We are sad to announce that Jean Auldridge, 83, died October 10th. Shown is Jean being honored at the 2012 national board meeting. For years, Jean worked on Capitol Hill as a key staffer for a United States senator. After retiring, she became the director of Virginia CURE for 26 years and a national leader of USA-CURE.

Not the type to lead protests, Jean used her political experience to arrange for legislators and prison officials to speak at CURE meetings. As her daughter Judy said, “Jean was good at bringing people together and working with them.”

But, Jean was not always accommodating. As CURE leaders Carla Peterson, Bill Twine and Charlie Sullivan related in their eulogies, Jean could respectfully confront, especially prison staff, when she was convinced there was an abuse.

On Nov. 8, we attended the annual statewide meeting of the VA-CURE chapter. There was a good crowd, much information was shared and plans were made to advocate for change in the upcoming session of the Virginia legislature.

It was a tribute to Jean and VA-CURE, she would have been pleased.

Dear CURE Supporters,

John F. Kennedy said “Change is the law of life and those who look only to the past or present are certain to miss the future.”

When we look at CURE’s past we see it as a series of evolutions. In 1972, CURE began in Texas. In 1985, CURE moved to Washington to establish a national presence. In 2001, chapters were initiated in other countries.

The present for CURE is facing daily challenges. With new by-laws, there is more involvement by board members in national initiatives and the operation of the organization. Presently, and most importantly, bipartisan efforts by Congress and support from other criminal justice organizations are resulting in an examination of the dire effects of mass incarceration.

It seems that every day there are media reports that expose and question practices of the criminal justice system. It is an exciting and busy time. The time for increased advocacy is now!

PLEASE VOTE ON THE NEXT PAGE ON CURE’S REFORM INITIATIVES.

So, we look to the future with hope. We will continue to advocate for changes as an organization of people in prison, their loved ones and others that share the vision of a system that is truly just for all. Our chapters will continue to grow through the hard work of the talented and generous chapter leaders and members.

A major part of this future will be a transition to new leadership. We are getting older. Yes, it happens! Though at this time we do not desire to retire, there will be a time when we must. It is our desire to leave CURE with a solid financial base through various methods of fundraising.

We were shocked! The future got a real boost when a longtime member willed a generous amount of money to CURE. This $115,000 enables us to assist chapters and to begin training new staffers. Please consider including CURE in your will.

In closing, we thank you for your generous support over the years. This is the only time in the year we ask you for help and your donations are used exclusively for the survival of the national office. With your help we will not “miss the future.”

Gratefully, Pauline and Charlie Sullivan

I DO WANT TO HELP CURE CONTINUE ITS WORK IN 2015

Here is my tax-deductible contribution. Stamps are welcome.

$2 ______ $5 ______ $10 ______ $25 ______ $50 ______ $100 ______ $500 ______ $1,000 ______ Other ______

Name: ________________________________

Address: ________________________________

City: __________________ State: ______ Zip: ______ Email: ________________________________

CURE PO BOX 2310 WASHINGTON, DC 20013
We will try to highlight an event of one of CURE's chapters in each newsletter. Let's start with Texas where CURE began. On November 7th over 500 people, many traveling on chartered buses, participated in the Families for Justice Rally at the Capitol in Austin. CURE was one of the sponsors.

Shown is Texas-CURE's Executive Director, Michael Jewell, calling for the release of more people from prison. "Instead of wasted lives, men and women could be in our society working for the common good." On the right are loved ones of prisoners who, after the rally, visited their legislators to ask for reform.

Photos by Alan Pogue

Under the new bylaws, all CURE members are given the opportunity to vote for CURE's policy initiatives for the coming year. The Board of Directors has selected the seven initiatives listed below out of many that had been suggested. Please vote, your ballot is very important.

Vote by writing in the box next to each proposed initiative the number "1" for your first priority, "2" for your second priority, etc. For those you do not support, leave blank. Please cut this out and mail it back to us. The results of this voting will be reported in the next newsletter. Also, you may want to write in an initiative that may become an initiative for 2016.

**POLICY INITIATIVES 2015**

☐ Correctional Education at all levels including the present law which gives Pell Grants to those in juvenile and jail facilities. Also, CURE will seek to repeal the ban on Pell Grants for people in all prisons.

☐ Enforcing compliance with Americans with Disabilities Act in jails and prisons. North Carolina CURE helped to bring about ADA compliance recently for NC prisons.

☐ Oversight and/or advisory committees over prisons with committee members including persons formerly incarcerated and family members. So far, CURE chapters in TX, AR, & NV are planning to introduce this type of legislation in the upcoming legislative sessions in their states.

☐ Holding prisons responsible for the appropriate and timely medical treatment of people incarcerated, including compassionate release and palliative (high-quality, end of life) care for those not released.

☐ Working with coalitions on strategies to bring about a substantial reduction in mass incarceration across the country.

☐ Supporting the legal use of medical marijuana and decriminalizing the use of marijuana.

☐ Introducing a constitutional amendment into Congress that would repeal the exception clause in the 13th Amendment. This clause provides that slavery is not abolished for those incarcerated.

Write-in an initiative that you want included. It will be considered by CURE for initiatives in 2016.

Mail this ballot to: CURE, PO Box 2310, Washington, DC 20013
Announcements

The Center for Prosecutor Integrity will focus on enhancing prosecutorial ethics. The goals of CPI are to preserve the presumption of innocence, assure equal treatment under the law, and end wrongful convictions. For more info, see www.prosecutorintegrity.org

In October, the Federal Communications Commission proposed to ban kickbacks altogether, cap in-state phone rates as it already has done for out-of-state rates, and cap, limit or flat-out prohibit outrageous fees such as a connection fee, a fee to place money in a one’s prisoner account, etc.

Photo by Alan Pogue

The FCC will also look at video visiting. In September, the Commissioners Court in Dallas County in Texas refused to approve a proposed contract that would have ended face-to-face jail visiting and instead force families to pay for costly video visits. After County Judge Clay Jenkins objected to the proposal, a group led by Texas CURE Chair Josh Gravens (shown above) came together to urge the other commissioners to support position of Judge Jenkins.

Get On The Bus brings children and their caregivers from throughout California to visit their mothers and fathers in prison. Contact them at 6400 Laurel Canyon Blvd. Ste. 304, North Hollywood, CA 91606 info@getonthebus.us Ph: (818) 980 7714

Project Avary, 385 Bel Marin Keys Blvd., Ste. G, Novato, CA 94949 tel: 415-382-8799 info@projectavary.org It supports youth in the San Francisco Bay area who have a parent incarcerated.

The Prison Alphabet is an Educational Coloring Book for Children of Incarcerated Parents (Project Iron Kids) in paperback and large print, Google for more details. Authors are Dr. Bahsiyyah Muhammad and Muntaquim Muhammad.

Cell Door Magazine, 12200 Road 41.9, Mancos, CO 81328 is written mostly by people in prison, but also by people closely associated with their experience.

Andy Polk served many years in prison and so did his father and grandfather. Has felonism especially intergenerational incarceration affected your life? Andy’s wife Linda would like to hear from you. Submissions should be mailed to Andy and Linda Polk, POB 128071, Nashville, TN 37212 email: felonism@gmail.com

Consider participating in the monthly free conference call to strategize about the national movement to "END MASS INCARCERATION" (EMI). This non-political organization was started by Ray Hill and Carolyn Esparza. Those who wish to join these EMI discussions should e-mail their name, phone number and state of residence to: info@ppfunited.org

You will receive an e-mail with the call-in information and the agenda several days before the call. The call is typically the 3rd Sunday of each month at 3:00 p.m. CENTRAL time.

Governor Patrick Mallory of Connecticut appointed Kenneth Ireland to the state Board of Pardons and Paroles. Ireland spent nearly half his life serving part of a 50-year sentence before DNA evidence proved he was innocent in 2009. Gov. Mallory was reelected November 4th.

Learn more about Houses of Healing and The National Emotional Literacy Project for Prisoners at www.lionheart.org

According to the International Center for Prison Studies, nearly one third of all female prisoners worldwide are incarcerated in the United States.

Prison Congregations of America, seeks to establish Christian congregations in state prisons. There are now 26 prison congregations in 13 states. Google them.

There are a lot of things going on that are pushing corrections toward more computer use in prisons. For example, the national GED Testing Service (high school diploma) changed in 2014 from paper testing to computer-based testing.

Catholic Mobilizing Network to End the Use of the Death Penalty, google website.

Erica Hellerstein of ThinkProgress at the Center for American Progress is conducting research on the impact of felony disenfranchisement laws on the Latino community. Email her at e Hellerstein@americanprogress.org

The current twenty year contract to operate the Correctional Treatment Facility (CTF), one of the two jails in Washington DC, is operated by the private for profit Corrections Corporation of America (CCA). The contract will be up for renewal in 2017.

On the first Friday of each month a group of jail reform advocates have been meeting to plan how to stop CCA from receiving a renewal of this contract.

Also, the group is discussing whether they should totally support that the operation of a jail revert back to the government or should they advocate for a non-profit, private jail which would be the first of its kind in the world.

Prison Terminal: The Last Days of Private Jack Hall by Edgar Baren was nominated for an Academy Award for Best Documentary (Short Subject) for 2013. Google it.

News of Books

Prison Book Program, 1306 Hancock St., Suite 100, Quincy, MA 02169 sends books to people in state prisons except for CA, TX, IL, MI, NV and MD (except for MD prisons in Hagerstown, Cumberland and Jessup). Write them.

Ask your libraries to purchase:

The Marion Experiment: Long-Term Solitary Confinement and the Supermax Movement edited by Stephen C. Richards.

The Growth of Incarceration in the United States: Exploring Causes and Consequences by The National Research Council

Spirituality in Dark Places: The Ethics of Solitary Confinement by D. Jeffreys

Just Mercy: A Story of Justice and Redemption by Bryan Stevenson

Bryan Stevenson is shown speaking at CURE's global conference in Nigeria.

Photo by Alan Pogue
Disabilities & People Incarcerated

Start first by writing for the FREE INFO about the ADA (Americans with Disabilities Act) from the U.S. Department of Justice, Civil Rights Division, 950 Pennsylvania Ave, NW Disability Rights-NYAV, Washington, DC 20530. In your letter, tell them you are incarcerated or have a loved one in prison or jail. You can also call them at 1-800-514-0301 and give your address and the address of your loved one. Secondly, read (and reread) the following brief history of five events.

(1) 504 in 1973
Section 504 of the Rehabilitation Act of 1973 prohibited discrimination in any program or activity that receives funds from the federal government.

504 came out of the civil rights movement and started the ball rolling. But, implementing it was a “long, winding road.” And when it got to the end of the road, it was inadequate. Much more was needed—an ADA!

(2) ADA in 1990

“This act is powerful in its simplicity. It will ensure that people with disabilities are given the basic guarantees for which they have worked so long and so hard: independence, freedom of choice, control of their lives, the opportunity to blend fully and equally into the rich mosaic of the American mainstream.”

President George H.W. Bush at the signing of the ADC

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990 and gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. The ADA is divided into four main sections called “Titles”. Title I concerns employment, TITLE II Public Entities Title III Public Accommodations and Title IV Telecommunications.

There have been three major Supreme Court decisions applying the ADA to people in the criminal justice system.

The three are the following:

(3) Yeskey in 1997
Ronald Yeskey was a person sentenced to 18 to 36 months in a Pennsylvania correctional facility. The sentencing court recommended his placement in a boot camp program for first-time offenders. Successful completion would have led to release on parole in just six months. Because he had a medical history of hypertension, admission to the program was denied. He sued, alleging that his exclusion violated the ADA. On June 15, 1998, the U.S. Supreme Court agreed. In an opinion written by Justice Antonin Scalia, the Supreme Court ruled unanimously that Title II of the ADA covers inmates in state prisons and in local jails. The case was Pennsylvania Department of Corrections v. Yeskey, 524 U.S. 206 (1998).

(4) Lane in 2004
Tennessee v. Lane, (02-1667) 541 U.S. 509 (2004) was decided on May 17, 2004. George Lane, who uses a wheelchair, was unable to appear at his own misdemeanor trial (access to the courts) without having to crawl up two flights of steps to the courtroom. The Supreme Court voted 5-4 that Mr. Lane was denied a constitutional right, but did not require Tennessee to pay money to him.

(5) Goodman in 2006
United States v. Georgia, 246 U.S. 151 (2006) was decided January 10, 2006. The state of Georgia gave money to Tony Goodman, a paraplegic prisoner using a wheelchair, for the 8th Amendment “cruel and unusual punishment” he received.

Goodman’s maximum security cell was so small that he was unable to turn his wheelchair or use the toilet. At times, he had been forced to sit in his own feces while prison officials refused to assist him in cleaning up the waste. He went for ten months without a shower and years without sleeping in a bed.

The George W. Bush administration backed Goodman, which changed the first name of the lawsuit from “Goodman” to “United States.” The federal government argued for a broad application of the ADA, saying that disabled prisoners should be able to sue for poor conditions and that altering prisons for a small number of disabled inmates would not be expensive.

In an opinion written again by Justice Scalia, the Supreme Court ruled unanimously that Congress has the authority to apply ADA to the administration of state prisons to the extent that it relates to conduct that violates the 8th Amendment (cruel and unusual punishment).

Questions & Answers

What does the ADA protect? The ADA covers a wide range of individuals with disabilities. An individual is considered to have a “disability” if he or she has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

What does “major life activities” include? They include such things as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. To be substantially limited means that such activities are restricted in the manner, condition, or duration in which they are performed in comparison with most people.

Yeskey and Goodman concern state prisons, local jails and civil commitment facilities, but federal prisoners now only have 504? Yes, but 504 is now stronger and is about the same as the ADA.

After studying the free info from the U.S. Dept. Of Justice, I am still confused. Is there someone I can talk to? Yes, again call the same toll-free number 1-800-514-0301 that you requested info from or write them for general answers to questions.

Also, 1-800-949-4232 for the ADA National Network, 401 North Washington Street, Suite 450, Rockville, MD 20850. The Network might have more resources to mail to prisoners e.g. Yeskey and Goodman info.

Finally, write the Protection and Advocacy agency in your state. Google P & A for each state’s contact info. If you cannot google, write the above for your P&A address. Your P&A has the authority to provide legal representation to all people with disabilities. But, this is based on a system of priorities for services that each state decides. Washington-State has the best P & A for the incarcerated and you will be overwhelmed by their website. But, not every state is like WA. No matter, write or have your loved one contact your P&A it may help you.

Do not call or write us with an ADA question. We are not lawyers or know lawyers to help you. Sorry, but that is it.

This is a lot of work. Is it worth it? We obviously think it is. Misters Yeskey, Lane and Goodman and others including public officials opened the door. People incarcerated and disabled but ADA-deprived must now open it wider.
Exception to the Inmate Exclusion

While Medicaid inmate exclusion policy limits Medicaid payments for most health care services provided to individuals incarcerated in prisons or in jail, Medicaid reimbursement is available for care provided to Medicaid-eligible individuals admitted to an inpatient facility, such as a hospital, nursing home or psychiatric center.

Let’s say this again in another way. The U.S. Department of Health and Human Services allows federal funds, i.e., Medicaid, to be used when the person incarcerated is admitted as an inmate in say “a free world” hospital for at least 24 hours.

Although this exception to inmate exclusion has been federal policy since 1997, only a few states have pursued Medicaid reimbursement given the limited number of the incarcerated that could qualify for Medicaid.

But now at least 15 states bill Medicaid for at least some eligible inmate inpatient care. They are the following: AR, CA, CO, DE, LA, MI, MS, NE, NY, NC, OH, OK, PA, VT and WA.

Obamacare has certainly helped states to really start using this exception to the inmate exclusion. But, note that five states, AR, LA, MS, NC and OK, have not expanded Medicaid coverage under Obamacare. These states, however, already have in place laws that make inmates "Medicaid qualified."

But Medicaid expansion (Obamacare) in the other 10 states gives much greater savings since many more people qualify for Medicaid and the federal government gives a much higher matching rate for newly eligible inmates.

This may be getting into too much detail, but you do need to know the great savings state makes on providing “free world healthcare” in the community to a person in jail or prison. Medicaid is the federal and state health-care program for the poor. The fed share is called the Federal Medical Assistance Percentage (FMAP) and is between 50 and about 73% of the state’s Medicaid funding. However, the FMAP to the expansion population of those 28 states so far under Obamacare is 100% through 2016 and never less than 90% until 2022.

What should be done NOW?

Thus, it is logical that (1) inmates should be enrolled in Medicaid both in states that have expanded Medicaid under Obamacare as well as traditional Medicaid under states that have not expanded Medicaid under Obamacare.

(2) Once enrolled, states should suspend, rather than terminate, Medicaid coverage for inmates to accommodate the exception to the inmate exclusion. CMS (Center for Medicare & Medicaid Services), the federal agency, strongly encourages suspension rather than termination. In this way, states can get reimbursed and prisoners can get the care they need.

A major result of the 2014 midterm elections was marijuana legalization in AK, OR and DC.

More importantly, 59% of CA voters approved Proposition 47 which releases thousands of people who were over-sentenced for drug-related crimes. This will help end overcrowding and save millions that can be reinvested in prevention programs for youth. Also, with an accurate criminal record that is less serious, people released will be more successful in their reentry. Everybody wins!

The Sentencing Project reports that CA, NY and NJ have reduced their prison populations in the range of 25% and saw their crime rates generally decline even faster than the national average. For this and other info, see their website.

Pope Francis has said that “life imprisonment is a hidden death penalty.” and maximum security prisons and solitary confinement can be a form of torture. For more info, go to the website Solitary Watch, or write them at POB 11374, Washington, DC 20008. Also, write CURE Life-Long, 665 W. Willis St., Ste. B-1, Detroit, MI 48201-1641.

In Loving Memory

Last July 24th, the legendary Eddie Ellis died in New York at the age of 72. A Black Panther, Eddie was a person who served 25 years for a crime he did not commit. After release in 1994, he became an international prison reformer building on his status in prison as a highly-respected advocate. On a personal level, he strongly encouraged us to use “people first language” in CURE’s newsletter when writing about prisoners and former prisoners.

Your Money

Watch this great documentary about Jpay Time is Money: who is making a buck off prisoners families? By Dan Wagner of the Center for Public Integrity. It features Jewell Miller and her son, Keith, who are Virginia CURE members. http://www.publicintegrity.org/2014/09/30/15797/time-money-whos-making-buck-prisoners-families

On Oct. 27, President Felipe Gonzalez of the Inter-American Commission on Human Rights, urged the federal government to intercede in lawsuits concerning excessive heat in Texas prisons. This was during testimony by the University of Texas Law School’s Human Rights Clinic on its report Deadly Heat in Texas Prisons.

“Since 2007, at least 14 inmates have died from extreme heat exposure,” stated Clinic Director, Ariel Dultizky. Access www.utexas.edu/law/faculty/aed636/ for the entire video of this historic hearing and google for a copy of the report.


Collateral damage: America’s failure to forgive or forget is a roadmap by the National Association of Criminal Defense Lawyers that shows how to restore rights and status after arrest or conviction. nacdl.org/restoration/roadmapreport

Speaking of money, please help CURE save some. If you have moved send us your new address. Thank you.
Congratulations! Charlie and Galen

In August, CURE’s President, Charlie Sullivan, was presented with the 2014 Prophet of Ezekiel Award by St. John’s School of Theology in Collegeville, Minnesota, “for his work for the rights of the incarcerated in the U.S. and throughout the world.”

In November, JustLeadership USA profiled Galen Baughman, CURE’s Director of Communications, for his work on ending mass incarceration. Galen was one of eight formerly imprisoned persons honored. This new organization empowers former prisoners to be leaders in criminal justice reform.

In August, Dr. Harry Bury (shown right) was the main speaker at a USA-CURE event. He showed that a continuum of comprehensive, evidence-based prevention and interventions will greatly reduce crime especially in regard to youth. Legislation to enact this continuum is pending in Congress. For more information about Dr. Bury including how to purchase his book Thinking and Feeling Differently: An Emerging Worldview to the Third Millennium (There is a chapter on prison reform.) Contact him at:

http://homepages.bw.edu/~hbury/ubdex.htm

Write National Criminal Justice Reference Service, POB 6000, Rockville, MD 20849-6000 or call 1-800-851-3420 to subscribe to the free Nij Journal. Published twice a year by the National Institute of Justice it announces the Institute’s policy-relevant research results and initiatives (including corrections).

With Much Gratitude

For years, Rudy and Betty Cypser have been coeditors of CURE’s International emailed newsletter. Rudy is 92 and Betty is in her eighties. Reluctantly, they decided to retire. Also, you can our website (see next column at bottom) to see the comprehensive research and other important info the Cypses have published. If you would like to send them a thank you, please email them at cureny@bestweb.net.

Pictured are Aya Kuwayama from Japan and Chandralal Majuwana from Sri Lanka who have volunteered to take over the co-editorship of the International CURE newsletter. For a copy of their first edition, go to this link:


Great News

The Marshall Project, named after the late Supreme Court Justice, Thurgood Marshall (shown left), is a new non-profit, nonpartisan news organization covering the criminal justice

(www.themarshallproject.org).

The organization was founded earlier this year with the aim of using journalism to elevate the issue of criminal justice reform to one of national urgency. The Marshall Project seeks to write rigorous, analytical, lively stories that highlight not only critical failings, but also possibilities for reform.

The Marshall Project is also hoping to offer a dynamic public platform for first-person reporting from inside prisons, written by prisoners and prison staff themselves. The project is soliciting narrative nonfiction writing (500-2000 words) about a specific aspect of life in jail or prison.

Almost any topic could be of interest, from the boredom of daily routines to the experience of solitary confinement to friendship, education, ways of coping, food or work. Other topics could include relationships with other prisoners and prison staff, communication with family or friends on the outside, etc.

The organization is not looking for poetry, fiction, essays about life before prison, political commentary, etc.

Send submissions to: 250 W. 57th St., Suite 2514, New York, NY 10107 or info@themarshallproject.org and contact them at 212-803-5200.

INTERNATIONAL NEWS

In testimony before the U.S. Department of Justice in October, CURE requested them to pressure the 3,000 jails to facilitate voting by people who are awaiting trial and serving misdemeanors.

“We have 700,000 in our jails and many of them are eligible to vote,” stated CURE President, Charlie Sullivan. “This is about the population of Washington, D.C. If everyone in DC could not vote, the Justice Department would be doing all it could to solve the problem. Why are jails being ignored?”

Sullivan’s testimony was in preparation for the Universal Periodic Review (UPR) which each country in the United Nations is required to submit every four years. At least, lack of help for those eligible to vote in jail is on the UPR list and will be reported as a problem by the U.S.

CURE’s 7th International Conference on Human Rights and Prison Reform will be in Costa Rica in 2016. Funding and participants are needed. If you are interested, please email us.


If you would like to receive this quarterly emailed newsletter or to make a contribution for our international efforts through Pay Pal please go to first page of our website.

www.internationalcure.org