

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.



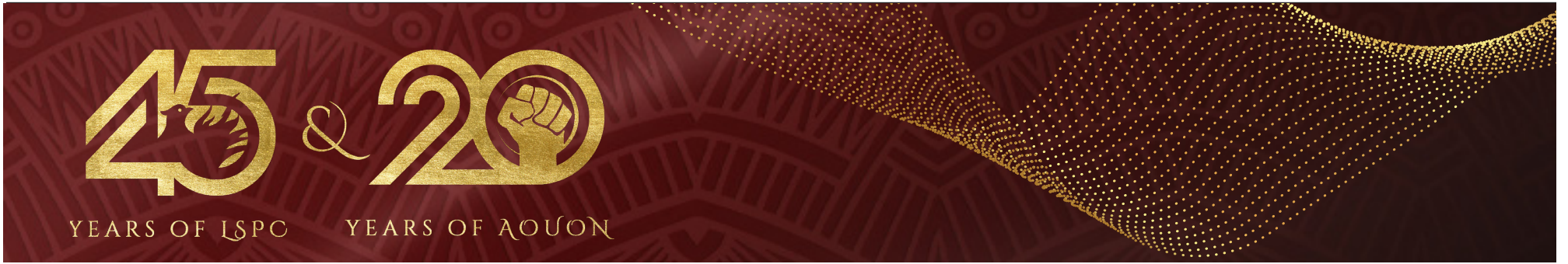
ALL OF US OR NONE

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!

NOV 2023



Hamdiya Cooks-Abdullah and Dorsey Nunn holding their awards with Tanisha Cannon and Paul Briley. Photo by Scott Braley



Wanda Sabir offering libations. Photo by Scott Braley

45 Years of LSPC

by TaSin Sabir, Communications Manager & AOUON Newspaper Editor in Chief

On the night of October 12, 2023, something truly special happened. It was a night to celebrate, reflect, and honor two significant milestones - the 45th anniversary of Legal Services for Prisoners with Children (LSPC) and the 20th anniversary of All of Us or None (AOUON). The air was filled with excitement as the gala began.

To kick things off Tanisha Cannon, LSPC Managing Director, stepped up to the mic, welcoming over 400 guests. She spoke of unity, gratitude, and reflection. Paul Briley, her co-host and LSPC Deputy Director, echoed the sentiment, reminding everyone why they had come — to celebrate the incredible journey of LSPC and AOUON.

In order to honor the ground we gathered on, George Gavis, LSPC Board Chair, took the stage to perform a land acknowledgment. Along with his comrades, they played transitional drums and sang songs honoring native heritage. It was a powerful tribute to the Ohlone land that we stood on.

Wanda Sabir, former LSPC Board Member, in a ritual like no other offered libations to the ancestors. All I can say is that the ancestors knew where the party was that night as Wanda delivered a libation ceremony that was as smooth as poetry. She rhythmically called the names of ancestors and encouraged the audience to do the same. With her libation tool of choice, a spray bottle filled with water, Wanda gracefully covered her surrounding area with symbolic rainfall. The room was a buzz as people called out the names of their ancestors.



(l-r) Aleah Bacquie, Ellen Barry, Mike Florio, Mark G, DA Pamela Price, and Antwon Cloird. Photo by Scott Braley

Each name gently coated with a mist of water and stamped with the word "Ashe!". It was a moving moment that paid homage to the spirits who came before us.

Coming down from this emotional atmosphere, Tanisha took a moment to acknowledge the powerful emotions in the air and the sense of community that enveloped the room. It was the perfect time to cue the video messages from luminaries like Bryan Stevenson, Alameda County District Attorney Pamela Price, Common, Angela Davis and Assemblymember Lori Wilson, who commended on the noble work of LSPC and AOUON.

The program continued with the presenting of awards to individuals that are at the forefront of the movement.

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LSPC Staff John Cannon a.k.a LFE J Smacka performing "No Exceptions All of Us or None". Photo by Scott Braley

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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



AOUON Editor in Chief: TaSin Sabir
4400 Market Street, Oakland, CA 94608



**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

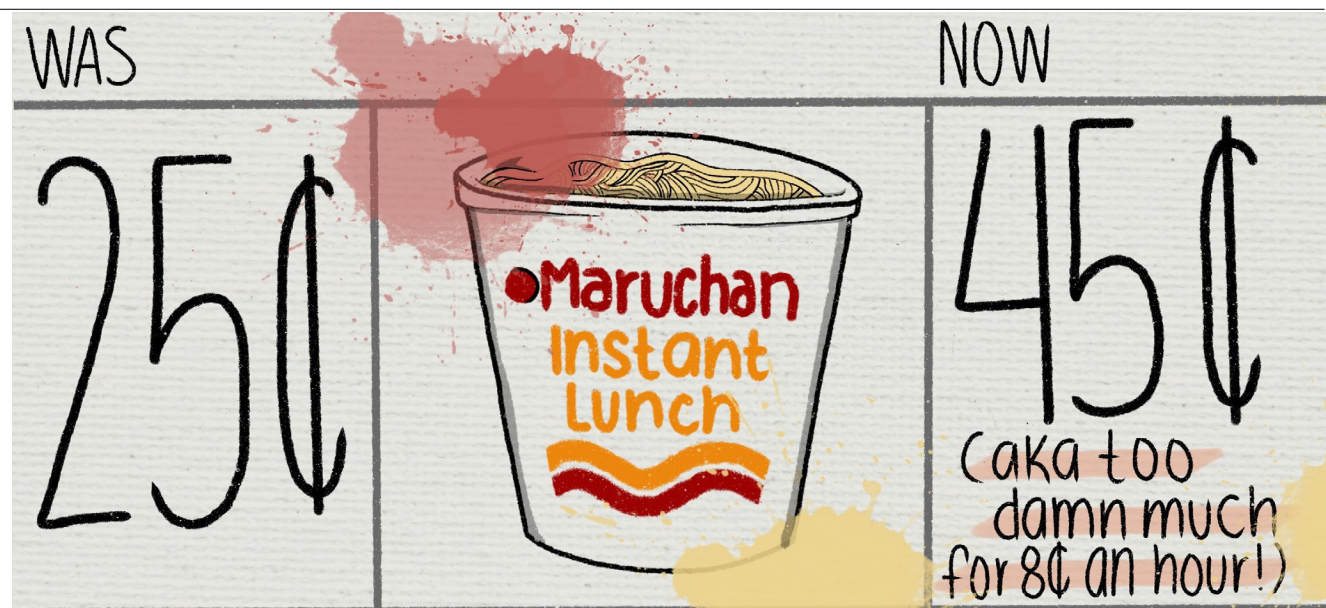
To fight all forms of discrimination

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



This story was first published by AfroLA, nonprofit solutions journalism for Los Angeles told through the lens of the Black community. **AFRO LA.**

Canteen Prices in California Prisons Skyrocket, Incarcerated People Go Hungry

by Eliza Partika, AfroLA

"We made mistakes, and we have to pay for our crimes, but there's a difference between that and basic survival. We are still human."

Gov. Gavin Newsom signed SB 474 into law last month. The Basic Affordable Supplies for Incarcerated Californians Act, or BASICs Act, curtails price gouging on canteen items by limiting markups to no more than 35% above the price paid to the vendor from Jan. 1, 2024 through 2028.

"The current canteen markup hovers around 65% and can reach as much as 200%, making many essential food and hygiene items completely out of reach, further increasing the economic burden of incarceration on families," said Sen. Josh Becker (D-San Mateo), who introduced the bill, in a press release. Recent price lists from state correctional facilities reflect increases in goods at least three times just this year.

Incarcerated people and their families spend \$80 million on canteen purchases each year, according to a press statement from the Ella Baker Center for Human Rights. "This financial pressure falls heavily on Black, Brown and Indigenous families who support their loved ones while incarcerated." The Center for Human Rights estimates the BASICs Act can save incarcerated people and their families over \$30 million each year.

Fed up

These price increases may seem nominal to those outside prison walls or who don't have experience with the carceral system. But, AfroLA spoke to and texted with nearly a dozen men currently incarcerated at San Quentin, women incarcerated at Central California Women's Facility and several people formerly incarcerated in California prisons. They shared why the canteen is such a critical resource. For some who are incarcerated, canteen food items are not just a way to supplement nutrition they say they're not getting from the state, but to replace food that's nearly inedible or makes them sick.

Interviews and messages exchanged with incarcerated men and women included story after story of having gone hungry because they themselves or others they observed were given frozen, rotten or expired food. Portion sizes were barely enough for toddlers, said many more.

Hygiene items that are too expensive to buy can also lead to serious problems for those incarcerated. Keeping clean can be a matter of personal safety. Alissa Moore, a 2023 Elder Freeman Policy Fellow with Legal Services for Prisoners with Children, has heard "heartbreaking" stories from women she helps.

"Conditioner, all that stuff is a luxury. You'll see girls sharing little plastic bags of conditioner with each other, applying it when their hair is dry, because they're trying to conserve it... Like the basic necessities they can't even provide for themselves if they want to get a little bit of hygiene," said Moore.

Purchasing power

Affording basic food and hygiene items from the canteen isn't easy on the literal pennies prison work sometimes pays.

Sixty percent of formerly incarcerated people surveyed by nonprofit research center Impact Justice said they could not afford canteen purchases, and 75% reported that access to food was limited by their own or their family's finances, according to a 2020 report. Many people reported having to choose between buying food, or going hungry to afford self-care necessities like toothpaste, tampons and ibuprofen.

"We've heard stories of mothers and wives going into debt, choosing between paying bills or paying for canteen, and stories of incarcerated people working for as low as 8 cents an hour— spending their entire monthly paycheck on a single essential item from the canteen," wrote Isabella Borgenson, campaign manager at the Ella Baker Center for Human Rights, in an email to AfroLA.

Working for "slave wages" within prison walls ACA 8, a proposed constitutional amendment, takes aim at labor performed by incarcerated people as part of their imprisonment. (On Sept. 13, ACA 8 was adopted by the California Assembly, and is now being considered by the State Senate. If it passes, it will be voted on by Californians next year as a ballot referendum.)

"It doesn't make sense that in California we still have slavery. So, what makes sense for us is to take it to the voters," said J. Vasquez, policy and legal services manager for Communities United for Restorative Youth Justice (CURYJ).

Rocky Hunt, CURYJ's participatory defense coordinator, said the passage of ACA 8 will give incarcerated people freedom of choice. "Being in prison we are forced to work. A lot of things happen that people don't understand. It impacts you in so many ways," explained Hunt, who was released from prison in 2021. "It goes beyond choice, a lot of people don't survive. Being able to do the things you need to do for yourself, to strengthen yourself, to better yourself, is why this is so important."

Where's the money going?

For decades, the California Department of Corrections and Rehabilitation (CDCR) has marked up prices of canteen goods 65% above market rate, regardless of inflation, said Moore, echoing BASICs bill creator Sen. Baker. But where is this markup money going?

That's the million-dollar question.

Ponce, who served on the Inmate Advisory Council for her cellblock at Central California Women's Facility for two years, said she tried to press canteen managers about problems with canteen and state-provided food, to no avail.

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He will forever be free

With heavy hearts, we announce the passing of Ruchell "Cinque" Magee at 84 years old. Ruchell lived a long life, standing strong in the face of racism, incarceration and repression. We are glad to know that he was able to spend his last months outside of prison with loved ones. **Cinque lives!**

March 16, 1939 - October 17, 2023

Ruchell Magee was born in New Orleans, Louisiana on Thursday, March 16, 1939, to Elmer Magee and Walter Lewis as an only child. As a young teen, Ruchell enjoyed fishing the bayou and he loved motorcycles. His favorite car was a Dodge Charger. Ruchell's life on the Bayou was interrupted by a society that had yet to embrace the concept of a Black Man's freedom. In 1955, his youth was stripped away by an unjust court where as a child he was sent to one of the worst male prisons in the country. Ruchell came to have an undying commitment to freedom and liberation. He was released from Vacaville Prison on July 28th, 2023 after being caged for 60 years in the California Prison system. Cinque, as he was called by those closest to him, fought for freedom his whole life, and he also maintained a warm heart even after a lifetime of torture and confinement. As for his love for Chargers, at 84 years old, he still appreciated its loud and powerful sound. He also loved children and would just laugh and smile at their conversations and personalities. They gave him life. Ruchell Cinque Magee will be long remembered by comrades, family, friends, and freedom fighters around the world as an unsung hero, committed to liberation and self-determination. Ashe!

Excerpts reprinted from obituary program provided at memorial service



Memorial Service 10/31/23 (l-r) Harold Welton, Dr. Melina Abdullah, Hamdiya Cooks-Abdullah, Baba Akili, Barbara Stewart (Ruchelle's niece who supported his release and took his body back to their home town in Louisiana where he wanted to go before his passing.), Dorsey Nunn, and Vonya Quarles.

assault trial of James McClain, a man charged with assaulting a guard after San Quentin guards murdered a black prisoner, Fred Billingsley.

McClain, defending himself, presented imprisoned witnesses to expose the racist and repressive nature of prisons. In the midst of Magee's testimony, a 17 year old young black man with a huge afro hairdo, burst into the courtroom, heavily armed.

Jonathan Jackson shouted "Freeze!" Tossing weapons to McClain, William Christmas, and a startled Magee, who given his seven year hell where no judge knew the meaning of justice, joined the rebellion on the spot. The four rebels took the judge, the DA and three jurors hostage, and headed for a radio station where they were going to air the wretched prison conditions to the world, as well as demand the immediate release of a group of political prisoners, known as the Soledad Brothers (these were John Clutchette, Fleeta Drumgo, and Jonathan's oldest brother,

"What dreadful crimes the oligarchy has committed that they fear the voice of one man." -Ruchell Magee 1972

"My fight is to expose the entire system, judicial and prison system, a system of slavery." -Ruchell Magee 2022

paralyzed by gun fire. Miraculously, the jurors emerged relatively unscratched, although Magee, seriously wounded by gunfire, was found unconscious.

Magee, who was the only Black survivor of what has come to be called The August 7th Rebellion, would awaken to learn he was charged with murder, kidnapping and conspiracy, and further, he would have a co-defendant, a University of California Philosophy professor and friend of Soledad Brother George L. Jackson, named Angela Davis, who faced identical charges. By trial time the cases were severed, with Angela garnering massive support leading to her 1972 acquittal on all charges.

Magee's trial did not garner such broad support, yet he boldly advanced the position that as his imprisonment was itself illegal, and a form of unjustifiable slavery, he had the inherent right to escape such slavery, an historical echo of the position taken by the original Cinque and his fellow captives, who took over a Spanish slave ship, killed the crew (except for the pilot) and tried to sail back to Africa. The pilot surreptitiously steered the Amistad to the US coast, and when the vessel was seized by the US, Spain sought their return to slavery in Cuba. Using natural and international law principles, US courts, decided their captives had every right to resist slavery and fight for their freedom.

Unfortunately, Magee's jury didn't agree, although it did acquit on at least one kidnapping charge. The court dismissed on the murder charge, and Magee has been battling for his freedom ever since.

That he is still fighting is a tribute to a truly remarkable man, a man who knows what slavery is, and more importantly, what freedom means.

"Slavery is being practiced by the system under color of law- slavery 400 years ago, slavery today; it's the same thing, but with a new name. They're making millions and millions of dollars enslaving blacks, poor whites, and others - people who don't even know they're being railroaded." -- Ruchell Cinque Magee



Ruchell Cinque Magee: Sole Survivor Still

By Mumia Abu-Jamal, July 1997

Ruchell C. Magee arrived in Los Angeles, California in 1963, and wasn't in town for six months before he and a cousin, Leroy, were arrested on the improbable charges of kidnap and robbery, after a fight with a man over a woman and a \$10 bag of marijuana.

Magee, in a slam-dunk "trial," was swiftly convicted and swifter still sentenced to life. Magee, politicized in those years, took the name of the African freedom fighter, Cinque, who, with his fellow captives seized control of the slave ship, the Amistad, and tried to sail back to Africa.

Like his ancient namesake, Cinque would also fight for his freedom from legalized slavery, and for 7 long years he filed writ after writ, learning what he calls "guerrilla law", honing it as a tool for liberation of himself and his fellow captives. But California courts, which could care less about the alleged "rights" of a young black man like Magee, dismissed his petitions willy-nilly.

In August 1970, Magee appeared as a witness in the

(George). While the men did not hurt any of their hostages, they did not reckon on the state's ruthlessness.

Before the men could get their van out of the court house parking lot, prison guards and sheriff's opened furious fire on the vehicle, killing Christmas, Jackson, McClain as well as the judge. The DA was permanently

Mailbag

Salutations and revolutionary greetings,

I send you my best regards. I am glad to report that I received the latest September 2023 AOUON Newspaper, it made me shed tears of joy to finally see our beloved comrade Ruchell Magee released from captivity after all of these years. I first met “Cinque” (Ruchell Magee) back in 2008 while in the old Corcoran State Prison A-yard when I was doing time on the level 4 maximum security prison, he and my great cousin were real close friends so he summoned me over to have a nice chat with him I was in awe that he wanted to talk to me and that he even knew of me, so when I approached him I waited for him to finish his domino game I couldn’t believe that this thin, slender, brown skinned older gentleman, with his perfectly comb natural afro was the same person whom I had heard about through other comrades and from George Jackson’s writing (Soledad Brothers).

Ruchell Magee was sitting at that domino table playing bones and cursing like a sailor, I mean the man can

really curse his ass off (smile). But he was having fun and I just observed his “human” side, because the man was/is a living legend. I patiently waited for him to finish his game (I didn’t mind at all) and it took about 15 to 20 minutes for Cinque (Ruchell Magee) to finish his game then he summoned me over to him and he had me help him into his wheelchair, (you see he had just been released out of the S.H.U (Security Housing Unit) from Pelican Bay State Prison and his leg was badly injured and his health wasn’t too great at that time but that day he seemed chipper.

I pushed him around the yard and then he and I found a semi secluded spot to sit and talk and that’s when he told me “his story.” He told me he had been locked up going on 50 years and how he had done 10 years or so in Angola State Prison in Louisiana and he told me many things about himself. He talked to me about my great cousin whom he had grown to love and know while incarcerated. We talked about my other great cousin (Bunchy Carter Sr.) we spoke about the struggle for black liberation and its current state and we spoke on life in general. He and I continued to talk daily until the prison administration transferred him to B-Yard but Ruchell Magee made a lifetime impression and impact

on my life and I love and honor this brother dearly.



I was a youngster myself back then, perhaps in my mid 20’s when he and I met but I will never forget the precious jewels Cinque dropped on me. My love for this wonderful brother is extraordinary and genuine. I am so glad that he is now home and that he has the community’s and revolutionary world’s support, he is a wonderful brother. Thank each and everyone of you who supported this brother throughout the duration of his incarceration and thank each and everyone of you who supports him now. He needs us so that he can transition righteously back into society. The “people” have won a huge victory with his release. Let’s keep on keeping on we mustn’t stop until every political prisoner is free. I’m glad you’re home Ruchell. Be Blessed.

In love and Revolution,
Charnone J. Luna-Barfield
(Yaseen Tarek Salahudeen)

Canteen Prices in California Prisons Skyrocket, Incarcerated People Go Hungry (Continued from page 2)

Ponce said she was given platitudes when she asked why conditions haven’t improved: “We need to avoid obesity.” “We don’t have the budget.”

CDCR’s 2019-20 budget included \$137 million to provide meals to inmates—\$3.17 per inmate, according to 2021 budget documents. If that sounds steep, compare what the state spends to an August review of the cheapest meal kit delivery subscriptions. CNET ranked EveryPlate—which starts at about five bucks a meal—No. 1. But, how’s the food? EveryPlate advertises sriracha pork stir fry with rice and herbed Parmesan-crusted chicken with garlic mashed potatoes and roasted zucchini among its non-premium plan offerings.

Profits resulting from canteen markups are routed back to services and programming for those incarcerated. In an email to AfroLA, a CDCR spokesperson said: “Items in the canteen are currently sold at a 65% markup on the wholesale value. Any excess funds are directed to the Inmate Welfare Fund, which was created as a trust held by the Secretary for the benefit and welfare of incarcerated individuals under CDCR jurisdiction.”

However, “as the prison population declines, the state is able to spend less on certain types of costs—such as food and clothing—that are directly tied to the number of people that need to be housed in state prisons,” according to a recent CDCR legislative budget analysis. “Specifically, the state saves about \$15,000 per year each time one fewer person needs to be housed in a prison.” The average daily prison population in California in 2023-24 is projected to be 93,400, according to a recent state Legislative Analyst’s Office budget report. This is a 2,800-person decline, or 3% drop, from last year.

On Oct. 6, CDCR announced plans for systemwide pay increases next year. Corrections officers already received a 3% pay bump in July. Officers will also receive up to \$10,000 in bonuses, reported CalMatters. In contrast, inmates will receive their first raise in 30 years under a new proposal from \$.08/hr to \$0.16/hr.

Dolores Ponce, Trancita’s sister, works a combination of two jobs seven days a week—five days working

Proposed pay increases for incarcerated workers

Pay increases for incarcerated workers proposed by the California Dept. of Corrections and Rehabilitation Oct. 6 would be the first raises in 30 years. Nevertheless, no proposed pay rate, even for the most skilled workers, exceeds \$1 per hour. Public hearings to approve raises are scheduled for late November.

	Current min. pay per hour	Proposed min. pay per hour	Current max. pay per hour	Proposed max. pay per hour
Level 1 Lead Person	\$0.32	\$0.64	\$0.37	\$0.74
Level 2 Special Skill	\$0.19	\$0.38	\$0.32	\$0.64
Level 3 Technician	\$0.15	\$0.30	\$0.24	\$0.48
Level 4 Semi-Skilled	\$0.11	\$0.22	\$0.18	\$0.36
Level 5 Laborer	\$0.08	\$0.16	\$0.13	\$0.26

Chart: Eliza Partika/AfroLA • Source: California Department of Corrections and Rehabilitation • Created with Datawrapper

16-hour shifts—to support her two kids, sister and husband, who is incarcerated in Tehachapi. Dolores sends \$500 a month for her husband to cover food, hygiene and restitution fees. She spends \$240 a month for Trancita’s canteen funds, in addition sending care packages with hygiene items and snacks pre-approved by CDCR.

“It’s, it’s kind of like you feel like a burden,” said Trancita. “You feel like you can’t be independent... having to ask our family, who are out there struggling on their own. She doesn’t want me to have to do the wrong thing to be able to survive in here.”

A Victory for Lower Canteen Prices in California

by The Solis Policy Institute Criminal Justice Team

SACRAMENTO, CA – California Gov. Gavin Newsom last week signed SB 474, also known as the BASICs Act, into law, bringing significant relief to incarcerated individuals and their families across California. The bill, introduced by Senator Josh Becker (D-San Mateo), will reduce the current markup on essential items in prison canteens from 65 percent to 35 percent over the next four years. Incarcerated individuals, their families, and advocates had submitted over 2,500 support letters in favor of the bill. Supporters said with a minimum wage of only eight cents an hour, it can take an incarcerated person an entire month of work to afford something as fundamental as toothpaste, and that by lowering the cost of basic items, it will reduce food insecurity, support the physical well-being of incarcerated individuals, and reduce the financial burden on their families. Becker said the legislation is expected to save justice-impacted families more than \$16 million annually starting on January 1, 2024, when it takes effect. LSPC celebrates this huge win as staff Ivana Cortez represented the organization in this amazing and powerful coalition with the Solis Policy Institute Criminal Justice team.



(L-R) Sandra Johnson, Senator Josh Becker, Ivana Cortez, and Su Kim.



Over 400 guests, united in the mission to end mass incarceration, filled the venue. Photo by Scott Braley.

45 Years of LSPC (Continued from page 1)

These custom made awards were designed by AOUON member and our recently released comrade, Donald Diggs. Each ceramic piece was custom made to reflect the awardee that was receiving it.

Paul and Tanisha introduced the first set of awardees, starting with Ellen Barry, who founded Legal Services for Prisoners with Children in 1978 and co-founded Critical Resistance. Other awardees included Karen Shain, who played a vital role in social and criminal justice reform, Helena Huang, who oversaw \$127 million in grantmaking to end mass incarceration, and Aleah Bacquie Vaughn, a prominent social justice advocate with a history of work in political prisoner release, HIV/AIDS activism, and more.

The performances commenced with Mark G, who presented the AOUON anthem, a poem by Bertolt Brecht. Next up was hip-hop artist, LFE J Smacka,

performing “No Exceptions: All of Us or None.” Lastly, Shawn Williams, a poet, graced the stage with his poem, “Batteries.”

Back on stage, Tanisha and Paul reflected on the birth of LSPC from its inception in 1978, a time when the struggles of incarcerated women were nearly invisible. They highlighted how the organization evolved from supporting women in prison to advocating for all incarcerated individuals and their loved ones.

The gala paid tribute to AOUON’s remarkable programs and its conception and expansion under the LSPC umbrella, signifying its enduring legacy.

With gratitude in the air, Tanisha and Paul presented the final two awards to the two esteemed honorees, Hamdiya Cooks-Abdullah and Dorsey Nunn. Each took the stage to accept their awards and delivered



LSPC Deputy Director Paul Briley. Photo by Scott Braley

heartfelt speeches.

As the night embraced its final moments, DJ DC is Chillin’s celebratory tunes filled the air with infectious energy, leaving no doubt about the resounding success of the event that brought all of us together in a spirit of unity and change.



Hamdiya Cooks-Abdullah gives a speech after receiving award. Photo by Scott Braley



LSPC Founder, Ellen Barry holds award with Tanisha Cannon (l) and Paul Briley (r). Photo by Scott Braley



DA Pamela Price in center with Antwon Cloird on left and Mark G. on the right. Photo by Scott Braley



Photo by Scott Braley

Policy Update

by Jeronimo Aguilar, LSPC Policy Analyst

The Heartbeat of the Movement

I want to start out by acknowledging the loss of comrade Ruchell Magee, rest in power to a brave warrior who made a huge impact on our movement and struggle. I also would like to acknowledge and lift up the names of AOUON Familia we have recently lost. AOUON Oakland chapter member Sister Aijai Anderson and AOUON Texas organizer and founder of "Big Homie," Brother Tommy "Big Homie" Acosta, PRESENTE! My heart goes out to all these beautiful souls who have left us.

Updates and Next Steps

As we are in the offseason of the CA legislature, we don't have many major updates. I'd like to remind you that this past legislation session, **we were able to pass:**

AB 1226 (Haney) which supports family unity and will reform the process to make it easier for incarcerated parents to be housed closest to their children.

SB 474 (Becker) which will cap the % that CDCR can markup items in the canteen from the current amount which is 65% and beyond, to 35% for the next four years with the intent of coming back to lower it even further.

What's coming up

We just wrapped up our two day policy retreat where we discussed, set, and strategized around our policy priorities for 2024 and beyond. Though we still have priorities being developed and I will share further information as soon as I can, we do have our two year efforts which we'll be carrying into 2024:

ACA 8 The End Slavery in CA Act

As many of you know, this is one of our major priority campaigns. We successfully navigated the Assembly this past September with a 68-4 vote. Now we move onto the CA Senate, where we need a 2/3 vote to pass. **What can you do:** Contact (write/call) your state legislators and encourage them to support ACA 8. Also, activate your friends and loved ones to support and mobilize others because if we can get ACA 8 through the CA senate by June 27, 2024, ACA 8 will

be on the November 2024 ballot to be voted on by CA voters. For more information on getting activated for ACA 8 write to us at 4400 Market St, Oakland, CA 94608.

AB 1516 (Kalra) Living Wage for All

In an unprecedented collaboration with labor organizations and criminal justice reform orgs such as ourselves, we have teamed up to propose legislation which would raise the minimum wage for ALL California workers, and for the first time in CA history, include incarcerated workers. **What you can do:** Reach out to your elected officials and ensure that they are in support of this legislation which will finally support ALL workers gaining a living wage which will support public safety for the entire state.

Also, you all may have heard that CDCR is proposing new regulations which would "double" the wages for incarcerated workers. However, we know this is woefully inadequate and would not result in incarcerated workers earning anything close to what should be considered an actual humane living wage.

A public hearing is set for **November 22nd and we NEED to hear from you!** Please write us back with your public comments demonstrating how these new proposed regs will continue the legacy of slave wages with some of the highest earners going from 0.32 cents to 0.64 cents/hour. For information on getting activated for AB 1516 write to us at 4400 Market St, Oakland, CA 94608

AB 1186 (Bonta) Youth Restitution:

This legislation will allow youth to make amends through non-monetary and youth appropriate alternatives. **What you can do:** Reach out to your CA Senate members and ensure that they are in support of AB 1186 and reform the cycle of debt and poverty that doesn't benefit the youth involved or the victims of whatever crime was committed. For information on getting activated for AB 1516 write to us at 4400 Market St, Oakland, CA 94608.

Thank you and call to action

We appreciate your commitment and we are currently looking for more inside members that would like to get trained as organizers in policy and help be catalysts inside for change and expertise around policy and voter education. Please reach out if you are interested and we will connect you with our inside membership coordinator. Continue to keep your heads up and rest assured we are advocating for you every chance we get and we will continue in this struggle. Much love and God Bless you all! **TODO o NADIE!**



In Loving Memory of AJ

12/20/68 - 9/21/2023

It is with heavy hearts that we bid farewell to Aijai "AJ" Anderson, a woman of remarkable musical talents and unwavering dedication to social justice. Her melodic voice left an indelible mark on those who had the privilege of witnessing her performances on the Quest for Democracy stage, where she sang the "All of Us or None" song.

AJ's commitment to social justice went far beyond her musical gifts. She tirelessly served her community as an active member of "All of Us or None" and as a dedicated civil service management employee at Alameda County's Social Service, Probation, and Public Health Department. She also held key positions, such as the founder and Executive Director of "Transforming Young Minds for Future Solutions" and the Vice President of the National Action Network - Oakland Chapter, among others.

Aijai leaves behind a profound legacy of compassion, dedication, and unwavering service that will be cherished by her parents, children, family members, friends, and the community she served with unwavering passion. Aijai "AJ" Anderson's spirit, commitment, and love for justice will continue to inspire us all.

Jesse's Corner

by Jesse Burlison LSPC/AOUON In-Custody Program Coordinator



All of Us or None National Chapter Retreat in Oakland, CA.

On October 13th All of Us or None held our National Chapter Retreat in Oakland, CA. There were approximately twenty persons who attended from across the country from Georgia, Milwaukee, Pennsylvania, Washington, Texas, Nevada, Missouri, Illinois, California and Kentucky. We also had a national panel of four directly and system impacted elected officials from different states as guest speakers, three of whom are formerly incarcerated.

Keturah Herron, State Representative, Kentucky, formerly incarcerated, LaTonya Tate, City Council Member, Birmingham, Alabama, mother of a formerly incarcerated son, Taiwan Brown, candidate for City Council, Charlotte NC, formerly incarcerated, Tamisha Torres-Walker, City Council Member, Antioch CA, formerly incarcerated.

Our panelists inspired all of us with confidence from their stories of running for (and winning) publicly elected positions at the local and state levels, in spite

of their being formerly incarcerated. The forward thinking of these persons, who do not see themselves as underqualified for public office due to their incarceration, is inspiring. Rep. Keturah Herron, ran on working for the restoration of voting rights for the incarcerated, increasing minimum wage, and criminal justice reform, while Council Member Tamisha Torres-Walker had been arrested 22 times. Our panelist went beyond advocating and lobbying for changes in law and public policy to running for the very seats of power that can directly change policy and law! They are shining examples for us to follow. They are the living proof that we can successfully engage in mainstream politics.

Each state chapter shared their wins, progress, and accomplishments, as well as failures, and current endeavors and projects. We covered strategies of organizing eligible formerly incarcerated voters within the districts where most of our formerly incarcerated class live. We discussed resources and challenges, as well as the political climate within the different states



where All of Us or None Chapters operate. All of our national chapters are currently fighting to abolish the slavery being practiced inside of prisons within their states and at the national level.

October was also the month that I finally went back inside a state prison. I participated with Prison From the Inside Out (PFTIO) in a two day Freedom Conference at Lancaster State Prison on B yard. There were about fifteen of us who went inside for the Conference. PFTIO is a spiritual-based organization about bringing Healing to those behind bars. Going back inside reminded me of just how desolate prisons are! Although the participants in the group were in good spirits, I know well that there are thousands more who are not in good spirits as a result of their everyday circumstances. I felt my personal connection to the group of men I met for the first time. Some were doing LWOP, some were life with the possibility of parole, some were short to the house.

The vibe was positive. The group had been together already for several weeks so there was already some familiarity amongst the group. There were certificates, food and speeches. "Prayer" is a main feature of the PFTIO program and the facilitators did an excellent job of sharing and connecting their traumas with healing. PFTIO is the type of program that people inside need more of because of the love and energy they bring inside with them. I would equate the atmosphere to bringing water to a drought. And the water bearing went both ways! As I spoke with the men I felt inspired by their strength, courage, and resilience. Even with life sentences their spirits were strong and positive. I left Lancaster feeling more encouraged to do the policy work required to change adverse laws that over punish people rather than helping them recover from whatever traumas that led them to grow from being innocent children into desperate adults. Shout out to PFTIO for being the type of program that brings transformative information and healing behind the walls.

Legal Corner: The Changing Landscape of Felony Murder

by Kellie Walters, JD, LLM, LSPC Staff Attorney

Historically, "[c]riminal law is thought to be predicated upon two factors, mens rea and actus reus, which literally mean "evil mind" and "bad act" respectively." Loewy, Arnold, Culpability, Dangerousness, And Harm: Balancing The Factors On Which Our Criminal Law Is Predicated., 66 N.C.L. Rev. 283, 283 (1988). The missing element in the general prima facie criminal case is culpability, putting unintentional killings in a decidedly gray area.

Enter Felony Murder.

Felony murder is a legal term used to describe a crime that originated from the English common law. It refers to a situation where a person dies during the commission of a non-homicide felony, and the state can charge the person who committed the crime with murder. The American colonies adopted the doctrine, which is now a part of the law in almost every state in the US. In most states, the felony murder law is based on a law from Pennsylvania that was passed in 1794. According to this law, if someone dies during the commission or attempted commission of a burglary, arson, rape, or robbery, it is considered murder. See People v Gillis, 474 Mich. 105 (2006) (citing Moreland, The Law of Homicide (1952). Interestingly, England has since abolished the felony murder rule. English Homicide Act of 1957, 5 & 6 Eliz. 2, ch. 11, § 1.

The legal concept of felony murder has faced criticism over the years. As far back as 1966, the California Supreme Court had observed that this concept was

based on an old and outdated idea that had been abandoned in its country of origin. The court had further noted that this concept unfairly assumed that a defendant had bad intentions when committing one crime just because they had committed another crime in the past. See People v Phillips, 64 Cal. 2d 574 (1966) overruled by People v Flood, 18 Cal. 4th 470 (1998).

Throughout the last few years, states have been modifying their felony murder laws. Most relevantly, in 2019, California codified SB 1437, limiting the criteria for when a prosecutor can bring a murder charge. Under the old law, a person had committed felony murder (1) if they participated in a serious felony¹ and (2) a victim of the felony died during or because of it. However, the new law states that a person has committed felony murder if the person (1) is the actual killer, (2) acted with intent to kill, and (3) was a significant participant and acted with "reckless indifference."²

Cases following the passage of SB 1437 highlighted the deficiencies in the law as written. By way of illustration, the California Appellate Court found that "as a matter of either statutory construction or equal protection analysis, enactment of SB 1437 precludes convictions for attempted murder under the natural and probable consequences doctrine... Thus, SB 1437 has no effect on Ramirez's convictions for attempted murder, assault with a firearm and shooting at an inhabited dwelling, which we once again affirm." People v. Ramirez, 2019 Cal. App. Unpub. LEXIS 6188, *3 (referencing People v Lopez, another 2019 case returned to the appellate court with directions to reassess considering SB 1437: "The Lopez analysis

applies equally to Ramirez's contention SB 1437 eliminates all aider and abettor liability under the natural and probable consequences doctrine...") overruled by statute.



As a result of the shortcomings in SB 1437, in 2021, Governor Newsom signed its companion bill, SB 775, which extended the efficacy of the new law. The new law makes it possible for people who were convicted of helping someone attempt to murder and those who were charged with murder but convicted of manslaughter to ask the court to reduce their sentence to a less serious crime.

Because of the changing landscape of felony murder in the United States, this is the first in a series of articles about the way these changes and how it might affect individuals who are facing homicide charges or have been convicted of a homicide charge.

¹Section 190.2 of the California Penal Code enumerates the felonies that can trigger the rule. It includes the same felonies as the cases, as well as kidnapping, train wrecking, mayhem, and certain specified sex offenses.

²The definition of "reckless indifference to human life" in California law is not precisely defined. However, the Supreme Court of California has guided courts to "look to whether a defendant has knowingly engaged in criminal activities known to carry a grave risk of death." People v. Banks, 61 Cal. 4th 788, 801, 351 P.3d 330, 337-38 (2015) (internal quotations omitted). The following year, the Court further delineated the definition to encompass both subjective and objective elements. People v. Clark, 63 Cal. 4th 522, 372 P.3d 811 (2016) ("defendant's apparent efforts to minimize the risk of violence can be relevant to the reckless indifference to human life analysis.")

Agents of Change

by Alissa Moore, LSPC Elder Freeman Policy Fellow

The goal of this year's FreeHer Conference was to give everyone a chance to Reset, Reflect and Heal. Staff were encouraged to replenish their energy, strengthen their resilience, & commitment to the movement. Making that time to heal the main focus allowed many of us to process our experiences, address our emotional trauma, and cultivate a sense of well-being both individually and on a community wide level.

This year's FreeHer Conference was held in San Juan, Puerto Rico and had many dedicated sessions across a wide array of healing topics. In addition there were various therapeutic practitioners, mindfulness technique teachers / healers, and expert community builders as well as several trauma informed workshops. One of which was hosted by our very own 2023 Elder Freeman Policy Fellow Barbara Chavez. Kudos to Barbara for openly sharing her own intimate personal journey of maintaining and building relationships with her children during and after incarceration, which lead to many feeling free to share their own struggles, and by the end of the workshop all the parents in the room left knowing they were not alone, their situation was not without hope and



Workshop, Reunifying with Children and Loved Ones After Incarceration, lead by Barbara Chavez.

moreover that others specifically Barbara had on her own journey faced the same challenges and came out on the other side of incarceration as a family!

In addition, all of our staff were able to attend networking events, offering us opportunities to connect / reconnect with peers, and partner organizations. This aspect of the retreat was all too valuable. As an organizer and community builder I always seem to find myself on the phone asking our partners for an assist, to join in partnership, mobilize with us or some sort of favor. I never have the chance to just call and see how someone is doing. I personally feel that the time we had to just sit and watch the sunset or have a meal together gave many of us the chance to connect with our sisters who no doubt one day I may have to call! I genuinely appreciated the blessing of this connection and look forward to a time in this work where our work will lead with healing.



LSPC current & former staff at FreeHer Conference. (l-r) Tanisha Cannon, Aaliyah Muhammad, Sandra Johnson, Hamdiya Cooks-Abdullah, and TaSin Sabir

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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