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.

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
None, we pledge:

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

- To support community organizing for our own children and our communities
- To claim and take care of our families, our communities
- To help build the economic dignity of our families
- 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 discrimination or ourselves
- To play an active role in making our communities safe for everyone

Legal Advocacy

California Legislative Updates

Legal Advocacy

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Submit your art and/or news articles for publication.
Nominate a formerly incarcerated person for the Coming Home section or submit your story about reentry.

Nominations and submissions may be sent to:
AOUN Paper Editor
C/o Legal Services for Prisoners with Children
4400 Market Street
Oakland, CA 94608

Legal Advocacy Continued from page 2

have transpired without recidivism. Those required to register as sex offenders are excluded from this relief under current and proposed statutes; and the information is still available for purposes of Health and Safety Code - governed background checks for care-giving licenses.

The legislation will expand the discretionary authority of courts to grant conviction records relief under P.C. Section 1203.41 whereby, following a specified time after the completion of any mandatory supervision or prison term, pleas may be altered and felony charges dismissed.

As stated by Californians for Safety and Justice: “Due to the widespread usage of background checks in today’s society, the interrelatedness of these records present […] barriers resulting in chronic housing insecurities, long-term unemployment, and widespread constraints on civic participation. [This causes] severe limitations not only on individuals living with convictions but also their families who profoundly suffer from these penalties.”

The legislation revises the Education Code, which regulates the issuing of credentials to teachers and other credentialed education workers. It will make certain classes of drug offenses, more than five years old, that have been granted “expungement” type relief under Penal Code Section 1203.4 and similar provisions, no longer subject to investigation and adverse action by the Committee on Credentials. Such past convictions will also not be a basis for denying teaching credentials.

SB 731 also reauthorizes Penal Code Section 851.93, a statute providing automatic records relief for arrests. The state Department of Justice is currently and will continue to be required to erase the arrest record information for certain classes of arrests, including the following scenarios: misdemeanor charges that were dismissed or not prosecuted after a year or that resulted in acquittal; certain felony acquittals or when not resulting in conviction within three years; arrests for which the defendant completed a pretrial diversion or deferred entry of judgment program. The legislation expands this to include arrests for felonies punishable by eight or more years imprisonment which have not resulted in a conviction within six years from arrest or when acquitted.

Similarly, the legislation reauthorizes conviction record relief whereby the state DOJ is required to do a monthly review of its criminal records database and to provide automatic records relief for certain classes of convictions. SB 731 will expand this requirement to include, not only infractions and misdemeanors for which sentences or probation have been completed, but also felonies – where sentences as well as any parole, probation and supervision conditions have been fulfilled and four years have elapsed since any parole, probation and supervision orders, if unexpired, will remain in effect notwithstanding criminal records relief, until modified by the court.

The consequences faced by those with convictions or arrests are still complex and daunting, but SB 731, as passed, goes a long way toward establishing a fairer and more reasonable system.

Prepared by: Eric C. Sapp (Staff Attorney) & Joshua Maron (Intern). Legal Services for Prisoners with Children including input from attorneys at Root & Robbunard

Senate Bill 1139 (Kamlager)
Humane Health Care

Summary: The intent of SB 1139 is to provide a series of guided steps and tools to afford incarcerated people and their families a humane health care process.

Background: An incarcerated individual can designate someone to receive their medical information. Unfortunately, despite this designation, CDCR frequently fails to make families aware of an incarcerated loved one’s medical issues in a timely fashion. As a result, many incarcerated people have suffered from illness and passed away alone without CDCR notifying family members for days.

Sadly, this situation is not limited to the COVID-19 pandemic for incarcerated people. The COVID-19 pandemic hit prisons particularly hard due to the confinement. This led to hundreds of incarcerated people dying alone, with no family members present or even notified. Incarcerated men and women who endure medical emergencies, and even slow deaths, suffer/pas away alone regularly. This is a callous disregard for the incarcerated person suffering from illness, and a tragedy for their families.

Solution: SB 1139 mandates that CDCR:
- Remove all fees for incarcerated people requesting medical records;
- Provide certain medical forms and update them at the incarcerated person’s annual review;
- Notify those listed on certain medical release forms of their incarcerated contact within 24 hours of the person experiencing a medical emergency.

Make emergency in-person contact visits and video calls available whenever an incarcerated person is hospitalized or moved to a medical unit within the facility and the incarcerated person is in a critical or more serious medical condition;

When an incarcerated person is in a critical or more serious medical condition, make emergency in-person contact visits and video calls available whenever an incarcerated person is hospitalized or moved to a medical unit within the facility;

Expedite the current medical grievance process for an incarcerated person;

Remove the visitor clearance process (up to four visitors) when an incarcerated person is in imminent danger of passing away; and designate a phone line for people on the outside to call into an institution to give notice of medical emergencies related to family members of the incarcerated person.

A LOSS TURNED INTO A WIN

Although SB 1126 passed the California State Assembly and the Senate, Governor Newsom accepted LPC’s request to veto this harmful legislation and did the right thing.
The women taking this class were awarded a “Family Law Assistant” Certificate. It is our goal that the women will be prepared to make their own documents with more effectiveness, as well as assist other women to do so.

LSPC provides this family law training and materials without cost to any of the institutions. LSPC has already provided this training to facilities such as California Women’s Facility, Adelanto Detention Center, Adelanto Detention Center, Los Angeles County Juvenile Hall, FBI, Federal Correctional Institution, Darien (FBI-Dublin), and the former Valley State Prison for Women (VSPW).

The last Lifelines LSPC completed was at CIW in November of 2019, with approximately 37 women participating. A lot of people commented on how they enjoyed the breakout groups and that it was nice that there was enough time for people to have one-on-one time to ask their questions and share their stories. We at LSPC know that Lifelines classes provide crucial information to mothers in prison. Some women have stated that they did not even know they had the right to an attorney or that they could appear by telephone for their court appearances in dependency court. Some women also shared their own declarations, petitions to modify the court orders, and also learned they could communicate with their attorneys through legal calls that could be coordinated through their correctional counselors. Other women in the class informed the facilitators that they began requesting social worker case plans, reunification plans, and learned how to get more information about what was happening in these varying courts regarding their children.

The Family Unity Project of LSPC is excited to bring our Lifelines program back into our incarcerated community as soon as possible. We are currently working with CDCR to schedule a date of how soon we can start our first workshop and in which institution. We will keep you all updated.

If you have any questions, or would like more information, please reach out to:

Family Unity Coordinator
4400 Market St, Oakland, CA 94608

Visiting Updates

Since our last Newsletter dated July 2022, the Coalition for Family Unity received responses from several Inmate Advisory Councils/Mac Reps in different institutions confirming that CDCR did not survey IACs and SIFC on the decision to set aside an in person day for video calls only.

We reached out to the State Inmate Family Council (SIFC) to inquire about CDCR’s statement on surveying SIFC’s and IAC’s and only one SIFC responded with the same information as IACs, denying allegations of any survey by CDCR. They provide a day specifically for video calls. It is unfortunate that we have not received much support from the State Inmate Family Council (SIFC) but that has not stopped CFU from pushing for 3 days of in-person visits in addition to video calls. As a result of the information shared by several IACs we engaged CDCR in a back and forth email conversation which led CDCR to conduct a statewide survey for outside family members and inside IACs (only). We don’t have information for all 34 prisons for IACs, but some IACs did confirm filling out a survey after receiving strict instructions to not share that survey with the rest of the incarcerated population. The Coalition for Family Unity has reached out to CDCR for a report on both surveys, but has not yet received a response. Their response has been that they are still working on putting together the data, because several questions were open ended, which resulted in information that is hard to summarize. CDCR did report that the families continue to 250+ surveys, which is a good sign. We agree, but that does not mean that families are asking for less in person visiting. We will share the report with our incarcerated population when CDCR is ready to share those results with us.

Transportation

More than a year after CDCR received $2.2 million for transportation to all 34 institutions in California, the CDCR website finally has a link for TransMetro ride schedules. The web posting states “TransMetro is now accepting reservations for rides to take the weekend of September 30.”

Buses depart Friday, Saturday and/or Sunday from four California regions: Central, Southern, Northern, and the Bay Area. Each region schedules service to all institutions on a rotating basis. All trips are subject to change and based on demand and health and safety factors. Visit the “TransMetro Bus Service” page for important details. (www.cdcr.ca.gov/visitors/transmetro-bus-service

Lifelines is Back!

It has been over a year since CDCR lifted the COVID restrictions it brought along to prevent the spread and fatalities inside and out of prisons. CDCR has started lifting visiting normal for our incarcerated population which ended, which resulted in information that is more than two years of limited communication. Parents. It supports mental health and creates a healthier environment in prisons. And it also nourishes the bonds between loved ones and between parents and children. We are now inquiring about face masks during visits if most COVID restrictions have been lifted. We are also advocating on behalf of the families who lost their visits for a month to three months for showing physical affection. We will keep you all posted.

LSPC has good news to share! The LSPC class is coming back to women prisons, county jails, and federal women prisons, with some possibility of bringing it to men’s institutions.

Spotlight California Department of Corrections & Rehabilitation

Spotlight

California Department of Corrections & Rehabilitation

October 2022

October 2022

There are generally three pickup points for rides to each prison, but families are reporting that the pick-up option they select is not available, leaving riders to decide whether to pay for an Uber ride that could cost them up to $125 each way. Several registered visitors have told us that all rides from Los Angeles and to Southern California were exhausted in the first two days. TransMetro is not available for Family Visits. TransMetro is strictly a point A to point B transportation service, and families need to pay for their own food and lodging. Let me know about your families’ experiences with this transportation service.

Update to COVID Regulations during Visiting

We want to thank CDCR for taking our advocacy into account and lifting some of the COVID restrictions during visits starting September 19th. Most pandemic babies had not had an opportunity to meet their incarcerated parents, because children under the age of 2 could not visit during the pandemic. CDCR has just made some changes to that restriction. Here are the new updates from the CDCR website, effective September 20th, on in-person visits and family visits:

Update to Vaccination Requirements. “Effective immediately, all residents residing in a facility which is in OPEN phase of the Roadmap to Reopening are eligible for in-person visitation, regardless of their vaccination status.

In Person Visiting

1. Children under two will be allowed to visit without a face covering; however, they must screen negative for COVID symptoms on the day of the visit.

2. Pre-visitor COVID testing for visitors will no longer be required, regardless of vaccination status; however, each visitor must self-screen negative for COVID symptoms on the day of the visit. If staff observe residents or visitors displaying symptoms consistent with a contagious disease, the visit may be terminated.

Continue on page 7
Mailbag

AOUON witnessed so many prisoners give up hope and succumb to their life sentences. Many human strange, priorities re-arrange, choices to live and finding a way out. Over the course of my prison term I have stealing, soul searching, soul revealing, soul earth to speak, learned to state of California against me, learned to plan out a strategy, strategize from A to Z, learned to read, learned and sheer will, fight for their life … and attain freedom.

Butterfly effect

Swinging from a lemon tree
Noose draining the life out me
Striped naked, shaking as I choke
Sweat dripping, blacking out

Then the rope broke
Seeing stars
Screams profane
I won’t answer
Never again
That’s not my name
Gotta run
Get up, stand up
Slip the handcuffs
Fight for life
Catch a fire
Run like hell
I rebel
Freedom calls
Escape the claws
Escape the jaws
Turn around
Turn to salt

I was never a slave, Resisted being broken, So they tried to lynch me, Put the weight Of the state of California against me, Life sentence is a slow death, Mutilation, brainwashing, Soul stealing, soul searching, soul revealing, soul healing, grew strong, grew wise, learned to fight, learned to see, learned to plan out a strategy, strategize from A to Z, learned to read, learned to speak, learned to pray, learned to think, revolution is complete change, evolution can feel like change, priorities re-arrange, rebellion runs in my veins, shake the foundation of the plantation, earth quaking, tattoos hurt, pain worth taking, aint forever long enough, sunset, sunrise, free spirit, new life, wake up and live, less take, more give, be peaceful, 4 give, apologies accepted, human flaws neglected, message, accept the blessing, answer the question, question the answer, do your best, inspire genius, build a legacy, fly like Pegasus, fly like Icarus, butterfly effect, remain rebellious.

Liberation.

The letter below was sent to Gov. Newsom requesting his veto of SB1262:

September 2, 2022
RE: Request Veto on SB 1262 (Bradford)

Dear Governor Newsom:

On behalf of Legal Services for Prisoners with Children, I write to urge you to VETO SB 1262 (Bradford), which would allow anyone in the general public to do an online search of criminal cases by filtering results based on an individual’s date of birth or driver’s license number, or both. The bill makes one’s criminal history permanently available to everyone online and was sponsored by commercial background check companies who wish to obtain otherwise-restricted rap sheets at little or no cost with no regard for the interests of formerly incarcerated or convicted people. SB 1262 conflicts with the existing statutes that prohibit unauthorized access to local rap sheets as well as the constitutional right to privacy that the statutes seek to protect.

SB 1262 would undo last year’s ruling in All of Us Or None-Northern Riverside Chapter v. Hamrick, which prohibited the privacy of all people by making it harder and more costly for unauthorized individuals to access criminal case records by personal information and to misuse those records. The ruling makes it more expensive, but not impossible, to compile a commercial criminal history under the existing laws but has no impact on state-authorized background checks at all.

Additionally, we know that the ruling results in reducing the background check companies’ profit margins and increasing the cost of a commercial background check. In this era of mass incarceration and collateral consequences, the Hamrick Court’s ruling rightly asks us how much we are willing to pay for our biases against formerly incarcerated persons or persons with conviction histories. When a commercial background check costs more and takes longer, we would really have to believe in its utility to buy and use it.

SB 1262 affirms the self-serving argument of commercial background checks that one’s criminal history is always relevant and, therefore, should be made readily available to everyone. Both the premise and the conclusion are false. Persons with criminal convictions should never be unfairly stigmatized; persons released from incarceration should not be prevented from re-integrating into society. However, it is important to observe that SB 1262 does not only apply to the records of persons convicted of criminal offenses. By its terms, SB 1262 applies to all defendants in criminal cases, including those who are on trial or pre-trial sentencing and, although so-called expungement statutes are limiting factors, it also may apply to cases where the charges are dismissed or acquitted. Anyone in our system of law is presumed innocent until proven guilty, and yet an accused person’s case information will be readily available to anyone who searches with a name and date of birth. To appreciate the extent of intrusion on privacy this bill represents, consider the following quandary scenario. Suppose you are asked by a grocery store clerk to provide proof of your date of birth while purchasing a lottery ticket or bottle of wine at the grocery store. That grocery store clerk can then run an online search of criminal cases pending against you in any county, with a few presses of a button. It is not difficult to imagine the abuses and needless intrusions on privacy that such a system could promote – a veritable Kafkaesque culture of suspicion. That is not the California we want to create.

For these reasons, Legal Services for Prisoners with Children opposes SB 1262 and respectfully request you to veto this harmful bill. Thank you for your attention to this matter.

Sincerely,
Eric C. Sapp
Staff Attorney, Legal Services for Prisoners with Children

The following letter was Governor Newsom’s veto letter for SB 1262

OFFICE OF THE GOVERNOR
SEP 2 2022
To the Members of the California State Senate:

I am returning Senate Bill 1262 without my signature.

This bill would change superior court rules to allow publicly accessible electronic court criminal indexes to be searched with a subject’s driver’s license number or date of birth. This bill would override a 2021 appellate court decision and current court rules that strike a fair balance between public access to court records, public safety, and an individual’s constitutional right to privacy. While this bill may provide for a more convenient process for companies conducting commercial background checks, it would also allow any member of the public to easily access individuals sensitive personal information online.

For these reasons, I cannot sign this bill.

GOVERNOR GAVIN NEWSOM
SACRAMENTO, CA 95814 (+1) 445-2841

Visiting Updates Continued from page 5

3. Pre-visitation COVID testing for residents will no longer be required, regardless of vaccination status; however, each resident must screen negative for COVID symptoms on the day of the visit.
4. Residents who are in isolation or quarantine are not eligible for family visiting.

Post Visitation Testing: In Person Visitation
1. All residents shall be tested for COVID once by PCR 3-5 days after the visit.
2. Residents who are symptomatic and/or test positive shall be isolated per Intra-Interim Guidance.
3. Residents who decline post-visit testing will be quarantined for 10 days.

Post Visitation Testing: Family (Overnight) Visitation
1. All residents shall be tested for COVID by PCR on days 3 and 7 after the visit.
2. Residents who are symptomatic and/or test positive shall be isolated per Intra-Interim Guidance.
3. Residents who decline post-visit testing will be quarantined for 10 days.

CFU continues to advocate for a return to pre-pandemic conditions for visits in California prisons. We communicate constantly with CDCR, asking them to lift some of the most inhumane restrictions that have separated families and caused health problems among the incarcerated population as well as families and children.

Next Legislative Session
CFU is preparing to resubmit our visiting bill proposal to a couple of legislators who are interested in authoring our bill. The bill’s main focus is to restore the right to visit for incarcerated people and their families, remove visits as a disciplinary action and make the visiting application process easier for families.

If you have any questions, concerns or suggestions, you can write to: Ivana Gonzales/Family Unity Coordinator
LSPC
4400 Market St.
Oakland, CA 94608

October 2022

Legal Advocacy continued from page 3

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LSPC
4400 Market St.
Oakland, CA 94608
Chapter Contacts

National AOUON Headquarters
4400 Market St., Oakland, CA 94608
Phone: (415) 255-7036 x337
Fax: (415) 552-3150

AOUON National Organizer:
Oscar Flores: oscar@prisonerswithchildren.org

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

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

October 2022

All of Us or None Membership Form

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<tr>
<th>Yes, I want to become a member of ALL OF US OR NONE!</th>
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Mail this form & any questions to:
AOUON
4400 Market Street
Oakland, CA 94608