

Our All of Us or None newspaper serves to link those of us who have been locked up, those who are locked up, as well as our families and allies in this struggle.



ALL OF US OR NONE

NEWSPAPER

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 stories matter!

JULY 2023

Article 1, Section 6, of the California Constitution outlaws slavery and involuntary servitude "except as a punishment for crime where of the party shall have been duly convicted."



Revisiting Captivity

by Alissa Moore, Elder Freeman Policy Fellow

Imagine arriving at the very place where you were imprisoned, the parallel paths of your life colliding. Who you were yesterday & who you are today meeting face to face for the first time. On the morning of yester years you were captive here leaving the dorms to start your day at this very same time feeling the chill of the freezing morning winds of autumn in Central California Women's Facility, the largest facility designed to house women in the world where you had spent the majority of your young life.



LSPC Policy Fellow, Barbara Chavez, in pink, with the Coalition on Pardons & Commutations team.

Beyond Juneteenth

The lingering reality of slavery in US prisons

by Esmé Lipton, Intern at Legal Services for Prisoners with Children

Juneteenth, a federal holiday commemorating the emancipation of enslaved African Americans, was recognized nationwide this past weekend, and yet, slavery still exists in California. Legal Services for Prisoners with Children's (LSPC) grassroots arm, All of Us or None (AOUON), organized a collaborative effort on Juneteenth to campaign against the legalized practice of slavery within California prisons. Article 1, Section 6 of the California Constitution permits involuntary servitude "as a punishment for crime," and essentially functions as a loophole for the California government to legally enslave incarcerated individuals.



"ACA 8 will give you, the voters of California, the opportunity to end legalized and constitutionalized slavery in 2024. And that's what we're working on," says Chris Lodgson from the Coalition for a Just and Equitable California during the Juneteenth celebration in Sacramento, CA. Behind Chris, members of AOUON hold a sign that reads, "Involuntary Servitude is Slavery." For more information on ACA 8 and involuntary servitude, have your loved ones visit www.CAslave.com.

"Not enough people are aware that slavery still exists and that language still exists in our federal Constitution in 2023," says LSPC Deputy Director Paul Briley. According to Briley, AOUON's core initiative for this collaborative demonstration was to educate the public on the prevalence of modern-day slavery: "Everybody is under the impression that slavery was over in 1865, when really, when the 13th Amendment was ratified, it legalized slavery."

As a civil and human rights organization fighting on behalf of formerly and currently incarcerated people, AOUON is dedicated to breaking the shackles of mass incarceration through political activism, policy reform, and the amplification of the lost or silenced voices of those imprisoned.

This past Juneteenth, several AOUON organizers gathered across California to abolish involuntary servitude within prisons by advocating for the passing of California ACA 8—a state constitutional amendment that would remove the exception clause permitting slavery as punishment, so that incarcerated people are not forced to work or cruelly punished for work absences. ACA 8 would give incarcerated individuals the freedom to choose when and how they offer labor.

Multiple AOUON chapters and community organizations tabled and spoke at various Juneteenth events throughout California to campaign against slave labor practices. Chris Lodgson from Coalitions for a Just and Equitable California along with AOUON organizers Henry Ortiz and Jeronimo Aguilar addressed the crowd at Sacramento's 20th Annual Juneteenth event to illustrate the reality of involuntary servitude within the prison system.

"This criminal conviction business, this prison business, don't get it twisted—it's about enslavement," Ortiz proclaimed. As the organizers spoke, behind them stood fellow AOUON members holding up a banner with the message: "Involuntary Servitude Is Slavery."

The AOUON Riverside Chapter tabled at Fairmount Park for the city's 3rd Annual Juneteenth celebration, with the same banner hanging inside their booth, and their table scattered with ACA 8 informational pamphlets, resources to support their cause, and various AOUON merchandise with messages like "Retired Slave" and "Never Again." Informing our community of the injustice of inhumane labor practice proves vital to gaining the support necessary to pass restorative legislation and,

The Pardons & Commutations Coalition team invited our staff member Barbara Chavez to come into CCWF as a guest of the Coalition on Pardons & Commutations, a team of former life without parole survivors (Kelly Savage, Nia Noor, & Steven Greene) & Colby Lenz of CCWP who have been working to educate the governor's office on issues that this demographic has faced thus far with no representation. Initially there was a call for all life without sentenced individuals to attend but as we all know the list was cut with no rhyme or reason much to the dismay of the coalition as they had hoped to have everyone present.

Barbara expressed she was feeling nervous upon her initial arrival at CCWF but extremely blessed and honored to be able to go back inside and share her testimony of hope and endurance with other women who are in the same position as she once was, many of whom are considered family.

The idea was simple, to help give life without parole people hope. Bringing the governor's commutation team, Representatives from the Board of Parole Hearings (BPH) clerks office not only was able to show the LWOP population that they are not forgotten but also for the select group of participants it gave them the chance to share what freedom looked like to them, amongst other questions as the commutation team listened & watched and connected to them on a very human level.

For many of our readers outside the carceral system you may not know that within the California department of corrections and rehabilitation there are a host of rehabilitative programs happening. Moreover the bulk of these programs are being facilitated by life without parole individuals. This demographic over time has en masse contributed to the rehabilitation of thousands of incarcerated folks tirelessly. I have personally watched life without parole individuals write, develop & teach curriculum. Haggle with administration to get those same curriculums up and running & keep them running, mentor youth & other young lifers entering the system, quell issues that come up in population & advocate for their peers along the

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NEWSPAPER

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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 prison industrial complex. Through our grassroots organizing, we are building a powerful political movement to win full restoration of our human and civil rights.

www.prisonerswithchildren.org



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**SELF DETERMINATION
PLEDGE**

**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**



(l-r) Paul Briley, Dorsey Nunn, and Dr. Tanisha Cannon. Photo by TaSin Sabir

Message from Dorsey

by Dorsey Nunn, Executive Director and Co-Founder of AOUON

Greetings,

As someone who has been preparing my staff and movement leaders for my transition, I want to take a moment to share some important updates regarding the future of our organization and the significance of embracing new leadership. I have made the decision to retire from my position as the Executive Director of LSPC, effective April 2024.

Having served as the Executive Director of Legal Services for Prisoners with Children for over 20 years, and with the organization's rich 45-year history, I believe it is crucial to provide an explanation and recognition of the changes I'm implementing prior to my retirement. I want to ensure our community that my transition has been carefully planned and nurtured. I will remain on the LSPC Board to be a resource and support advocate for this organization.

I am proud to announce the promotion of Paul Briley to the position of Deputy Director and also Dr. Tanisha Cannon as Managing Director. These young people have already demonstrated dedication and amazing accomplishments both within our organization and the broader movement. You can read more about them individually in this publication. I am confident that both their skill sets will play a vital role in shaping the future of our organization. Over the coming months, I

will personally reach out to our funding partners, supporters, and sister organizations to introduce you to our new leadership team. I kindly request your support and ask you to embrace these leaders in their new roles. Your unwavering generosity, kindness and acceptance have been the cornerstone of my journey at LSPC.

Furthermore, in the coming months LSPC will conduct a national search to hire the next Executive Director for Legal Services for Prisoners with Children. The candidates identified through this search will be presented to the LSPC Board of Director's who will ultimately select the new E.D. This thorough and inclusive process will ensure that the person best suited to lead this great organization forward will be selected. I have no doubt that under capable, visionary and dedicated leadership, LSPC will continue to thrive as it has for the past 45-years.

I am filled with so many different emotions as I work toward retirement, I certainly hope to steward this transition with the humility, efficiency, thoughtfulness, gratefulness and the genuine leadership required. I know I will have to learn not to work and how to relax. Thank you for all your support.

With heartfelt regards,
Dorsey Nunn
Executive Director, LSPC



Paul Briley and Dr. Tanisha Cannon. Photo by TaSin Sabir

Paul Briley

Paul Briley is the Deputy Director of Legal Services for Prisoners with Children. Paul focuses on fines & fees among other legal monetary sanctions that burden formerly incarcerated individuals and disproportionately impact low-income people and communities of color. He grew up in the Bayview-Hunters Point district of San Francisco, a community that has seen its fair share of social problems over the years.

As a child Paul was displaced by the foster care system and subsequently fell into a deep cycle of recidivism. The juvenile dependency court deployed him to a military boarding school for troubled youth. This instilled a great deal of consciousness and respect for different people and different places, but it also sparked an immense amount of curiosity and concern within. The majority of individuals confined were impacted by public policy.

After aging out of foster care Paul became politicized through Project Rebound and learned how to use his carceral experience as a catalyst for change in social justice. He attended San Francisco State University and became an advocate for system impacted students on campus. He transferred to the University of California, Berkeley and became a student ambassador for the Berkeley Underground Scholars, a student-led organization of formerly incarcerated students on campus working to expand the prison to school pipeline. During undergrad, Paul noticed significant differences that distinguish one community from another and how social programs, public policy laws, and monetary allocations create these community distinctions. He explored how multiple areas of study intersect with one another and majored in interdisciplinary studies with a specific goal in mind, utilize the inside knowledge of institutions and systems currently in

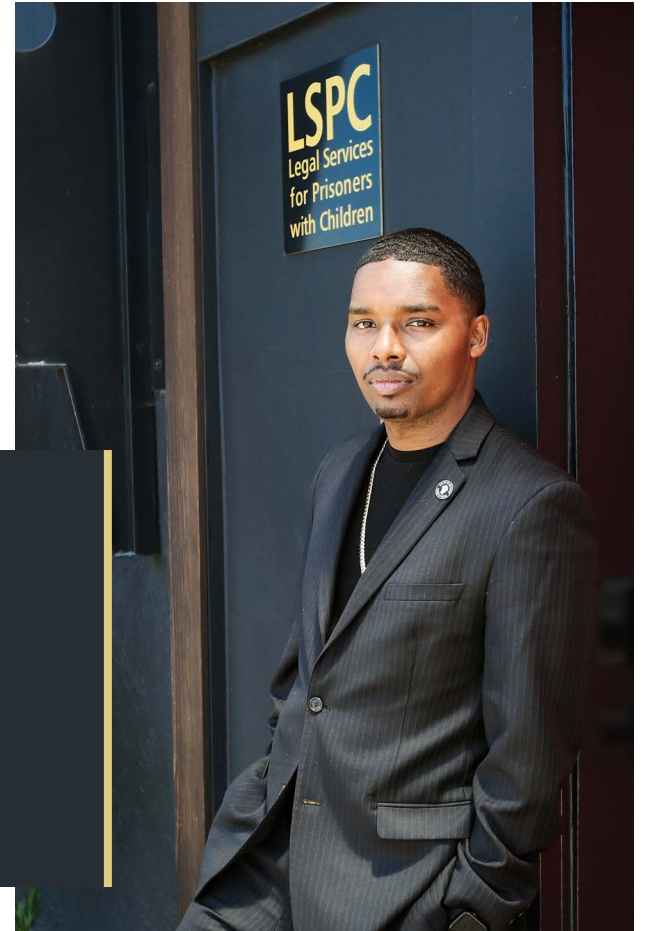
place to help people from marginalized groups.

All of Us or None presented an opportunity in 2019 to become a Ronald Elder Freeman Policy Fellow. He was trained to become a community organizer and policy advocate for formerly incarcerated and convicted people as well as their families. During his fellowship, Paul helped draft the language for ACA 6 which restored the right to vote to 50,000 people on parole in California. He also helped lead the People over Profits campaign in San Francisco, an ordinance change that required the

**Paul Briley:
Challenging the status
quo, creating institutional
change, and empowering
the marginalized.**

City and its vendors to stop generating revenue from incarcerated people and their loved ones. San Francisco became the first city in the nation to make jail phone calls free and end the markup of commissary items in the county Jail. The victory in San Francisco permeated throughout California influencing larger legislation cosponsored by LSPC making phone calls free inside of all CA state prisons.

The People over Profits ordinance was an important change but it didn't help people who still lacked the funds to purchase from the commissary. To go a step further, Paul created the Commissary Allowance Program in San Francisco, which allows incarcerated people who lack financial support to



Paul Briley, Deputy Director of Legal Services for Prisoners with Children. Photo by TaSin Sabir

receive a small monthly allowance to pay for basic necessities. This is the first program of its kind in the country.

Paul extends his efforts to those who have fallen victim to social forces and will work to reconstruct the policies that have allowed this to happen. Unbound by the institutions of previous order, he is creating an alternative discourse independently of the dominant social group. Paul has an insatiable appetite for resilient truth, obtaining knowledge that produces solutions, and creating ways to sustain institutional change.

Dr. Tanisha Cannon

Dr. Tanisha Cannon is a dedicated and compassionate advocate for social justice, committed to making a lasting impact on the lives of prisoners and their children. As the Managing Director of Legal Services for Prisoners with Children, she brings a wealth of knowledge and experience in the fields of education, sociology, criminal justice, and public administration.

Dr. Cannon earned her Doctorate in Educational Leadership with a focus on social justice from California State East Bay in May 2023. Prior to that, she pursued her undergraduate studies in sociology and completed a Master's in Public Administration. Her academic background has provided her with a comprehensive understanding of the complex issues surrounding underserved communities and the criminal justice system.

Dr. Cannon's passion for creating positive change stems from her personal experiences. Having witnessed firsthand the effects of the criminal justice system on her own family, with her mother, brothers, and grandfather all experiencing incarceration, she is deeply committed to challenging the status quo. As a juvenile, she also faced direct impacts from the system, giving her a unique perspective and a sense of urgency to work towards systemic reform.

Throughout her career, Dr. Cannon has actively engaged with underserved communities. She dedicated her time and expertise at the Oakland Housing Authority, where she worked tirelessly to address the needs of marginalized populations. Additionally, her role as a Cultural Strategist with the City of Oakland allowed her to collaborate with government officials and community leaders to develop initiatives promoting equity and inclusion.



Dr. Tanisha Cannon, Managing Director of Legal Services for Prisoners with Children. Photo by TaSin Sabir

She believes in the power of civic engagement and community organizing to drive meaningful change. Her dedication to empowering individuals and creating systemic solutions sets her apart as a leader in her field.

Dr. Cannon firmly believes that her works at

LSPC should be organized around principles of caring, compassion, love, and humanity. Drawing inspiration from the concept of Ubuntu—a Zulu South African philosophy of humanism—she recognizes that while individuals have diverse lived experiences, their shared humanity is the foundation for affirming and validating their voices. She strives to prioritize the human element in her work, placing greater emphasis on the stories, experiences, and perspectives of individuals rather than reducing them to mere numbers and charts.

By incorporating these principles into her role

**"I am because of
who we all are."**

-Ubuntu: An African philosophy emphasizing 'being self through others'.

as Managing Director, Dr. Cannon ensures that her work is guided by empathy, respect, and a commitment to amplifying marginalized voices. She seeks to create a space that recognizes and values the inherent dignity and worth of every individual, fostering an environment that promotes equity, justice, and positive change.

Dr. Cannon will continue to champion the cause of justice and support the families impacted by incarceration. Her tireless efforts, combined with her extensive knowledge and personal experiences, make her a compassionate and effective advocate for systems change.

Jesse's Corner - Reparations

by Jesse Burleson LSPC/AOUON In-Custody Program Coordinator

It's official. I got onto the Reparations Commission in Alameda County! Thank you, Alameda County District 5 Supervisor Keith Carson, for selecting me to serve the interest of the modern-day slave population, i.e., the incarcerated class of black men and women. I will do my part to ensure that whatever is decided to be given as reparations that those behind walls get it too.

The Commission is set to run from June 2023 through June 2024, during which our Commission will make our "recommendations." So, if you have any real knowledge concerning reparations, shoot it! We're talking about everything from land, to money, to sentencing laws, to constitutions, and whatever is in between. We haven't had our first meeting yet, but I will keep you posted on how things go. I expect to learn a lot from the process and will share it with you.

This Juneteenth felt special. I went to Juneteenth in my hometown of San Francisco (in the Fillmore district, or as we say, Fillmoe) where local Bay Area talent was performing live onstage. Thousands came out and came through. No drama. All love and good vibes. I recalled going to Juneteenth in my youth when strutting was popular: Demons of the Mind, Close Encounters, and The Best Strutter I ever saw, Lonnie Green, was there on Juneteenth 2023. There was the car show, the fashion show, the R&B show, and the Hip Hop shows! It was really lit! A lot has been happening on the political home front. Bills are steadily moving through houses. A few to keep your eyes on are: ACA 8 (The End Slavery Act), ACA 4 (Voting Rights for Prisoners), and AB 958 (Visiting Rights Restored). The ACAs are proposed constitutional amendments to our state's constitution. In order to change the constitution, it must be voted on by the People. The legislators can't change the constitution. They can only make laws under the constitution.

ACA 4 - Right now, our state constitution does not allow for prisoners to vote. To change that, the People must vote to have it changed. To get it on the ballot for voters, it must either 1) be voted to go onto the ballot by 2/3 of the legislature in both houses; the assembly and the senate, or 2) be placed onto the ballot by way of "petition", meaning, getting millions of signatures from a massive petition drive that is very expensive. The short cut is to ask the legislators who represent all of the people to vote it onto the ballot by a 2/3 vote in Sacramento. Then it would go onto the ballot for the people to decide. I believe the people would vote for it to pass. The majority of people in California are more progressive than ever, and I doubt that they

would oppose prisoners participating in the voting process. They are not threatened by that. The People just voted to pass Prop. 17, which gave parolees the right to vote.

ACA 8 - Would remove "Involuntary Servitude" from our state constitution as a "punishment" for crime. This means that if ACA 8 passes, you couldn't be written up or disciplined for refusing to work anymore. No more having your privileges taken away because you turned down a slave job that you didn't want or need. It would put the ball in your court when it comes to whether or not you want to work a job that doesn't pay you or doesn't pay you right. It gives you a "choice." Right now, your choice is to either accept the job or get penalized for not accepting the job. If you want to support this effort from inside, you can tell your family and friends to support these bills that are currently in Sacramento. They can write letters to their representatives saying they support these bills. A voter is considered a "constituent," and that is who the representatives listen to, because constituents are who vote them into office and are the same people who can vote them out. So, write to your families and tell them about these bills. They can call our office and we will help them with writing a letter.

You can write a letter to your representative as well. You can't vote (yet), so you are technically not a constituent. But you can tell your representative from your hometown district that you are a future constituent and that you will vote for them if they vote for your bills now. If you need a template letter, we can help with that. Just ask.

AB 958 is the same as AB 990 (2022), a bill we ran last year that Governor Gavin Newsome "vetoed." AB 958 will restore visiting rights inside, so your visits can't be terminated or canceled or denied arbitrarily. We had visiting rights in the past until they were taken under former Governor Grey Davis in 1997. Just last year, the legislature voted in support of restoring the right to visits (AB 990). But Newsome vetoed the bill. We are hoping that he won't do the same thing again this year. But that is why it is important to get your families involved. They can write and call the Governor's office and let him know how important these bills are to people. Our voices matter, and if we don't say anything, then we won't be heard.

Lastly, I am looking for persons inside who are interested in facilitating groups or classes inside. The subject is Voter Education or Voter Literacy. The passage of Proposition 17 a couple of years



Jesse Burleson. Photo by TaSin Sabir

ago made it to where we can vote while on parole. Before Prop. 17, we couldn't vote until we got off parole. Now we can vote as soon as we're out and get an ID. So, it is wise to get educated about voting before coming home.

What we will learn is how to be an informed voter by understanding more about the voting process, such as how a bill becomes law, what the people we vote for actually "do" once elected, what they are responsible for, what resources they inherit with the position, why your vote is important, and most importantly, how to get a return on your vote. People need to know the true value of a vote. These are things that will make us stronger in the long run. Did you know that there are over one-million (1,000,000+) eligible voters in California now who are formerly incarcerated? We are an entire class of people now by ourselves. The teacher's union has over two million members. We have half that many, which is a lot. Especially when you factor in our families, friends, and supporters.

So, send me a letter letting me know if you want to facilitate and I will get you some materials. Some have already sent letters in the past saying they want to, and I will pull those from the archives. But send another just in case.

As a formerly incarcerated lifer from the 1980's, I know what it's like inside. And now that I am involved in these mainstream politics outside, I see how we can accomplish some goals. But we need to be together as one when addressing our collective issues as an incarcerated class of people. We need to be politically educated and not let our differences with each other get in the way of our common plight against a system that treats us all unfairly.

Beyond Juneteenth (Continued from page 1)

ultimately, reforming our state constitution.

LSPC Managing Director Dr. Tanisha Cannon elucidated a lack of social awareness surrounding the correlation between involuntary servitude and slavery: "Many of our brothers and sisters are still being held as slaves under a different name, and it's just a new version of Jim Crow," she says.

If ACA 8 passes in the California State Legislature, voters will have the opportunity to truly abolish slavery in our state's Constitution. ACA 8 will help liberate and restore human rights to all, including those incarcerated. Several other states, such as Alabama, Tennessee, Oregon, and Vermont, have already passed such legislation—it's time for California to follow suit. As Briley illuminated, "this will be the first time since slavery that black people have the opportunity to vote on something related to slavery."

AOUON is dedicated to getting ACA 8 passed and educating the public on this issue. "The singular most important thing people can do to support this cause is talk about it," states LSPC Policy Fellow Alissa Moore. "If people start talking about it, you can't help but get pissed off. If you don't, you're part of white silence and white complacency, and you're part of keeping the structure of white supremacy in place in our culture. So talk about it."

Conversation, while crucial, is not the only way to support this cause. Briley explains that people can actively "reach out to the legislature in their district, show up to hearings, and if time permits, the State Capital, and vote on this issue."

AOUON is actively working to involve community members in this effort. "There is a want to be a part of this movement to abolish slavery," according to

Dr. Cannon. "We are still fighting a fight that our ancestors have been fighting for centuries, and this is a historical moment in time."

Everyone, including those incarcerated, deserves to be protected from slavery and inhumane treatment. A criminal conviction should not permit the state or large corporations to violate basic human rights for the purpose of profit.

Call for Submissions

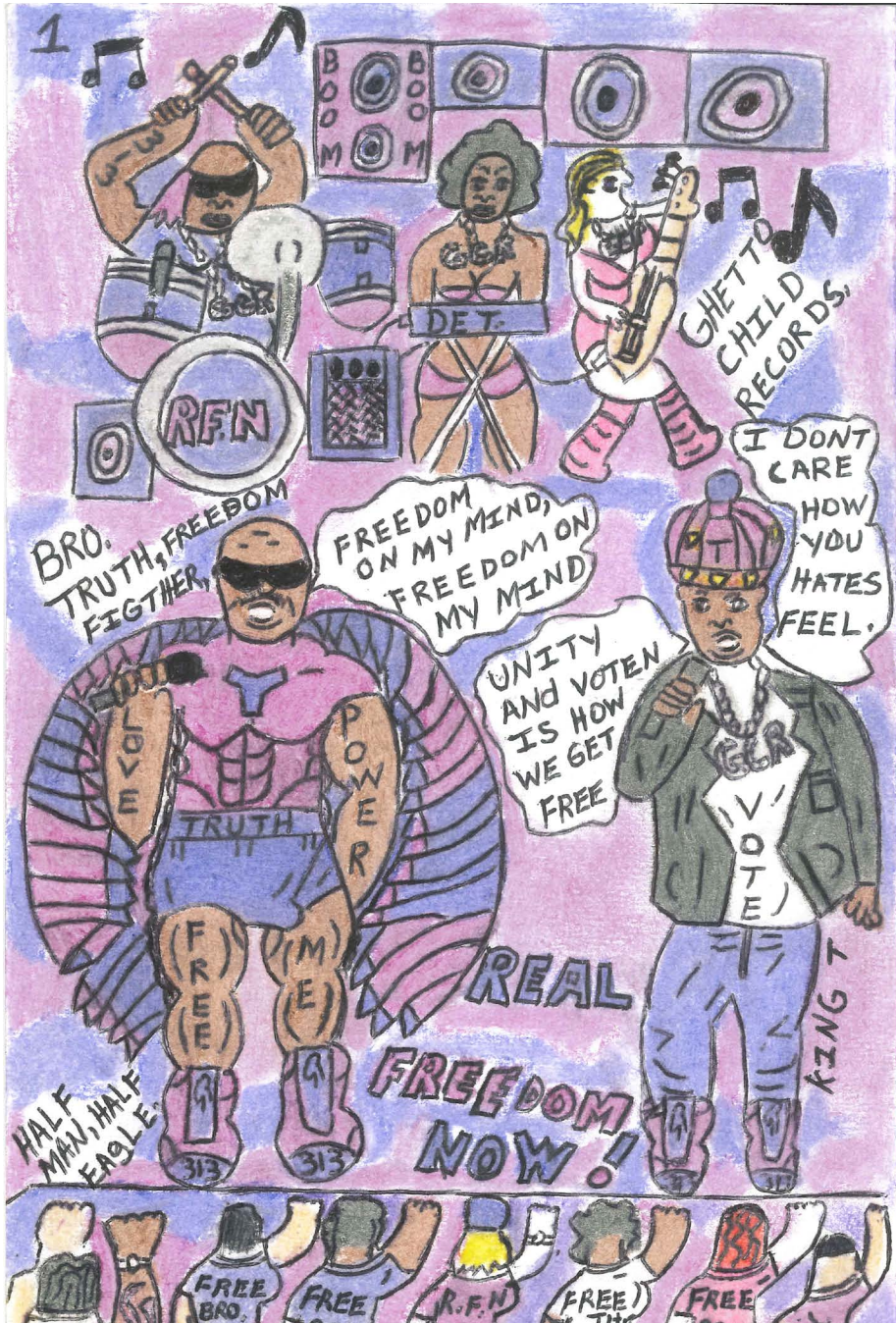
Send your stories and/or artwork to:

AOUON News Editor
4400 Market Street
Oakland, CA 94608



Freedom On My Mind

by Mr. Hernandez Wiley aka Bro.Truth, a political prisoner, freedom fighter and lyrical drawing artist. Florida State Prison



Policy Update

by Jeronimo Aguilar, LSPC Policy Analyst

SB 474 Becker - Canteens: The BASIC(s) ACT

Status: Passed Asm Pub Safety and is awaiting a date in Asm Appropriations.

What you can do: Reach out to your Assemblymembers and ensure that they are in support of this important legislation which would reduce the ridiculous markup on canteen items by CDCR which affects the most economically vulnerable and needy communities. For more information on this legislative effort, reach out to Family Unity Coordinator Ivana Cortez at ivana@prisonerswithchildren.org or write her at 4400 Market St, Oakland, CA 94608.

SB 460 Wahab - Fair Chance Housing

Status: On HOLD- 2 Year Bill

What you can do: Continue to support any Fair Chance Housing initiatives going in your local areas. Currently we are moving local policy in Alameda County, LA City and County, Riverside County, San Diego County, and are looking to continue expanding.

AB 1226 Haney - Keep Families Close Act

Status: Awaiting referral to Senate Appropriations.

What you can do: Reach out to your Senators and encourage them to support this common sense legislation which prioritizes maintaining family connection. For more information on this legislation or campaign, reach out to Family Unity Coordinator Ivana Cortez at ivana@prisonerswithchildren.org or write her at 4400 Market St, Oakland, CA 94608.

AB 1266 Kalra - Bench Warrant Reform

Status: Passed Senate Pub Safety and is awaiting referral to Senate Appropriations

What you can do: Reach out to your Senators and encourage them to support this reform which would put an end to petty warrants that often lead to very serious consequences for marginalized communities. For more information on this legislation reach out to LSPC Policy Analyst Jeronimo Aguilar at jeronimo@prisonerswithchildren.org or write to us at 4400 Market St, Oakland, CA 94608.

AB 958 Santiago - Prisons: Visitation

Status: Passed Sen Pub Safety and is awaiting referral to Senate Appropriations.

What you can do: Reach out to your Senators and encourage them to support this legislation which prioritizes visitation as a limited right for incarcerated people, their families, and loved ones. For more information on this legislative effort, reach out to Family Unity Coordinator, Ivana Cortez at ivana@prisonerswithchildren.org or write her at 4400 Market St, Oakland, CA 94608.

AB 1186 Bonta - Juveniles: Restitution

Status: Passed Sen Pub Safety and is awaiting referral to Sen Appropriations.

What you can do: Reach out to your Senators and encourage them to support this legislation which would reduce the amount of young people ending up with crippling restitution debt which only sets them up for failure and further incarceration. For more information on this you can reach out to LSPC Policy Analyst Jeronimo Aguilar at jeronimo@prisonerswithchildren.org or write to us at 4400 Market St, Oakland, CA 94608.

AB 1516 Kalra - (Liveable) Wage for ALL

Status: HOLD- 2 Year Bill

What you can do: Be on the lookout for a plan for in-district meetings and advocacy throughout the summer and moving into next year. We want elected officials to know that we plan on pushing hard for an minimum wage increase for ALL and that includes incarcerated workers. To get involved in this important campaign reach out to LSPC Policy Analyst Jeronimo Aguilar at jeronimo@prisonerswithchildren.org or write to us at 4400 Market St, Oakland, CA 94608.

ACA 8 Wilson - End Slavery in CA

Status: Awaiting Vote on Assembly Floor.

What you can do: Reach out to all Assemblymembers and Senators and ensure that they are in support of this very long overdue legislation which would allow California voters to decide on the issue of slavery/involuntary servitude. Slavery and involuntary servitude have ZERO place in our state and society. For more information or to join our “Abolish Bondage Collectively” (ABC) campaign reach out to Jeronimo Aguilar at jeronimo@prisonerswithchildren.org, together@abolishbondagecollectively.org or write to us at 4400 Market St, Oakland, CA 94608.

AB 1306 Carrillo- Immigration Transfers (CDCR)

Status: Passed Senate Pub Safety and is awaiting referral to Senate Appropriations.

What you can do: Reach out to your Senators and ensure that they are supporting AB 1306 which would stop the transfer

of undocumented prisoners in CDCR that benefit from any type of resentencing relief, commutation, pardon, etc. The state of California continues to treat those not born here with cruelty and increased incarceration which needs to stop. For more information reach out to LSPC Policy Analyst, Jeronimo Aguilar at jeronimo@prisonerswithchildren.org or write to us at 4400 Market St, Oakland, CA 94608.

AB 442 Villapudua - Criminal Record Access

Status: Passed Sen Pub Safety and is awaiting referral to Senate Appropriations.

What you can do: Reach out to your Senators and ensure they are in support of this modest but very necessary reform which increases access to criminal records for public defenders so they can more effectively serve their clients. For more information on this legislation reach out to Eric Sapp at erics@prisonerswithchildren.org or feel free to write to us at 4400 Market St, Oakland, CA 94608.

SB 343 Skinner - Child Support

Status: Will be heard in Assembly Hum Services 7/11

What you can do: Reach out to your Assemblymembers and ensure that they are supporting this bill which would reform a system that continues to overwhelm hard working parents and doesn't prioritize the wellbeing of involved children.

SB 824 Ashby - Reunification Services

Status: Awaiting referral in Assembly Appropriations.

What you can do: Reach out to your Assemblymembers and ensure that they are supporting this important legislation which would increase access to reunification services for those involved in the justice system. Too many parents have had their children stolen from them without any recourse. For more information on this legislation you can reach out to our policy team at advocate@prisonerswithchildren.org or write to us at 4400 Market St, Oakland, CA 94608.

SB 799 Durazo - Visitation Reform

Status: Will be heard in Senate Public Safety on 7/11

What you can do: Reach out to your Assemblymembers and encourage them to support this modest reform which would prioritize families and children with regards to visitation of incarcerated loved ones. It would require institutions to make some changes to ensure that there is a proper and welcoming environment for children and families. For more information on this legislation you can reach out to our policy team at advocate@prisonerswithchildren.org or write to us at 4400 Market St, Oakland, CA 94608.

Legal Corner

Regulating Staff Misconduct in Carceral Institutions

by Eric Craig Sapp, LSPC Staff Attorney

In 2022 the California Department of Corrections and Rehabilitation (CDCR) promulgated new regulations governing its processing of allegation of Staff Misconduct, defined as behavior by CDCR staff that “results in a violation of law, regulation, policy, or procedure, or actions contrary to an ethical or professional standard.” 15 C.C.R. §3486(c)(22). Section 3486(a) states that “Any person can submit a complaint regarding staff misconduct” and specifies that what the regulations call “inmates and parolees” should use form 602-1 or, for health care related grievances, form 602-HC and that “[c]itizens” – which here does not mean citizenship status but means persons not incarcerated or on parole – should submit a written complaint pursuant to 15 C.C.R. §3417. Additionally, reasonable accommodation requests for persons with disabilities, if alleging staff misconduct, will also be processed although the procedure may be more complicated. See 15 C.C.R. §3486(b) and §3482(a).¹ The new rules establish a screening phase at which allegations are classified as routine (non-misconduct), alleged misconduct requiring non-specialized inquiries, and alleged misconduct requiring special investigations; the rules describe the official roles and investigative and reporting phases in the process. 15 C.C.R. §3486.1-3486.3. If allegations are substantiated, staff face discipline or prosecution.

As required by law, new regulations must go through a public comment process before being approved. Legal Services for Prisoners with Children (LSPC) in August 2022 submitted detailed comments on the new regulations. Although our suggested improvements were rejected, nonetheless the government’s responses revealed some useful information about the intent of the rules. It is possible that future complainants or litigants can use some of the responses contained in the Final Statement of Reasons NCR 22-06 (issued 10/20/22;

hereafter “Final Statement”) as weighty evidence for interpreting the regulations.

LSPC objected that the final version of the regulations, ultimately adopted, used the term “inmate” rather than “incarcerated person” which earlier drafts of the regulations had used. We argued that the latter foregrounds the dignity and humanity of persons incarcerated. CDCR’S literal erasure of the term “incarcerated person” from its revised text was a symbol of disrespect. The government’s response merely repeated its already refuted rationale of terminological consistency.²

LSPC objected that the process for handling of complaints with both “routine” grievances and misconduct allegations was unclear. The government responded that mixed complaints “would be split, with the routine issue sent [...] for resolution under the grievance and appeal process, and the complaint of staff misconduct referred to the Allegation Investigation Unit [...] or to [...] a Locally Designated Investigator.” Their rationale says that this will help routine grievances not be delayed. Final Statement, p. 4.

In response to LSPC’s questioning the clarity of the interaction of the new regulations and the grievance dispositions described in 15 C.C.R. §3483, the government replied that “the staff misconduct inquiry process does not preclude a complainant from getting administrative remedies” Final Statement, p. 5. This means that if you submit a grievance alleging misconduct, you may still be entitled to a remedy beyond whatever discipline the staff person receives after the misconduct investigation process.

In response to our query, the government clarified that complaints by formerly incarcerated persons and persons off parole, for events transpiring during

incarceration or parole, would still be handled by the staff misconduct procedures. Final Statement, p. 5.

LSPC also stressed that the privacy and security of persons making complaints and of potentially corroborating witnesses must be protected by confidentiality measures. The government confirmed that medical exams must be private and confidential and that interviews of witnesses/complainants are supposed to be “conducted [...] from an area of the institution that provides both privacy and security” Final Statement, p 6. The government also confirmed that complainants who make verbal complaints also may make written complaints. The government also confirmed, regarding retention of documentation of its misconduct investigations, that “[t]he department will comply with all existing, relevant archiving requirements, and any court orders to the extent required by law” regarding discovery. Final Statement, p. 7.

Holding officials accountable for abuses of power remains crucial for any institution that would claim to be just. Accountability is all the more required when the institution in question, that of the prison industrial complex, is marked by pervasive injustices. Carcer delendus est!

¹ Although the government has stated that requests for reasonable accommodations that also allege related staff misconduct will be “split” so that both components are properly processed, it may be advisable for persons with disabilities requesting accommodations and alleging relevant staff misconduct to submit both a form 1824 and a form 602.

² Our Public Comment had pointed out that some statutes already used “person” language. See Penal Code §§2600, 5054.



Mailbag

D.A Price's Critics

by **Tasha Brown**

California Institution for Women

If we could incarcerate our way to public safety, wouldn't we have done it by now (with nearly 2.3 million people currently incarcerated and over 70 million people with a criminal record)? In California alone, there are nearly 40,000 people serving a life sentence. So, empirical evidence suggests that harsh punishment has not reduced crime. What it has done is left 2.7 million children with a parent that is incarcerated. And the negative consequences only accumulate from there.

For the record, I do not condone or excuse crime. However, incarceration is an after-the-fact attempt to undo the damage. In order for meaningful change to materialize, we as a society have to refocus our underlying belief system, and the dominant mindset: which is our commitment to punishment if we are to have contextualized conversations about the underlying causes of crime. Here is where it gets uncomfortable and causes people to look away in apathy.

Crime is partly an economically driven problem. There are barriers created by unequal access to

resources, power, and wealth building opportunities. When people are denied equal participation in education, employment, and politics, they lack the resourcefulness necessary for life's challenges. We (some of us) deny that these structural inequalities exist, but denying it doesn't stop it from existing. And the pandemic has created new extremes of the income inequality, coupled with the dimensions of persistent inflation and exorbitant rent prices, a system that has chronically excluded (and othered) acts as a conveyor belt into the criminal justice system.

We cannot criticize, blame, or complain our way to public safety either. But we can democratize power and wealth. We can create a society where policies and practices aren't shaming and punitive. We can create a society where traumatized people get treatment, where people have access to nutritious food/housing/locating employment/and social services—a multi-pronged approach to enhance our chances of safety.

Norway never sentences an offender to over 21 years, yet they only have a recidivism rate of 20%. The U.S. sentences people to life, yet we have a 70% rate of recidivism! Mass incarceration has had no positive impacts on public safety. Let's take off the facade of inclusivity and prioritize the collective good. Then and only then will we see meaningful change materialize.



A Visit

by **Mark G.**, *AOUON Member*

*For those who touch glass
Feeling your lover with glass
Walls shatter like glass*

*For those who touch glass
Feeling your lover through glass
Walls shatter like glass*

*For those who touch glass
Feeling your lover in glass
Wall shatter like glass*

*For those who touch glass
Joined together in the glass
Walls shatter like glass*

When Rehabilitation Takes a Backseat

by **Bruce Swenson**

Corcoran State Prison, CA

As a three striker, I have been down for 27 years, having fallen early in May of 1996. My program has been amazingly clean with no write-ups, just over 60 laudatory chronos and two vocations completed. I even signed on into CDCR's Non-Designated Programming Facilities (NDPF), agreeing to all its criteria.

In late March of 2018, I was moved to California's Men's Colony (CMC) and into its west side as a level II programmer, "high risk medical," based on my agreement to the NDPF expectations. I was 66 at that time. After being in a two man cell for 22 years, the transition to CMC's dormitory living became a welcome step in the socialization process toward my rehabilitation. Plus, with all those self-help groups there, it became easier to engage in the exploration of my acts of criminality. In fact, it became my priority there, as I'd face the Board of Parole soon.

As lifers, even though we may have been sentenced differently, we found we all had a lot in common with our past, especially going back into our

formative years. All those times of shaping our life experiences and traumas in those groups were truly the most valuable of all my times in custody. Programs at CMC helped me to develop my "insight" for how I have changed my thinking, and so I am no longer the threat to society I used to be.

But then, a startling development from CDCR Headquarters, which would take down all that CMC west had cultivated over decades. This entire west side was to be deactivated before the end of 2023. Wooden dorms had to come down and be replaced with cement buildings. This meant that everyone would be moved away to other prisoners throughout the state. The entire west side of CMC was to be emptied of all its level II inmates by November 1st of 2023. In March, I had drawn the short straw, and was one of the first ones to be transferred out. I left on 3/22/23.

It's not only upsetting to me that I've been removed from all those programming fellas I had worked with developing my insight. What's worse is that this sudden disruption to my rehabilitative nature has shoved me into an old Corcoran cell, previously designed for punishment. I was moved to a facility which had been a Segregated Housing Unit (SHU) space. No direct electricity in these cells, no hot water to clean with, no in-cell lockers for our own property, and on & on.

I was even expected to accept the exceedingly used, cut-up and smelly mattress which was in the cell I

was told would be mine. Who knows what is in that old mattress! This administration could not issue me, as a new arrival, a new mattress based purely on "security and safety concerns"? And what about the hygiene issues over such a thing? All who were moved to this old level four SHU yard were told ... "ding, it's a level II now!" With fairy dust and the flick of some magic wand, CDCR wants us all who were brought here to "continue present program"! There is not enough dedicated square feet here, anywhere, in order to service such self-help groups and rehabilitative programming. A closet here and there does not cut it. This SHU yard never had inmates going into group settings to do anything. The structural design of this whole place was intended for punitive occupancy only. The brilliant ones up there in Sacramento's CDCR who dreamed this up are perpetuating callous disregard with deliberate indifference upon us all by forcing us to do our time here.

Both the Department and Corcoran Prison are pulling the wool over California's tax payers eyes as they push this illusion in the name of rehabilitation.

Personally... I can only view this as punishment. And to top it all off, Corcoran is under the threat of flooding by historic proportions. We all may need to be evacuated once the Tulare Lake levees fail due to snow melt from the Rocky's. Could CDCR have planned it any worse?

Revisiting Captivity *(Continued from page 1)*

way all the while knowing full well that aside from their personal healing and growth they will receive no accolades for their efforts, no time off or other benefits. Life without parole individuals are actively contributing to our society on a daily basis by leading with healing to help other incarcerated folks because they truly want everyone to have all the tools they can to never come back to prison once they are released.

As Barbra Chavez, a former Life without parole

sentence survivor so poignantly shared, some of the incarcerated ladies at the visit had been incarcerated so long they were unable to articulate their thoughts & feelings of what freedom would look like to them. While heartbreaking this example is a clear indication as to why this visit and those to come are so vital and groundbreaking. Life without parole individuals must be allowed the basic human liberty to have hope.

Congratulations & Kudos and a LOUD shout out

to Colby, Kelly, Nia, Steven, Governor Newsome for seeing it is high time this population is given some reprieve, Moreover thank you all for doing the heavy lifting to make conversations & opportunities for growth & healing a possibility and a reality. Thank you for being leaders in our community and most importantly for giving our people their voice back. It is our plan here at Legal Services for Prisoners With Children to continue to keep our eye on this program, actively assist / support if possible & keep the population up to date.

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 our 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 ones can feed you.
 Everything or nothing. All of us or none.
 One alone her lot can't better.
 Either gun or fetter.
 Everything or nothing. All of us or none.

Beaten one, who shall avenge you?
 You, on whom the blows are falling,
 Hear your wounded comrades calling.
 Weakness gives us strength to lend you.
 Come to us, we shall avenge 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.

Who, oh wretched one, shall dare it?
 We who can no longer bear it.
 Counts the blows that arm our spirit.
 Taught the time by need and sorrow,
 Strikes today and not tomorrow.
 Everything or nothing. All of us or none.
 One alone our lot can't better.
 Either gun or fetter.
 Everything or nothing. All of us or none.

Bertolt Brecht (1898–1956)

AOUON is a grassroots organizing project of Legal Services for Prisoners with Children (LSPC) fighting to restore the civil and human rights of formerly and currently incarcerated people and our families. Started in California in 2003, AOUON currently has chapters all over the country advocating effectively to Ban the Box, restore voting rights, increase access to housing and education, and end mass incarceration. We demand a voice in building healthy communities.

LSPC organizes communities impacted by the criminal justice system and advocates to release incarcerated people, to restore human and civil rights, and to reunify families and communities. We build public awareness of structural racism in policing, the courts, and prison system, and we advance racial and gender justice in all our work. Our strategies include legal support, trainings, advocacy, public education, grassroots mobilization, and developing community partnerships.



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All of Us or None Membership Form | Yes, I want to become a member of ALL OF US OR NONE!

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 organize & facilitate group meeting
- I can help with membership outreach
- I can distribute materials & resources
- I can address & pass along feedback

Mail this form & any questions to:
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