

Legal Services for Prisoners with Children Newsletter – Summer 2004

LSPC PROGRAM DIRECTOR DORSEY NUNN HONORED

“If I can see all my neighbors treated fairly, then I will have lived the American dream,” says Dorsey Nunn.

Dignity and respect for poor people is the most important achievement he hopes to accomplish in his work. LSPC’s Program Director was honored with an “In the Trenches” Award on July 17th by the Senior Ex-Offenders Program in San Francisco. The award included certificates of honor and recognition from city, county and state legislators, politicians, and a picture from President Bush.

The award is a recognition of the dedication and sacrifice with which Dorsey has served his community. He serves on many committees about prison and legal aid issues. In 1993 he was instrumental in establishing Free At Last, a residential treatment program for women and children and a drop in center for addicts and alcoholics in East Palo Alto. The center is close to his heart because it provides help and services to a lot of people and is the perfect way to make amends to his community.

Though pleased with the recognition that he is working hard for his community, Dorsey says he found it difficult to accept the award because all his achievements are the result of a collective and

collaborative effort with so many other people.

He is also the co-founder of All of Us or None, a project of LSPC. All of Us or None is a national civil rights alliance by and for prisoners, former prisoners and their families. He has spoken extensively on issues relating to prisoners, their children and family members at numerous conferences, workshops and demonstrations.

Dorsey was sentenced to life in the California Department of Corrections under the felony murder rule in 1971 at the age of nineteen. He paroled in 1981 and discharged from parole in 1984. He emphasizes that incarceration does not benefit the community. He reflects on all the ways in which he has been able to assist his family and community, ways in which those still incarcerated cannot be of service to their own families communities.

He knows more about prisons than most people. He has studied prison systems and has visited prisons in South Africa, El Salvador and New Zealand. He remarks that the incarceration of large sectors of people of color is thoroughly wasteful, resulting in fractured communities.

Dorsey continues to be motivated by a real love for people and by the recognition that humanity, kindness and goodness reside in every person.

A MESSAGE TO OUR CONTRIBUTORS

As an intern who has been with LSPC now for almost a year, I have discovered how vital individual donations keep us running, facilitating the numerous services we offer, and essentially giving us life. As grants most often only fund programs, our individual donors allow us the flexibility to serve the community at large. We send out hundreds, thousands of letters containing vital information, resources, and lifelines to prisoners, family members and supporters. Our dedicated staff must be able to survive, and individual donors help us to pay our staff. LSPC's very foundation is built upon the generosity of individual donors.

As we face a tumultuous election and a speculative time period, as well as a hesitant economy, it is hard for folks to reach into their pockets to support us. We understand. We too are feeling that crunch as an organization. As grants get increasingly tentative and

difficult to depend on, our budget shrinks. We hope our donors can ride this through this with us, at a time when philanthropy is hardest, ensuring that we can maintain the high level of service our clients and their families have come to depend on. Last year we celebrated 25 years of service! We could not have done it without our donors stepping up at every turn! And we expect to still be needed in 25 more years, with our supporters right there beside us.

Especially now, social justice work is more needed than ever. It is precisely because times are tough that makes fiscal survival harder for everyone, including the community that we support. Donations to LSPC are more than just money changing hands, it's hand in hand collaboration and support.

Please give generously.

Natali Smith, LSPC Intern

FAMILY ADVOCACY NETWORK USES PHOTOVOICE TO EXPRESS STRUGGLES

"Never leave it to others to represent you, photographically or otherwise...shoot the truth. It's a good story" by Dennis Banks, Shooting Back from the Reservation.

Family members of prisoners often feel that their experiences of having loved ones in the prison system isolates them from their communities. They often feel shame. Many family members come to Legal Services for Prisoners with Children (LSPC) through the Family Advocacy Network and find that they are not alone in their struggles to understand, cope with, process, and organize around their emotional struggles with the prison system. The Family Advocacy Network, a project that started three years ago through LSPC, provides a comfortable space for family members to create a community where they can articulate and express their own struggles.

There are several projects that the Family Advocacy Network is engaged in, including the annual retreat for its active members. One of its newest projects is the Photovoice Project, where project participants document the impact of incarceration and the prison system in their daily lives through photographs. This inter-generational project aims to bring groups of people most affected by the prison system together to creatively and collectively articulate their own experiences and discuss what changes can be made that are important to them.

The first Photovoice project was conducted at A New Way of Life, a transitional home for women who

are just getting out of prison. The project was facilitated by Susan Burton, director of A New Way of Life and a former prisoner. As Susan states, "the voicing sessions produced an opportunity for formerly incarcerated women to think about the environment and how it impacts their lives. We came together every month in harmony to discuss our photos, looking at the problems and possible solutions."

The process in Photovoice is as important as the product. Participants select from their photos, tell stories behind the photo, identify common themes, document stories, evaluate the work, outreach to policymakers, media, researchers, and participate in the evaluation of policies and programs that would effectively advocate for the changes they want to see in their communities. Their voice and vision to express what needs to be challenged about the system is central to a movement and the Photovoice Project gives family members the collective power to do something together.

The goal for the next project is to work with youth from the Eastside Arts Alliance, with the same themes and goals as the first project. After working with these young people, the project will work with a group of grandparents who are caretakers of children whose parents are incarcerated. After all three projects have been completed, they will be combined to create a final exhibit, which will hopefully be on display for legislators to view.

NEW STAFF MEMBERS

Scott Handleman

Attorney

Sasha Vodnik

Technical and

Developmental Coordinator

INTERN APPRECIATION DAY

In April, LSPC staff took the time to say thank you to the spring interns. Intern Coordinator Yvonne Cooks expresses her sentiments to the interns by saying, "we couldn't do what we do without you."

LSPC 2004 SUMMER INTERNS

Every June through August, LSPC summer interns make a valuable contribution to the work. Our interns and volunteers come from a variety of backgrounds - from high school to law school.

Back Row, L to R: Carol Gachiengo, Marisa Gonzalez, Angela Fitzsimons, Sean Sabo

Front Row, L to R: Lela Mujkic, Crystal John, Molly Kovel, Helen Redman

LSPC Volunteers

Back to Front:

Montana Seal

Ericka Sokolower-Shain

Zoe Willmott

ALL OF US OR NONE ORGANIZES PEACE AND JUSTICE SUMMIT

July 31, 2004 was an historic day. It was the day that All of Us or None, the growing civil rights movement to end discrimination against formerly incarcerated people, voiced its demands to elected officials, community leaders, and the public at large. At more traditional meetings with elected officials, formerly incarcerated people are confined to a brief public comment period after listening to officials speak about their vision for the community. On Saturday, July 31, the elected officials were given a brief report back period, after listening to the testimony and demands of formerly incarcerated people and their family members. The demands were for basic civil and human rights:

- 1) End discrimination against people with criminal records.
- 2) Opt out of the lifetime welfare and foodstamps ban.
- 3) Implement the Bill of Rights for Children of Incarcerated Parents.
- 4) Ban the box disclosing prior convictions on applications for public employment.
- 5) Increase support services for people coming out of prison.

All of Us or None, a project of LSPC founded by LSPC staff Dorsey Nunn, Linda Evans, and Yvonne Cooks, began organizing in early 2003. On July 31, countless hours of outreach and organizing efforts paid off. The First Unitarian Church in Oakland overflowed with people from all over the East Bay, from Oakland to as far away as Hayward, Richmond and Concord. People shared their stories about the

impact of discrimination against incarcerated and formerly incarcerated people and their families. Speakers testified to issues ranging from the effects of parental incarceration on children, to the lack of access to food, housing, and federal assistance for people with felony convictions, to child custody issues, and to the immigration consequences of a criminal record. Elected officials and community leaders listened to formerly incarcerated people and committed themselves to improving reentry services and access to employment. A busy voter registration table was on hand. There was also space for community building and healing, as the audience ate a delicious meal prepared by All of Us or None member Charlene Overshown and watched entertainment provided by rapper Ise Lyfe and poet and LSPC staff member Maisha Quint. Overall, the East Bay Summit was an enlightening and empowering experience!

The Summit also garnered significant media coverage, including radio interviews on KPFA 94.1, KPOO 89.5, articles in the San Francisco Chronicle, Oakland Tribune, Contra Costa Times, San Francisco Bay View, and in the nightly news on KTVU Channel 2, and KGO Channel 7. Crystal John, an LSPC intern, reported that after the summit she was approached by a man at the grocery store who recognized her t-shirt from the Chronicle article and thanked her for the work All of Us or None is doing to fight discrimination. Proof that our message is out there! The San Francisco Peace and Justice Summit, will be October 23, 2004.

IN MEMORY OF JOE BARTHEL

In December 2003, we learned that long-time community activist Joe Barthel passed away. A private investigator, Joe spent his life working for social justice. His partner Roshi Sirjani selected LSPC as one of the organizations that Joe's friends and relatives could send money to. We want to thank Roshi for thinking of us in this difficult time, and to honor Joe's memory.

If you are interested in leaving a bequest to LSPC or want to honor a friend or relative, please contact our office.

MEDICAL CLEARANCE APPROVALS PLAGUE PREGNANT WOMEN PRISONERS

The Community Prisoner Mother Program (CPMP) is a program run by the California Department of Corrections (CDC). The program, first implemented in 1978, allows qualifying incarcerated mothers to live in community residences with their children while receiving training on parenting, job and life skills, substance abuse treatment, health care and developmental programs for their children.

CPMP, which at one time had seven facilities throughout California, currently has programs in only three sites: Oakland, Pomona, and Bakersfield. Despite the sizeable population of pregnant women in prison - around 150 at Valley State Prison at any given time - and the numbers of women on waiting lists hoping to be admitted to the program, the Department of Corrections weekly population report states that as of July 7, 2004, sixty-five women were occupying the ninety-four available spaces. This discrepancy of nearly thirty spaces shows that the CPMP program is still not being fully implemented.

Medical clearance problems continue to plague the women in CPMP. Women must be medically cleared before they can enter the program, and changes in medical status can result in a woman being returned to prison and separated from her child. Pregnant women have complained of being denied medical clearance prior to delivery, meaning that a period of separation between mother and child must occur before they can be reunited at a CPMP facility. While these complaints have become less frequent, problems with dental clearance continue.

Aside from dental health, incarcerated mothers are reporting that they have been denied medical

clearance when they are prescribed any psychotropic drugs, including such common meds as Prozac or Well-Butrin. Not only have women been refused admittance to the program, but women in the program have also been sent back to prison when a doctor has prescribed anti-depressants to help them cope with post-partum depression or other similar problems. The Penal Code states that part of CPMP's mission is to help a mother achieve mental stability, yet while many mothers outside of prison use psychotropic medicines to help them cope with depression, CDC refuses to give them to mothers in CPMP. Meds can be an important part of a mental health regime, and CPMP should be helping mothers learn to use the meds wisely.

Women in at least two of the CPMP facilities have complained that they are being ejected from the program when urine tests come up falsely positive for alcohol soon after giving birth. Women who during their pregnancies had shown signs of gestational diabetes, a disease that can raise the levels of sugar present in one's urine, were given urine tests upon re-entering CPMP after giving birth. When the tests results were positive for alcohol, women were given serious 115 write-ups, resulting in their ejection from the program. Urine tests are among the least reliable methods of testing for alcohol. LSPC Staff Attorney Cassie Pierson has written letters on behalf of these women, pleading that the 115s be set aside based on the possibility that the raised levels of sugar in the urine might be creating a false positive, and the women were allowed to stay. LSPC will be looking into this problem, as well as the other medical clearance problems, and will continue to report.

ELDERLY PRISONER HEALTH CARE CAMPAIGN

"I know women in here who have been down for 20, 25, 30 years. They're 80 and 90 years old. Nobody gives a damn. I just think we could serve a better purpose out there than we are in here with the state having to pay the bill." Prisoner, Central California Women's Facility

Conditions of confinement, particularly the provision of health care, faced by older prisoners today are shocking and require immediate attention. According to a 2004 Department of Justice study, prisoners over 40 represent the fastest growing segment of the prison population in many states. The number of prisoners over the age of 55 in the last decade has doubled and in 2003, it reached over

120,000 prisoners nationwide. The older (over 50) population in California state prisons is similarly expected to rise drastically in the upcoming years and some predict will grow at a faster rate than the prison population as a whole.

Currently, older women prisoners experience a uniquely difficult time in prison. Specifically, they often do not receive appropriate housing and program assignments, are forced to work until they drop, forced to wait in long lines to receive their medicines regardless of the often intolerably hot or cold temperatures, and suffer abuse and mockery at the hands of staff and prisoners insensitive to the needs of older people. The conditions these women face are horrifying,

inhumane, and demand immediate attention.

In response to this growing crisis, LSPC has launched an Older Prisoner Campaign which will provide aging and older female prisoners in California a venue to express their concerns and raise consciousness among the general public. The campaign aims to expose the conditions of confinement endured by older people but also challenges society to question if the continued

incarceration of this population makes our society safer. LSPC has partnered with medical and public health workers whose expertise will greatly enrich this campaign. The efforts that LSPC is embarking upon would be impossible without the dedication of the older women inside our prisons who are centrally involved in this project and whose strength and courage are truly honored.

HABEAS PROJECT CELEBRATES VICTORY

"Thank you to everyone that made the bill a law. Chris Kearney (her pro-bono attorney) was a blessing from God. He stuck with me since 1982." — Mary Ramp

Now in its third year, the Habeas Project is celebrating the release of Mary Ramp. Ms. Ramp is a 56-year old grandmother now re-united with her family as a result of the efforts of the Habeas Project.

Established in 2002 by Legal Services for Prisoners with Children, Free Battered Women, the California Women's Law Center, and the USC Post Conviction Justice Project, the Habeas Project works for the release of battered women under California Penal Code §1473.5. The project pairs selected survivors with pro-bono legal teams, which are made up of law students and attorneys. The Northern California effort attempts to: (1) make the process empowering for both the women and the attorneys, and (2) encourage the legal teams to acknowledge race, class and educational privilege while building relationships with their clients and supporting them in both release and transition back to society.

Along with working on existing cases, the Habeas Project's focus this year has been on creating and amending SB 1385, which amends Penal Code §1473.5. The bill (authored by Senator Burton and co-authored by Senators Kuehl, Romero, and Assembly Members Jackson, Leno, Goldberg, and Dymally), expands the class of domestic violence survivors who are eligible for habeas relief. It changes problematic language about

"Battered Women's Syndrome" to the more favored and inclusive term "battering and its effects."

As of August 25, 2004 SB1385 has successfully passed through the senate and assembly and is now awaiting approval from the governor. To support this bill please contact the governor's office:

Governor Arnold Schwarzenegger
Attn: Peter Siggins, Legal Affairs Secretary
State Capitol Building
Sacramento, CA 95814
Fax: 916-323-0935
www.governor.ca.gov

The goals of the Habeas Project for the next 6 months are to pass SB1385, file more cases and develop media coverage of the project. In the next year, we hope to have a final resolution for all currently assigned cases. "If SB1385 passes, we take what we have learned in terms of how we organize the project and build upon it, perhaps making more changes," says Olivia Wang, LSPC staff attorney who coordinates the project.

"Survivors are still not getting their day in court and unless their stories are made public, people will assume the system is working. We need to get people to think critically about the relationship between domestic violence and imprisonment," says Wang.

To learn more about The Habeas Project visit:
www.freebatteredwomen.org/habeasproject.htm