All of Us or None is an organizing movement started by people who have been in prison in order to challenge the pervasive discrimination that formerly incarcerated people, people in prison, and our family members face. Our goal is to strengthen the voices of people most affected by mass incarceration and the growth of the prison industrial complex. Through our grassroots organizing, we are building a powerful political movement to win full restoration of our human and civil rights.

ALL OF US OR NONE

Our All of Us or None newspaper is a multi-faceted venture linking those of us who have been locked up, those who are locked up, as well as our families and allies in this struggle. As we envision a monthly paper that speaks to our concerns and hears our cries, we want to ensure that the voices of our people inside are heard and the inside artists are recognized for their contributions to this movement. Your articles and poetry are important to us and your art is a valuable tool as we work together to dismantle the injustices in the Prison Industrial Complex. Please submit any articles, poetry and artwork to the following address: AOUON Editor, 4400 Market St., Oakland, CA 94608
Inside This Issue

As members of All of Us or None, we pledge:

• To demand the right to speak in our own voices
• To treat each other with respect and not allow differences to divide us
• To accept responsibility for any acts that may have caused harm to our families, our communities or ourselves
• To fight all forms of discrimination
• To help build the economic stability of formerly incarcerated people
• To claim and take care of our own children and our families
• To support community struggles to stop using prisons as the answer to social problems
• To play an active role in making our communities safe for everyone

Submit your art and/or news articles for publication.

Nominate a formerly incarcerated person for the Coming Home section or submit your own story about reentry.

Nominations and submissions may be sent to:

AOUON Newspaper Editor
c/o Legal Services for Prisoners with Children
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Movement Maker

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Legal Advocacy

Legal Services for Prisoners with Children organized our annual Quest 4 Democracy Advocacy Day held in Sacramento on August 8th, 2022. We invited hundreds of allies from organizations across California to gather at the State Capitol to rally and visit legislators to make known and advance our legislative platform. This day was also organized as a virtual event with online town halls, so, if people couldn’t physically attend they were able to follow the activities virtually. People impacted by the criminal system have an opportunity during this annual event to speak directly to those we’ve elected to represent us about issues that affect the success of our future.

This issue’s Legal Advocacy section will highlight some of the legislative bills we advocated for in Sacramento. The images in this section are a sampling of this incredible gathering. The annual event holds true to the continued fight against discriminatory policies we face as current and formerly incarcerated people.

The Battle to Ban Involuntary Servitude Continues

ACA 3 and Beyond

Prepared by Eric C. Sapp, Staff Attorney

When the United States was founded in the late 18th century, enslavement existed in nearly all the newly independent States. After the Civil War, in which the northern Union, with its wage-labor economy, militarily defeated the southern Confederacy, with its enslavement-based economy, the Thirteenth Amendment to the U.S. Constitution was ratified in 1865. It provided that “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” The exception clause was significant; it meant that penal servitude would not be prohibited as a matter of federal constitutional law. The ban on slavery, in other words, would not be absolute, even in a polity that prides itself on being the land of the free.

The California Constitution of 1849 boldly declared “Neither slavery, nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this state.” However, in the following decade, not only was unconstitutional enslavement tolerated, but the national policy of the Fugitive Slave Act was enforced in this state. The state’s Constitution of 1879 repeated the language of three decades prior (albeit changing “crimes” to the singular, abstract noun “crime”). Accordingly, the logic of exception framed each of the two early constitutions of California – the same exceptional logic which, in the interim between the two state versions, had informed the federal Constitution’s Thirteenth Amendment.

The current version of the state constitutional provision on slavery and involuntary servitude is Article I, section 8: “Slavery is prohibited. The California Constitution of 1879 repeated the language of three decades prior (albeit changing “crimes” to the singular, abstract noun “crime”). Accordingly, the logic of exception framed each of the two early constitutions of California – the same exceptional logic which, in the interim between the two state versions, had informed the federal Constitution’s Thirteenth Amendment.

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enslavement of struggle. Three hours is about exchange our physical bondage for the mental mentally enslaved. The visions we once had at how many people are physically free yet place; when you are free, you will be amazed some might call a job. The world is an exciting to a violation or new charge, nor is it having a problematic CO's are only the beginning, and as by with flashlights in the middle of the night. incarceration brings frustrations. While I am not qualified to tell you what your represent some semblance of success for us. I am not only someone who is formerly incarcerated; I also work in the world of Reentry. More importantly, I am a proud member of All of Us or None. The people who share no experiences with us believe they have coincided. It is the community that connects us, and sometimes it is the community that saves us. This may be a hard pill to swallow, and you may not believe it, but I know when I go to All of Us or None meetings, the people that are showing up are the people who are facing situations and the people who are not showing up are the people who are having more difficulties.

You may want to respond by saying, “well, what if people can show up because they are progressing and the people who are not showing up are because they are struggling, and when they are doing better, they will get involved.” I will have to tell you that I disagree; the people who show up struggling are getting on their feet, creating community, networking, and finally helping others along the way. The people who have a desire to contribute to others seem to be the ones who find breaks and opportunities. After three years and countless community events, I can not believe that this is a coincidence.

Most of us are not coming home to wealthy families and super-star friends. We will have to make do, on our own, with what we got. As of today, society is not giving us a way. The way that seems to be guaranteed is the way back to prison. I don’t think any of us want to stay. We can stay out by coming together. There are many different forms of intelligence, and I know that every single one is inside prison. The movement needs what you have to offer. We don’t simply want it, we need it. Come home, connect, and contribute. If you are trying to come home and don’t have a date, write us; doors can open, and you will never know if you don’t try.

My teacher always told me that if I had no documentation to back up my conversation, I should probably be quiet. For me, this has been a beneficial rule. So why do I believe I am qualified to write this you?

When I was released from prison after 11 years on a 13-year-sentence, the job market was looking scarce for people in my journey alone. I get it because most of us had to do time alone. Doing prison time and being sustainable in society are different, therefore, both situations require different approaches. In prison, you can stay to yourself and run your program. At times, the less talking you do to other people, the easier your time may become. Out here, it is the opposite. Believe it or not, out here, we need community. It is the community that connects us, and sometimes it is the community that saves us. This may be a hard pill to swallow, and you may not believe it, but I know when I go to All of Us or None meetings, the people that are showing up are the people who are facing situations and the people who are not showing up are the people who are having more difficulties.

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When I was released from prison after 11 years on a 13-year-sentence, the job market was looking scarce for people in my shoes. So I enrolled in a local community college, Riverside City College. A group of formerly incarcerated people and allies called Transitioning Minds on the college campus. I decided to attend a workshop and was introduced to all the work being done on our behalf. I was energized and began seeking more spaces in the Individual Empire region of Southern California, where I am from. I got connected with a local coalition called IE: Fair Chance. This coalition consented me to work of law AB1008. The more I came to volunteer, the more I got acquainted with other organizations such as All Of Us Or None. I volunteered and showed up to meetings, and eventually, I was offered a job at a non-profit organization that counseled youth in the inner city. I am from San Bernardino. I spent my time. I still showed up and participated. Over time I was brought on as a community organizer for Riverside All of Us or None. From there, the rest has been history. The opportunities since then have been endless. I am not yet where I want to be in life, but I am in a community with people who understand them and me, and I can put gas in my car and go where I want to go. (Out here, this is a huge deal.) More importantly, I make a difference.

Present day I am still a proud life-long proud member of All Of Us or None. The people who share no experiences with us believe they have coincided. It is the community that connects us, and sometimes it is the community that saves us. This may be a hard pill to swallow, and you may not believe it, but I know when I go to All of Us or None meetings, the people that are showing up are the people who are facing situations and the people who are not showing up are the people who are having more difficulties.

Restoring the Right to Visit for Incarcerated People and their Families

Summary:
In 2020, The Coalition for Family Unity introduced Assembly Bill 990 (Sanitio) that would have guaranteed the right for incarcerated people in prison and people serving felony sentences in some jails. The bill provided that the right could not be infringed upon unless for necessary for narrowly interpreted security interests of the government. The bill would also have explicitly removed barriers to visiting that keep families separated but are not related to rule violations during or in relation to visits.

Background:
Current law treats personal visits to incarcerated people as a privilege, not a right. It allows prisons and jails to deny visiting rights for any reason deemed “reasonably related to legitimate penal interests,” including investigations, discipline for unrelated rule violations, and the visitor’s criminal history. The Penal Code used to protect receiving personal visits as a incarcerated person’s right, but this provision was repealed in 1994 as a “get-tough-on-crime” measure.

Today’s law authorizes facilities to enforce rules and regulations that may impact visiting based on “the need to maintain order, the safety of personnel, the security of institutions and facilities, and required prison activities and operations.” Current law does not require prisons to provide more than two in-person visiting days, even when all would-be visitors cannot be accommodated within two days.

It allows jails in a few specified counties to replace all in-person visits with video calls.
What AB 990 Would Have Done?
This bill would have made it harder for CDCR to deny visits to an incarcerated person or their loved ones. Under AB 990, visits could be denied only when denial is “necessary and narrowly tailored to further the legitimate security interests of the government.” AB 990 would have removed many current barriers to keeping families connected through visits, including by:

- prohibiting denial of visits as discipline for rule violations unrelated to visiting
- prohibiting denial of visits for omissions or inaccuracies on visiting applications when the information is provided on the criminal background report
- prohibiting denial of visits based on law enforcement history of a visitor or incarcerated person other than serious and violent offenses

What Happened?
Neither the Assembly nor the Senate voted in favor of AB 990 and sent it to the Governor for signature. Governor Newsom vetoed the bill. In his veto message, the Governor stated that he was concerned with the costs of potential lawsuits by “individuals denied visiting for what he called ‘non-serious and non-violent security concerns.’” Instead of signing AB 990, Governor Newsom agreed to a budget item that would set aside funds to increase visiting days from two to three a day and to provide free transportation on certain days for family members “five or more” years away from their incarcerated relative. This has not been fully implemented.

The Coalition for Family Unity is preparing to reintroduce the Visiting Bill in the 2023 legislative year. The new bill will focus on restoring the right to visit for incarcerated people and their families, removing visitation scheduling and limiting visitation related visit denial based on errors in the application, and ensuring that the 2021-22 budget augmentation for a third day of in-person visiting and related transportation is fully implemented.

*Information for this fact sheet was collected from laws underneath California and the 2021 S2 Chronicle Article, “Newsom vetoes bill giving California prisoners a right to visitation,” and The Coalition for Family Unity Support letter 03-08-2021.

*Direct questions to Joshua Marin, intern at Legal Services for Prisoners with Children: joshua@prisonerswithchildren.org
Assembly Bill 2383 (Jones-Sawyer): Criminal History in Rental Housing

(partial overview)

**Summary:**
AB 2383 prevents property owners from using criminal history as part of their initial application process for rental housing. It provides language for landlord applications and also provides a procedure for providing and appealing denials based on criminal history. Criminal background checks may be used after the initial application process.

AB 2383 limits the ability of landlords to use criminal history in the rental application process. It delays a landlord’s consideration of criminal history information until after the initial application phase. The landlord must notify an applicant if they are considering rejecting the rental application based on criminal history information. The applicant then has three days to provide a response, including to show that the information obtained by the landlord was incorrect. After the response is submitted, the landlord has five days to make a final decision.

**Background:**
Existing law allows rental landlords to use criminal history information in the rental application process in several ways. They may conduct a screening of applicants, charge applicants up to approximately $35 for the screening, and use criminal history information as a factor to reject an application for housing. Landlords are not required to disclose that they will screen applicants for criminal history. Existing law also restricts the use of criminal history in the rental application process. Landlords may not consider arrests that did not lead to a conviction, information that is more than seven years old, or infractions. California law prohibits housing an applicant has been questioned or detained, did not lead to a conviction, information that is later expunged or reduced to a lesser offense. Landlords are not required to provide applicants the reasons for a rejection, as long as it is “necessary to achieve one or more substantial, legitimate, nondiscriminatory purposes. The effect is that an applicant may receive multiple rejections due to an incorrect screening report without receiving the information needed to correct the errors.

**Proposed Solution:**
This bill would make it unlawful for the owner of rental housing or a business establishment to ask about or require criminal history information during the initial rental housing application, except when it is required by state or federal law. After the initial application assessment phase, property owners may request a criminal background check and consider the criminal history of the applicant in deciding whether to rent or lease.

Statement after CA Senate fails to bring up ACA 3 for a vote, killing our co-sponsored amendment to remove a vestige of slavery from our governing constitution.

The State of California just decided not to vote to end slavery.

The State of California could not see themselves moving beyond the entitlement of enslaving people. That’s what the question of ACA 3 was about: should we as a state hold on to the remnants and vestiges of slavery.

During the speeches before the Senate floor vote, many talked about how they didn’t want to pay “slavery.” The reality of it is: before those people are “inmates” or anything else, they are PEOPLE.

They couldn’t necessarily see prisoners as people. They couldn’t see “inmates” as people.

They couldn’t distance themselves from the practice of slavery because the practice of slavery had them saying. “Please don’t close the prison because it’s going to affect the economy of the city.”

What makes that argument any different than the argument they had during the Civil War? It’d be one thing if we didn’t have any existing lessons of the past to draw from, but we have the entire history of the United States practicing chattel slavery right in front of us. It shouldn’t be that difficult to come up and say slavery under all circumstances is wrong.

I think that they don’t want to admit that they’re holding slaves, to admit that they’re exploiting the hell out of people. We need to clarify that people can’t volunteer at gunpoint! If that were true, then “armed robbery” would be the *voluntarily* transfer of assets.

*What does it mean when the so-called free slaves never get a chance to vote on slavery? When all the black people in California don’t get a chance to have a vote to say should their relatives be enslaved? That the descendants of slaves don’t get a chance to say if should we still maintain that as part of our constitution?* The legislature denied people the possibilities of voting on the question of slavery in California. The general public could have a whole different take on whether or not they want to maintain the notion of slavery in the constitution, but the California Legislature did not give them the privilege. The Democratic party holds a super majority in the legislature, meaning that they’re controlling the assembly and the Senate. We also have a governor that’s a Democrat. This is what makes me sad is that I have a grandson serving 25 years in the California Department of Corrections. I didn’t have a say whether the State of California gets to maintain my grandson as a slave.

We will continue the fight to end slavery and involuntary servitude in this country.
All of Us or None

Slave, who is it that shall free you? Those in deepest darkness lying. Comrade, only these can see you. Only they can hear you crying. Comrade, only slaves can free you. Everything or nothing. All of us or none. One alone his lot can’t better. Either gun or fetter. Everything or nothing. All of us or none.

You who hunger, who shall feed you? If it’s bread you would be carving. Come to us, we too are starving. Come to us and let us lead you. Only hungry men can feed you. Everything or nothing. All of us or none. One alone his lot can’t better. Either gun or fetter. Everything or nothing. All of us or none.

Beaten man, who shall avenge you? You, on whom the blows are falling. Hear your wounded brothers calling. Taught the time by need and sorrow, Counts the blows that arm his spirit. Who, oh wretched one, shall dare it? You, on whom the blows are falling, contribute to the All of Us or None.

If you would like to send feedback or contribute to the All of Us or None newspaper, please contact the Editor.

AUON
4400 Market Street
Oakland, CA 94608
info@prisonerswithchildren.org

If it’s bread you would be carving, Come to us, we shall avenge you. Only hungry men can feed you. Everything or nothing. All of us or none. One alone his lot can’t better. Either gun or fetter. Everything or nothing. All of us or none.

Bertolt Brecht (1898–1956)

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All of Us or None Membership Form

Yes, I want to become a member of ALL OF US OR NONE!

If you would like to send feedback or contribute to the All of Us or None newspaper, please contact the Editor.

AUON
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Name & Number: ____________________________
Institution: _________________________________
Address: ____________________________________
Country of Origin: ____________________________
Do you have children? YES / NO.
Do you need support with family issues? YES / NO
Earliest Parole/Release Date: _____________ County of Parole/Probation: _____________

I can address & pass along feedback
I can distribute materials & resources
I can help with membership outreach
I can organize & facilitate group meeting
I can provide information about聚会
I can address & passalong feedback

Mail this form & any questions to:
AUON
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