, which will be published in May. We thank our loyal readership for their patience during this blessed transitional period in our lives. -Editor

* PLATA CASE UPDATE *

On January 30th, the KPFA Morning News reported that the CDCR has announced, as of January 29, 2015, the CA prison population has fallen below 113,000 prisoners. This meets the final benchmark (137.5%) one year in advance of the Court's deadline.

THE POWER OF ASKING FOR HELP

It would seem as if the most difficult thing a person could do, is simply ask for help when they need it. Of course, we've all heard the old adage about men never wanting to ask for directions. But this expands beyond that, into many situations where it can become a real problem for some. A person that's not capable of, or willing, to ask for help when they need it. It's just irresponsible for someone to be in need of help, but not ask for it. Especially when this places you and others in a precarious situation with the potential for negative consequences. In addition, our society sometimes influences us to attempt to rely on our own wits, skills, and efforts. This can be a lot to overcome, but learning to ask for help is a very valuable skill to have for yourself.

For term-to-life prisoners, and other prisoners in general, our lifestyles, culture, environments, etc., often promotes machismo, pride, and the ability to do things alone, without help. Sometimes, especially when we are talking about criminal environments, the need for help may be perceived as a sign of weakness. Or, receiving help may require another person, one who must be trusted, to not reveal whatever criminal activities are taking place. Either way, asking for help may be considered something that a person is not willing to do. Maybe they didn't consider, or become aware of, any instances where asking for help may have changed their circumstances, or aided them in a positive manner. Maybe they are in denial of the truth and continue to believe there are other causes for the negative consequences they received, and believe asking for help wouldn't have changed anything.

As for it being irresponsible for someone to persist in something without asking for help, a few examples would demonstrate this best. If you were at work and were assigned a project to do; one in which you discovered you could not accomplish alone, but because of pride or fear, you attempted to do alone, and you then failed at it; you would be irresponsible. You could have cost your company time, effort, and possibly money, due to your inability to ask for help, and you may even lose your job. If on the

other hand, you had spoken up and declared your need for help or assistance, most likely you would have received the needed help, and then been successful at completing your project. This would be the responsible thing to do, and quite possibly you would have received further training, resources, or support in the future.

If you were trying to provide for your family and attempting to live a moral lifestyle, but came to a point where you weren't able to pay all of your bills, or tend to all of your responsibilities, and then chose to commit a crime to make ends meet, this would be irresponsible. If you wanted something you couldn't afford and decided to steal it, say a car for instance, this would be irresponsible. The responsible thing to do in each of these situations would be to reach out to family or friends and ask them for help, assistance, guidance, or advice. It may be that you must be patient and save up for something you desire, or there may be a better way to get what you wanted, but in a way you hadn't thought of. The honest truth is, however, that you're likely to fail if you cannot ask for help in this situation.

It may not feel good at the moment, being humble and asking for help when you're in need, but the feeling that comes afterwards when you've succeeded in something that you put your efforts into, brings with it satisfaction and real pride, because of a job well done, or a decision well made. In the case of being at work, maybe the results of asking for help causes your supervisor to decrease your workload, or even rely on you less than before. But if you work hard at learning to do better, then the results in the end may be a promotion or raise for you.

The truth is, being responsible means that you are honest in knowing your own capabilities, and that you desire success over personal pride and ego. There is true power in asking for help when you needed it; power to overcome, power to take control in difficult situations, and power to succeed. As we practice this ability and become better at knowing when to use it, and to what extent, we will also increase our ability to be responsible and to succeed at the goals we set for ourselves. Try it, it works!

WHEN CHANGE BECOMES SECOND NATURE

As a term-to-life prisoner, when anyone asks you how many years you have served, how do you reply? Most of us would respond by saying a number of years, but there is much more to this question than we pick up on at first blush.

Many subtle clues of inflection ring through when we speak. It is not so much what we say, but how we say it. If we respond to this question with a tone of pride in our voice, we indicate that we wear those years as a badge of honor. What a foolish exercise that is, just to boost the ego.

If we truly have remorse over the crime(s) we committed, it must show up in every corner of our lives. Being in prison for decades is no badge of honor, it is a burden of shame, and to be out of touch with that emotion, or to try to ignore it, says a lot about how we face our failures.

It is understandable that we feel some degree of pride in ourselves for surviving decades of time in prison, but that sentiment belongs on a much lower rung on the hierarchy of concern and what we represent. We must always keep in mind that we are here in prison because we deeply hurt people, and we shamed many more. Those feelings and their longevity should live on in our conscience, and never be assigned a lower rung on the order of hierarchy we carry as a constant. To do less is to place one's self and one's ego first above all else, and that is nothing but boosting self-aggrandizement. Only fools and children act that way.

If we willingly carry the shame of our past and wear it openly for all to notice, it adds humility to our self-presentation, and nothing gets noticed faster than humility. We are believable, sensitive, remorseful, thoughtful, and open when we display this behavior.

If and when we respond with an attitude of pride, we come off as just the opposite of the above listed qualities, plus, we impress others as nothing more than a typical prisoner.

When we sit before the parole board, our place of balance always shows up. They try to throw us off with the purpose of seeing how we bring back the balance. If it's easy for them to push us out of character by shocking us with shame, they

**** IMPUNITY ****

S S E L E S N E S S E L K C E R W
 L A C I S M I H W I T E F A L T I
 A X I W H S U O L O V I R F K O T
 O S H D E T A G I T I M N U C U L
 E S S E L D E E H C R O S L I H E
 D E I N T J L D S A R C U G F E S
 U L L O N A F I S H E K O L E S S
 D E O S E R R H E I S H I R E T E
 S R O A R S E E L N P V C O G N L
 P A F E E Y N Z D O O Q I P O E T
 Y C I R V A Z I H I N I R A C G H
 Q T Z N E M I W U T S A P L E I G
 N Y H U R S E N Z P I O A I N L U
 Z E A G R A D L O M B I C Z T G O
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 O I E X A L U E U X E R I J I N T
 G K M U S T F O D E K C E H C N U

- | | |
|-------------------|-----------------|
| 1) Capricious | 13) Irreverent |
| 2) Careless | 14) Lax |
| 3) Egocentric | 15) Negligent |
| 4) Exemption | 16) Rash |
| 5) Fickle | 17) Reckless |
| 6) Flighty | 18) Senseless |
| 7) Foolish | 19) Thoughtless |
| 8) Frenzied | 20) Unchecked |
| 9) Frivolous | 21) Unmitigated |
| 10) Heedless | 22) Unreasoned |
| 11) Inconsiderate | 23) Whimsical |
| 12) Irresponsible | 24) Witless |

know we are out of balance on the ego side. If we respond with acceptance and humility, they know we have learned how to stop trying to run away from our shame, or hide it away. Such experiences are the only way the parole board can get some sense of where we've been on our inner journey. They want to know (and rightly so), if we've truly accepted responsibility deeply enough that we wear it comfortably. Anyone who has plumbed their depths of shame can't easily be thrown out of character by any external stimuli that uses shame. It just won't work because once we become comfortable with our shame, we are not afraid of it and it doesn't shock us. We won't defend.

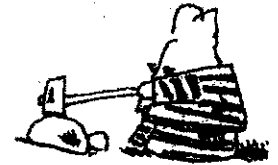
Self-mastery is the journey of a lifetime if we aim to become an Exceptional Human Being.

If we arrive before the parole board with the idea that we can just fake our way through and be granted a parole date, we will fail every time. The changes we want them to see must become our nature; we have to live it, not act it out the way an actor plays a role, and it can't be

(Cont'd on page 6)



LITTLE KNOWN REASONS TO PAY ATTENTION



It was recently brought to our attention that some of the Better Business Bureau (BBB) contact information published in our May/2014 newsletter has become dated. Therefore, we provide here the updated addresses of the BBB's having venue over the top five CA package vendors. If these addresses should become out of date at some point, please know that you can have your family or friends find up-to-date BBB information at: www.bbb.org/bbb-locator/locationResult

The BBB of Northern Nevada
4834 Sparks Blvd., Suite 102
Sparks, NV 89436-8457
Web: www.bbb.org/reno
(If you have complaints about Access Securepac)

BBB-Los Angeles Office
835 Wilshire Blvd.
Los Angeles, CA 95128-3507
Ph.: (213)631-3600
(Complaints against Union Supply)

The BBB of San Diego, Orange & Imperial Counties
4747 Viewridge Ave., #200
San Diego, CA 92123
Ph.: (858)496-2131
(Complaints against Golden State & Just Right)

The Golden Gate BBB
1000 Broadway, Suite 625
Oakland, CA 94607
Ph.: (866)411-2221
(Complaints against Walkenhorst's)

Department of Consumer Affairs
Consumer Information Division
1625 N. Market Blvd., Suite N-112
Sacramento, CA 95834
Ph.: (800)952-5210
(Covers entire State of CA)

**Note: All addresses are current as of December 30, 2014. The Consumer Information Division provides service representatives that can answer licensee questions in 140 languages, assist in filing of complaints, mail helpful publications, and refer you to the appropriate agency for more assistance.

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- * The Sentencing Project released a September/2013 report that found there's been a spike in life sentences since 1984. It said that life sentences have quadrupled in the U.S. since that time. Currently, U.S. prisons hold 159,520 people serving life sentences. At least 50,000 of them not even eligible for parole.
- * The annual national average cost to house a prisoner over 50 years of age is \$68,270. The cost rises much faster when you start adding the rising medical costs. -New England Journal, 2000.
- * In the State of Massachusetts, over 20% of their prison population is in the elderly category.
- * Between 2001 to 2008, prison healthcare spending costs went up by 52% across 42 states. The 42 states reportedly spent \$6.5 billion on prisoner healthcare in 2008 alone. In 2001, the same cost was only \$2.3 billion. -The Pew Charitable Trusts, Healthcare Spending Project

second NATURE, cont'd
temporarily.

To learn who we really are, a very simple awareness can be used. It is commonly called "self-talk," and it is what we say to ourselves in our thoughts about who we are. This is why affirmations are so powerful. We literally self-program who we want to be using self-talk. We have the power to "change the tape" any time we want. Who do you want to be?

CA PAROLE GRANT HISTORY

Below is a factual listing of parole grant statistics for the State of California.

<u>Yr:</u>	<u>Hearings Conducted:</u>	<u>Grants:</u>	<u>Percentage:</u>
81	321	31	9.5%
83	839	45	5.4%
85	810	64	7.9%
87	747	40	5.4%
89	945	24	2.5%
91	1283	49	4%
93	1304	19	1.4%
95	1845	8	0.4%
00	1678	52	3.1%
05	2571	161	6.2%
10	2714	494	18%
14	3165	660	*21%

* Approx. 15% if you deduct gubernatorial grant reversals.

Sources: Lifer Scheduling & Tracking System and archived database. CY 1981 Through CY 2014.

CALIFORNIA INNOCENCE PROJECT

If you are serving three or more years, and you are innocent of a criminal conviction received in Southern CA, contact:

California Western School of Law Institute
for Criminal Defense Advocacy
225 Cedar Street
San Diego, CA 92101

PRIVATE PSYCHOLOGICAL EVALUATION FOR LIFERS

Many lifers are receiving CDCR/BPH FAD psychological evaluations indicating a moderate or high risk that they do not deserve, based upon the misuse of actuarial measures. This will result in a BPH lengthy denial and many more years of suffering.

A private psychological evaluation, arranged with the help of your attorney, will correct this injustice and in many cases result in your deserved release. If you have such a denial, a new psych report is new evidence, allowing you to go back to the board sooner.

I have over 40 years of experience (over 3000 reports) evaluating lifers and my reports are recognized by the courts.

MELVIN MACOMBER, Ph. D.

PMB 316

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The Voices.Con newsletter is written exclusively by term-to-life prisoners, unless otherwise noted, focusing on issues of primary concern to those serving a long-term incarceration. The newsletter is published monthly at the VoicesDotCon.org website. This information has been designed to be of potential benefit in any jurisdiction having term-to-life and long-term prisoners and is made available to any other supportive family and friends as well. No persons affiliated with the Voices.Con newsletter are lawyers. Information provided herein is not intended as a substitute for proper legal advice. All questions or comments on information contained herein should be directed to the above E-mail address.

ABOUT VOICES.CON

Voices.Con is an excellent source of nuts and bolts information relating to parole preparation, parole related politics, understanding parole law and current rulings and the importance of retaining the proper counsel and psychologists for parole hearings. This information is provided exclusively by long-term prisoners who have been there and are currently experiencing the ups and downs of the parole process. We are sorry to say that we do not have the resources to hire staff lawyers or provide legal documents of any kind. **We do maintain a mailing list for paid monthly newsletter subscriptions (\$11 annually.)** The Voices.Con newsletter and all past editions, may be downloaded at no cost by any friend or family member at the VoicesDotCon.org website. On occasion, we may have a current or past edition that can be mailed to a prisoner who has nobody else to download it for free. However, this remains completely contingent on the number of donations received at our mailing address. **Please include a Self Addressed Stamped Envelope in any correspondence requiring a response.**

A FEW FACTS TO REMEMBER

- ⇒ Today, more prisoners in U.S. prisons are serving life terms than ever before. With a U.S. prison population of 2.3 million people, 159,520 are serving life terms.
- ⇒ California's prison system peaked at 173,000 prisoners in 2007, making it the largest prison system in the nation. With 35,759 prisoners serving life terms, it also has the most lifers.
- ⇒ In Florida, California, New York, Texas, Georgia and Ohio, at least 85,800 prisoners are now serving some type of life term.

SUGGESTED GUIDELINES FOR SUBMISSIONS

1. We have only one agenda; advocating on behalf of the term-to-life prisoner and distributing information that will further this cause, enabling the term-to-life prisoner to effectively advocate on his or her own behalf.
2. You may write an essay/article on any related subject or issue of concern to the term-to-life prisoner population.
3. We prefer that all submissions be between 250 and 500 words. Please clearly print or type all submitted material.
4. We also accept and encourage all submissions of topical artwork. Please include a Self Addressed Stamped Envelope with any submissions of artwork or written material where a return has been requested.

OTHER AVAILABLE MATERIAL PUBLISHED AT VOICES.CON WEBSITE:

- * Preview or download our Prisoner Support Directory specifically designed for the needs of the term-to-life prisoners—Free
- * Preview or download a complete Newsletter Descriptions List of all previous editions of Voices.Con—Free
- * Preview or download all previous editions of the Voices.Con newsletter ever published—Free
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