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LIFER-LINE

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THE NEWSLETTER OF LIFE SUPPORT ALLIANCE
ASSEMBLY PUBLIC SAFETY COMMITTEE HEARING
PAROLING TERM TO LIFE PRISONERS
AN EXAMINATION OF CALIFORNIA'S AGING PRISON POPULATION

The hearing sparked by LSA's work to bring the lifer parole issue to the attention of legislators was held May 11, 2010. The full two hours of the hearing revolved around lack of lifer parole and associated issues. Assemblyman and Public Safety Committee Chairman Tom Ammiano selected this topic as relevant to the current search by lawmakers for ways to cut expenditures by the CDCR while still maintaining public safety.

LSA and the prison family community recognizes Assemblyman Ammiano's forward-thinking approach in looking into this politically delicate issue with an open mind. This was not a meeting at which a bill was being considered nor any vote expected, but for informational purposes, to bring to the committee the facts about lifers, their recidivism rates, escalating costs of imprisonment and abysmal record of the Board of Parole Hearings in granting parole dates to suitable lifers.

LSA presented the committee with our three basic points:

- Lifers are the safest prisoner population to parole, with recidivism rates in the low single digits.
- Lifers as a population, due to advancing age and other considerations, are the most expensive prisoner population to continue to imprison.
- The Board of Parole Hearings (BPH), for reasons rooted more in politics than public safety or law, continually denies suitable lifers the chance to parole.

We brought to the committee a panel of expert witnesses from a variety of disciplines to substantiate these issues, as well as written testimony from numerous attorneys, scholars and other experts in the lifer field. Once word of the hearing began to spread we were flooded with volunteers to testify, appear individually or en masse, massive amounts of written documentation and pleas from family members to be included. All letters or written testimony sent to us was duly presented to the committee, those who sent their communications directly to the committee were also included. And those who came to Sacramento to be at the hearing were heard during the public comment period. Additionally, LSA was able to assemble and present to the committee a bound overview of the issue of lifer parole, supported by over a dozen exhibits, cases and studies.

The committee staff incorporated statistics from the CDC, a background of the statutes addressing parole, as well as information on parole practices nationwide and relevant court cases into a report and the Legislative Analyst's Office, the non-partisan research and report arm of the legislature, made a short presentation. Representatives from CDC and BPH were also in attendance.

Interestingly, in the stack of reports, written and oral testimony and anecdotal reporting, no matter the individual or agency source, our three core points were, again and again, affirmed. This comes as no surprise to the prison family community, nor to those familiar with the lifer

situation, but was, we believe, something of a “news flash” for some lawmakers. Some committee members seemed more interested in and receptive to the facts than others; again, no surprise. Many members asked cogent and relevant questions; others tried, with “boilerplate” generalizations and thumping of the “public safety” drum, to dismiss the idea of lifer parole.

Our panel of experts included Nancy Mullane, award-winning independent journalist and producer for NPR, who spoke of her research in San Quentin and her study of several lifers facing the stress and uncertainty of parole hearings. Ms. Mullane has been able to unearth studies as far back as the late 1940s showing that even then the CDC's own studies indicated lifers exhibited an astonishingly low recidivism rate.

Exonerated former lifer Gloria Killian spoke on the special circumstances of many women lifers; Keith Chandler, a lifer finally released through the courts and now a paralegal, spoke of the extended time and cost to the state to fight lifer appeals in the courts and Keith Wattlely, founder of Uncommon Law, gave committee members a brief, pointed history of what parole should be, what it has become and what the state could be looking at in terms of costs, overcrowding and court actions as both lifers falling under the scope of Marsy's law denials and third-strikers begin coming before the BPH in record numbers.

At the end of the allotted 2-plus hours Chairman Ammiano expressed his opinion that the area of lifer parole and BPH policies merited further study and discussion. His sentiment was supported by other committee members. Perhaps the most bizarre “testimony” of the day came from Assemblyman Jim Nielsen, R-Redding, and former chair of the BPH. Though not a member of the Public Safety Committee, Nielsen sat in through much of the hearing. During a discussion of the make-up of BPH (all former law enforcement), instead of posing a question, he offered his opinion that law enforcement members should be the majority of BPH members as only those individuals were “able to see into the heart of the inmate” and gauge their capacity to change.

LSA finds this a specious comment, given that even trained psychologists do not claim to be able to “see into the heart” of any individual, prisoner or not. And we are unaware of any special powers to determine good and evil law enforcement experience bestows on anyone. Assemblyman Nielsen was the author of a recent bill calling for an increase in medical co-pays by prisoners. That bill, AB 2232, has been withdrawn from consideration this legislative session. LSA actively opposed AB 2232.

Armed with an even more extensive arsenal of hard facts and figures in support of our message of the low recidivism versus the high cost of never-ending incarceration of lifers and malpractice of the BPH, LSA will be continue to bring this message and education to the legislature in coming weeks. We have already secured additional appointments with other several lawmakers and will be appearing at up-coming BPH commissioner confirmation hearings.

Please visit our website, www.lifesupportalliance.org, for information on legislation affecting lifers and other prison issues, as well as BPH hearings and what you can do to help. Distribution of the newsletter is encouraged. Any prisoner wishing a hard copy, please send a SASE to *Life Support Alliance*, at the address below.

CORE STAFF

Members of *Life Support Alliance* are family and friends of lifers. Chief lobbyists are Gail Brown and Vanessa Nelson. Indispensable support from Keith Chandler and Gigi Pack. Our numbers grow; for email updates send a request to be included on our email list to: lifesupportalliance@gmail.com. Website: www.lifesupportalliance.org.

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