



Lifers' Unlimited Club

Newsletter

Oregon State Penitentiary

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Edited by Robert P. Langley

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Words of Wisdom

Believe nothing you hear,
 and only half of what you
 see.

Convict Sense

The fact that a lot of
 people are saying it does
 not make it true.

More Convict Sense

Introducing your new Executive Body:

On July 9th, in spite of some initial confusion about where we were meeting, all but 12 active members were able to show up on the Activities Floor and cast their ballots. Thanks for your participation. The results are listed below. Congratulations to the winners...now get to work!

President: Robert Kelley

Vice President: Marty Wendt

Secretary: Juan Solis

Treasurer: Bill Knepper

Facilitator: Stephen Weavill

Looking For Some Free Informative Reading?

Marshall Project Newsletter: Subscribe to the free "News Inside" newsletter published by The Marshall Project specifically for incarcerated individuals. Please contact "News Inside" for your printed copy at: 156 W. 56th, Suite 701, New York City, NY 10019. For any questions you may call: 212-803-5200.

Inside this issue:

Inside Story: Unconstitutional Sentencing	2-6
Inside Story: E-mail from Aliza Kaplin	6
Inside Story: The Elements of Ethics	7
Inside Story: Kamala Harris' thoughts	8
Inside Story: FBI Hair Analysis	9
Inside Story: Phone, Tablet & Video Issues	10
Inside Story: A Health Tid- Bit	11

We are not forgotten

Covid 19

By Karen, President, Oregon
 CURE
 CURE newsletter, Summer 2020
 Vol. 61

On one hand I feel like not even

discussing COVID-19, yet on the other, it is controlling our lives these days. It feels impossible to not mention it, much less to not actually make it the topic of our newsletter this time. Like many of our board and members, my weeks always included time spent with

We are not forgotten

my incarcerated child. It is so hard not being able to sit across from him, see him, hug him and have personal visiting time with him. I believe it is just as hard on him, perhaps even more so in some ways, since visits with loved ones are the only way that the incarcerated spend time with those outside of the individuals they live and work with.

Those of us with an incarcerated loved one are always concerned about how our "person" is doing inside; what meals are being fed to them, how are the staff treating them, are they seeking medical attention when they need it, how are they dealing with the isolation, removal from society, lack of interaction with friends and family and on and on and on. It is easy to make yourself sick with worry!

Now we have COVID-19 worries to add to the mix. Are they able to social distance, are they being sure to not touch possibly infected areas, are they cleaning the phone before they call us, if out of work, do they have enough money to buy the things from commissary that enable them to eat a more balanced diet? Are they buying enough hygiene items to keep the germs at bay? Are they getting enough outdoor time, phone-time, sleep, letters in the mail, interaction with positive role models, fresh air?

We now have so many new concerns on top of all the old ones. Please know that we are all sharing these concerns together. Please be save everyone, both inside and outside of our prisons and have faith in knowing that we are indeed all in this together in spirit and we will get through it together as well.

Karen

Do Unconstitutional Sentencing Laws Equal Vindictive Justice?

By John Schroder

Throughout American judicial history, state and federal legislatures have passed laws that are unconstitutional. District Attorney's (DA) and State Attorney General's (AG) responses are always the same: "The Law is correct." Anyone who challenges the legality of the law is wrong. The AG's office will spend thousands of taxpayer dollars and man-hours defending bad laws, and will continue litigating the issue after a court finds the law to be unconstitutional. They will challenge the retroactivity of the court's decision due to monetary considerations and not the rights of the individuals the unconstitutional law affected since its enactment.

One unconstitutional Oregon law is Oregon Revised Statute (ORS) 144.110 enacted by the

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Oregon Legislature in 1977, which enhanced sentences until November 1, 1989 in relationship to the matrix system that affected parole release by the Oregon Board of Parole. Numerous individuals have served decades longer in prison, and some are still incarcerated to this date because of this unconstitutional law. It permitted Oregon's sentencing courts to impose minimums of up to one half of the court's actual sentence to be served before parole consideration. In House Bill 2013 various parole board members on the legislative subcommittee expounded on this alleged law calling it a mandatory minimum. However, ORS 144.110 is not mandatory but a discretionary sentence. Many of Oregon's prisoners have been subjected to this law that enhanced their sentences keeping them imprisoned for decades be-

yond the penalty of the crime for which they were convicted equating to *vindictive justice*.

ORS 144.110 (1) states (in pertinent part): "In any felony case, the court "may impose" a minimum term of imprisonment of up to one-half the sentence it imposes." For example, if the court sentenced a person to three 20-year Class A felony convictions (e.g. burglary, robbery, theft, etc...) this illegal statute could be applied. The statute allowed a court to impose a 10-year minimum on each 20 year sentence, consecutively, for a total of a 60 year sentence with a 30 year minimum (pre-sentencing guidelines, November 1, 1989). **Note:** this research paper is based on the Oregon sentencing court's authority between 1977 and 1989.

The Oregon Legislature enacted ORS 144.110 prior to the amendment of Article I, § 15 of the Oregon Constitution in 1996 that stated: "Laws for the punishment of Crime shall be founded on the principles of reformation and not vindictive justice." However, when ORS 144.110 was enacted it was not founded or based on the principles of reformation but unequal and vindictive justice. If this law would have been enacted after the amendment of Article I, § 15 of the Oregon Constitution in 1996 it still would be an unconstitutional law for the following reasons:

The legislature's enactment of this discretionary minimum sentence violates a convicted individual's *due process*, *equal protection* and *separation of power and ex post facto rights*. It is a disproportionate punishment that violates the principles in Article I, §§§§ 10, 11, 16 20 and 21; Article IV § 23 of the Oregon Constitution; and the 5th, 6th, 8th and 14th Amendments and Treaty mandates pursuant to Article VI § 2 of the United States Constitution which operates to forbid discrimination by the state against persons or classes in criminal cases.

Since 1977, ORS 144.110 has been an instrument of abuse by the sentencing courts to rid the community of undesirables. The court has held "If a law can be applied in a manner that violates the constitution it is unconstitutional". *State v. Spencer*, 289 Or 225, 228, 611 P2d 824, 827 (1981) (other case cites omitted).

The enactment and the application of ORS 144.110 is in contradiction of ORS 137.120 that states in pertinent part: "Whenever any person

is convicted of a felony, the court 'shall'*** sentence such person to imprisonment in the penitentiary for an indeterminate period of time." The operative word being "shall" (which makes it a mandatory requirement). ORS 144.110 states "may impose" which is discretionary. ORS 137.120 Has authority over ORS 144.110. A mandatory law has precedence over a discretionary law. For example: if two people are convicted and sentenced for a category 6 felony and both have a matrix range of 9 points, the person given the ORS 144.110 minimum will have to complete 120 months of incarceration before they are eligible for parole. On the other hand, the person sentenced pursuant to ORS 137.120 will be eligible for parole in 30 to 40 months.

ORS 144.110 is an instrument of abuse when it permits the sentencing judge the power to define and apply the law without non-discriminatory criteria. It allows prejudice and biased considerations to enter into the equation when the judge imposes the minimum sentence. The record is clear that judges do and have discriminated against some and shown favor towards others when they apply this law which is prohibited.

The 14th Amendment (USC) prohibits depriving any person of life, liberty, or property without due process of law. Our system of law is predicated on the fundamental principle of equality of application of the law and all people are equal before the law. The equal protection clause of the 14th Amendment requires that the classification shall be reasonable, not arbitrary, and that it shall rest upon distinctions having fair and substantial relation to the object sought to be accomplished by legislation. *Atchison, T. & S. F. R. Co. v Vosburg*, 238 US 56, 59 L.Ed 1199, 35 S.Ct. 675 (1915).

The *immunity* of this law for some, however limited, deprives another in the same class the same privilege and is clearly a denial of equal protection of the law. It is the wording of ORS 144.110 for not differentiating on reasonable grounds to whom it should or should not apply that discriminates, making it an instrument of abuse. The law does not infringe on a person's constitutional rights when all are subject to it and are treated alike, under like circumstances and conditions. The 14th Amendment requires that all persons subjected to such legislation

Unconstitutional Sentencing Laws

shall be treated alike, under like circumstances and conditions, both in the privileges conferred and in the liabilities imposed. *Hayes v. Missouri*, 120 US 69, 30 L. Ed. 578 (1887). See *Barbier V. Connolly*, 113 US 27 32, 5 S. Ct. 357.

“The Legislature cannot lawfully transfer to the judiciary the power to exercise a discretion to determine in the first instance whether a statute ought or ought not be given an operative effect in any given case logically within its legitimate scope and intentment for the reason that a court cannot be vested with discretion to determine whether a precedent law shall or shall not go into effect in a particular case.” (Emphasis added) Constitutional Law, 16 Am. J. 2d § 105, page 291 (numerous case sites omitted).

“It is not the purpose of either constitutional provision to take from the States the right and power to classify subjects of legislation. It is only when such attempted classification is arbitrary and unreasonable that the courts must declare it to be beyond legislative authority.” *State v. Pirkey*, 203 Or 697, 703. 281 P2d 698 (1955); *Jeffery Mfg. Co. V Blagg*, 235 US 571, 35 S.Ct.167, 59 L. Ed. (1915); *Sproles v. Binford*, 286 US 374, 52 S. Ct. 329, 76 L. Ed. 1167 (1932).

Continued from page 3

In addition to due process and equal protection

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violations, the separation of power clauses of the U.S. and Oregon Constitutions come into play. These constitutional principles place a limitation on legislative acts for the protection of the individual from arbitrary and capricious interpretation of a legislative act. *Phillips v. City of Bend*, 192 Or 143, 153, 234 P2d 572 (1951); *Savage v. Martin*, 161 Or 660, 91 P2d 273 (1939). See *Power Manufacturing Co. v. Saunders*, 274 US 490, 47 S. Ct. 578, 71 L Ed 1165 (1927).

As stated above, ORS 144.110 allows a judge's *personal opinions and prejudices* (race, religion, the poor and less desirables, etc) enter into the court's decision when deciding who the law should or should not apply to. The rule of law is that a criminal statute must not be so vague as to permit a judge to exercise uncontrolled discretion in punishing a person because it offends the *due process clause* and results in unequal application of criminal laws. *State v. Hodges*, 254 Or 21, 457 P2d 491 (1969); *State v. Blair*, 287 Or 519, 601 P2d 766 (1979). See *State v. Robertson* 293 Or 402, 408, 649 P2d 569 (1982). When a law fails to meet the requirements of due process defining why it should be given to one person and not to another (under like circumstances) it leaves the public uncertain as to what conduct deserves its application and “*it leaves judges free to decide without legally fixed standards*” what is prohibited and what is not for the law to apply in a particular case (emphasis added). See *State v. Hodges*, supra; *Badgett. Bullit*, 377 US 360, 84 S. Ct. 1316, 12 L Ed2d 377 (1964); *Lanzetta v. State of New Jersey*, 306 US 451, 59 S. Ct. 618, 83 L. Ed. 888 (1939).

“If a statute applies differently from one person to another there must exist some reasonable ground of distinction sufficient to show that classification is not merely personal or arbitrary, else there will be denial of the Equal Protection Clauses.” (Emphasis added) *State v. Savage*, 96 Or 53, at 58, 184 P. 567 (1920).

“The general rule is that *no one* may be subjected to any greater burdens and charges than those imposed on others in the same calling or condition or like cir-

LIFERS' UNLIMITED CLUB



Smoky Midnight, Dark Roast
An intensely dark roast with a robust body and smoky finish



Rich Satin, Dark Roast
A dark roast with a bold body and rich finish



True Dusk
A dark roast with a delightful taste of complex dark coffee.

McCafe:
Premium Blend
McCafe:
Breakfast Blend

\$10.00 per 12 oz Bag



\$7.00 per 10.3 oz Container

Please submit separate cd-28s for each Fundraiser to Lifers' #2430

cumstances, and no burden can be imposed on one class of persons, natural or artificial which is not in like conditions, imposed on all other classes. A statute infringes this guaranty if it singles out for discriminatory (disproportionate) legislation particular individuals not forming an appropriate class, and imposes upon them burdens or allegations or *subjects them to rules from which others are exempt****” (emphasis added).

The AG once argued that ORS 144.110 is not unconstitutional because the sentencing court can impose the ORS 161.610 (the gun minimum), which is a mandatory minimum. It was pointed out to the AG his argument supported ORS 144.110 being unconstitutional because before the sentencing court could impose ORS 161.610 the court must find that the defendant used a gun. The language in ORS 161.610 is clear and it defines with certainty to whom it does and does not apply. It differentiates on reasonable grounds and informs the judge what criteria must be reached before the law can apply, and the law is not arbitrary nor discriminates. In comparison, ORS 144.110 by its very nature (the wording), is a catchall law and is an instrument of abuse, and abdicates to the court Legislative power (authority) to define and apply the law after the fact in violation of the Separation of Power doctrine of Article III, § 1 of the Oregon Constitution.

“A class of persons may be singled out and special burdens placed upon it, provided that the class manifests characteristics which to a real substantial extent distinguishes from all other persons and justify the imposition of the burden.” *Namba et al v. McCurt and Neuner*, 185 Or 579, 612, 204 P2d 569, 88, 60 S. Ct. 736, 84 L Ed 1093 (1940); *United States v. Harriss*, 347 US 612, 74 S. Ct. 808, L. Ed.989 (1954).

A law is uncertain and vague when the judge can sentence one person to ORS 144.110 and exclude another who has the same or even a different crime. A criminal statute must not be so vague to allow a judge uncontrolled discretion in punishing a defendant. It offends the principle against ex post facto laws embodied in Article I, § 10 of the Federal Constitution. ORS 144.110 is

an ex post facto application when the court imposes this enhanced punishment in addition to that already prescribed by the law under which the person was convicted. *Burgess v. Salom*, 97 US 381, 97 S. Ct.381, 25 L. Ed 1104 (1878); *Cummings v. Missouri*, 71 US 277, 71 4 Wall. 277, 18 L. Ed 356 (1866). A statute that increases the punishment after conviction is ex post facto. *Fletcher v. Peck*, 10 US 87, 6 Cranch 3 L. Ed 162 (1810).

In addition to ORS 144.110 not giving fair warning of the nature and conduct declared to determine who it should and should not apply to, the statute isn't listed in the indictment (see ORS 161.025(c)). ORS 144.110 does not give a rational distinction or basis for subsection one person while excluding another even though ORS 161.025(e) states that “the principle of the construction of a statute must differentiate on reasonable grounds between serious and minor offenses”; and ORS 161.025(g) states that the principle of a statute must (making it mandatory) safeguard against excessive, disproportionate and arbitrary punishment(s) (emphasis added).

If an Act of the Legislature is challenged in the courts as not conforming to constitutional principles, the judiciary has only one duty – to lay the law which is invoked beside the constitutional and treaty mandates and decide if the latter squares with the former. *Marbury v. Madison*, 5 US 137, 1 Cranch 137, 177, 2 L. Ed 60 (1803). Any Law (especially a discretionary law versus a mandatory law) that is “repugnant to the Constitution and laws of the United States” must be declared null and void. An alleged state interest, no matter how important, cannot trump a federal treaty or state mandate or command. (See *Oregon Publishing Co. v. O'Leary*, 303 Or 297, 305, 736 P. 2d 173 (1987)): “The government cannot avoid a (statutory) or an unqualified constitutional command by balancing it against another of its obligations.”

ORS 144.110 is also unconstitutional for the following reasons:

1. ORS 144.110 violates the principle of Article IV, § 23 of the Oregon Constitution which states in pertinent part: “The Legislative Assembly shall not pass a special or local laws in any of the following cases*** *for the punishment of crimes.*”

“A law is special when it is different from all others of the same general kind or designed for a particular purpose, *or limited in range* or confined to a prescribed field of action or operation. A special law applies only to an individual or a number of individuals out of a single class of similarly situated and affected persons.” Black’s Law Dictionary, 5th Ed.

It is when a judge decides without fixed criteria to whom a law does or does not apply that makes it a special law. A criminal statute must not be so vague as to permit a judge to exercise uncontrolled discretion in punishing a defendant. This results in the unequal application of criminal laws.” See *State v. Robertson*, *supra*.

2. The enactment of ORS 144.110 violated Article IV, § 20 of the Or. Const., which states in part: “Every act *shall embrace but one subject**** which subject *shall be* expressed in the title. But if any subject shall be embraced in an Act which shall not be expressed in the title, such Act *shall be void* only as to so much thereof as shall not be expressed in the title”. **The enactment of ORS 144.110 did not “embrace but one subject” and the subject in question was not expressed in the title. Wherefore, that portion of the Act should be considered void.**

In conclusion, constitutional, treaty, statutory laws and case law decisions and principles have been ignored for those convicted and sentenced pursuant to ORS 144.110 that has kept them imprisoned for decades. The Oregon reviewing courts refuse to factually address the constitutionality of ORS 144.10. LUC

Email from Aliza Kaplan for publication:

Robert [Kelley], I hope you are doing well and that all of you are staying as safe as possible! We miss being able to visit our clients and friends at OSP and in the other facilities. Below is everything we are doing right now, please let me know if you want additional information about anything for the newsletter.

Here is what the Criminal Justice Reform Clinic is working on right now—please know we are working hard under COVID-19 limitations (we are not at the law school, our office is closed, communication with clients in DOC is difficult):

Parole cases: We have many cases happening right now with any scheduled hearing over the coming months.

Youth Legal Clinic for incarcerated youth: this is through OYA.

Forensic science cases with the Forensic Justice Project: we have many of these cases happening right now.

Clemency: Sadly because of COVID-19, our regular clemency program has slowed down significantly as it is close to impossible to communicate with our clients sufficiently with all the quarantines and limitations on the phone. However, we continue to work directly on a few cases and we have been supporting families who are writing them with their incarcerated loved ones with medical issues by providing feedback on their drafts and information about the process. We plan to bring back our full clemency program as soon as we feel we can properly represent people.

Ramos Project: Since April, 20, 2020, we have provided information and assistance about the US Supreme Court’s *Ramos v. Louisiana* decision, ending non-unanimous juries in Oregon. This has included creating materials, assisting with PCR petitions, drafting legal materials for PCR cases, and bringing lawyers on board to take cases—we have responded to over 400 requests for help since late April. Whether the *Ramos* case applies retroactively will be the first big issue litigated over the coming months and will make a big difference on how many people can take advantage of the ruling in PCR. These are novel issues for Oregon so we do not know how our Supreme Court will rule. We will continue to provide information while the cases move through litigation.

Other projects: COVID-19 has brought us numerous projects including filing virus related amicus briefs in legal proceedings, working on compassionate release and state habeas cases for medically vulnerable folks, advocating in the media and with DOC, the legislature and the Governor’s office. Advocating for better access to our clients and inquirers by phone and video—this is an added big roadblock to us doing our work.

Felony Murder project and parole workgroup will be back in the winter hopefully.

I am looking forward to my new and amazing group of Clinic students starting in September—they will be working on all of the above issues with me and the Clinic’s staff attorneys.

These are challenging and overwhelming times and we are working hard; you are all on our minds as we continue fighting for justice. LUC

The Elements of Ethics

By W. Brad Johnson and Charles R. Ridley.

"Anthropologists Clyde Kluckhohn and Henry Murray penned a widely quoted dictum. A paraphrase of what they said is that each person is in certain respects: (a) like all other people, (b) like some other people, and (c) like no other people. Their take-home point is just as instructive today as it was a half century ago. All human beings are unique regardless of their race, culture, ethnicity, gender, sexual orientation, religious affiliation, or any other group characteristic. In addition to their membership in the human race and their affiliation with a reference group, they have their individuality. Using this observation as a starting point, we can derive from it a timeless ethical principle. People should be appreciated and honored for their uniqueness. Indeed, honoring human differences is the ultimate criterion for according dignity."

* * * *

"Stereotyping is the real danger in discounting human differences. A stereotype basically is a label. It is a mental shortcut that allows us to oversimplify and make rapid generalizations about individuals or groups. Once we have a stereotype firmly fixed in our minds, we are unlikely to attempt to gather more information and test it for its accuracy. It might surprise you to know that there is a 'kernel of truth' in some stereotypes. But for the most part, they are inaccurate. Over time stereotypes decrease our empathy, erode our sensitivity, and prevent us from really understanding each person we encounter as an individual."

* * * *

"The ethical response to stereotyping is to challenge the idea, gather more information about the person or group, and put the stereotype to rest. Then quash disrespectful comments or attitudes when they emerge from colleagues or subordinates. Quash them in yourself as well. Steadily increase your own knowledge and cultural sensitivity by seeking out cross-cultural experiences." (RPL).



WHEN: SEPTEMBER 24TH @ 6:00PM.

WHERE: ACTIVITIES FLOOR,
ON YOUR WAY BACK FROM YOUR EVENING MEAL.

All CD28's must be turned by Sept. 10th

Prison Information Network
P.O. Box 165171
Salt Lake City, Utah 84165

Prison Information Network is a bimonthly newsletter that covers a broad range of topics affecting prisoners. FREE to prisoners. (RPL).

The Book of Counted Sorrows

"Every eyes sees its own special vision;
every ear hears a most different song.
In each man's troubled heart, an incision
would reveal a unique, shameful wrong.

Stranger fiends hide here in human guise
than reside in the valleys of Hell.
But goodness, kindness and love arise
in the heart of the poor beast as well."

What Does Vice President Candidate Kamala Harris Think About Criminal Justice Reform?

Excerpts by Katie Park and Jamiles Lartey.

Question: Should sentencing include mandatory minimums? **Answer:** Harris, a former district attorney, said she wants to end federal mandatory minimums and “incentivize states to do the same.” As a senator, Harris co-sponsored a bill that would allow federal judges to issue sentences below statutory minimums.



A Democrat on Criminal Justice

“I’m going to think about it, and I’m going to talk to experts, and I’m going to make a decision.”

Question: Should marijuana be legalized nationwide? **Answer:** Harris’ plan calls for legalizing marijuana at the federal level while also providing incentives for states to legalize the drug.

Question: Should people in prison have the right to vote while they are incarcerated? **Answer:** Harris:

Question: How would you reform the bail system? **Answer:** Harris’ criminal justice platform says: “End money bail. Our bail system is unjust and broken.” The senator in 2017 co-sponsored a bill to incentivize a move away from cash bail in state and local jurisdictions.

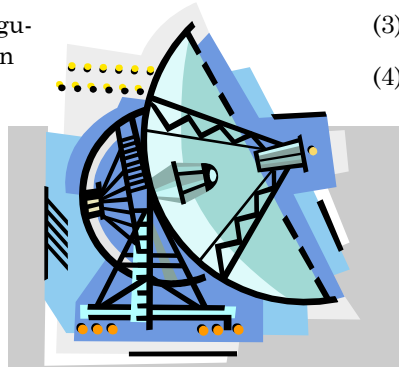
Question: Do you support the death penalty? **Answer:** According to her criminal justice platform, Harris “believes the death penalty is immoral, discriminatory, ineffective, and a gross misuse of taxpayer dollars.”

Question: How would you use your clemency powers as president? **Answer:** Harris said she would “significantly increase use of clemency” and that the Department of Justice should not make clemency decisions on cases it prosecuted. She’s proposing a “sentencing review unit” to consider early release for people who have served at least 10 years of sentences of 20 years or more. (RPL).

Oregon Department of Corrections Covid-19 Data Bases

For those of you who are interested, regular updates on Covid-19 can be found on the Oregon Department of Correction’s (ODOC) Facebook page, Twitter page and website. If you or someone you know have any questions related to ODOC’s response to Covid-19, the following links may be helpful.

- (1) COVID Response Webpage
- (2) Frequently Asked Questions



- (3) COVID-19 Case Tracker
- (4) Communications Library
- (5) Additional questions can be sent to ODOC’s COVID response team at the following email address:

DOC.COVID19Response@doc.state.or.us.

Please stay safe and wear a mask when you’re unable to socially distance. (RPL).

Laughter Really Is The Best Medicine

Chris was assigned a paper on childbirth and asked his parents, “How was I born?” “Well, honey,” his mother said, “the stork brought you to us.” “Oh, he said. “So how were you and Daddy born?” “The stork brought us.” “What about Grandpa and Grandma?” Chris persisted. “The stork brought them too!” Mom replied, squirming in her

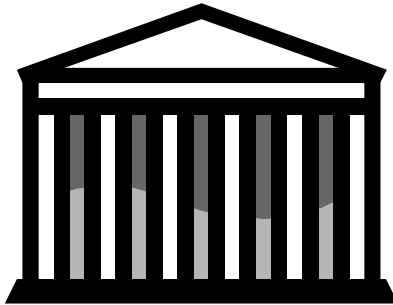


recliner. A few days later Chris handed his paper to the teacher with an opening sentence that read, “This report has been very difficult to write due to the fact that there hasn’t been a natural childbirth in my family in three generations.” Reader’s Digest

FBI Testimony on Microscopic Hair Analysis Contained Errors in at Least 90 Percent of Cases in Ongoing Review

Have any pre-2000 lifers been convicted with the use of Microscopic Hair Comparison Analysis reports and/or testimony? If so, you may want to know that:

“The [United States Department of Justice] has been working together with the Innocence Project and NACDL to address any errors made in statements by FBI examiners regarding microscopic hair analysis in the context of testimony and laboratory reports. Such statements are no longer being made by the FBI, and the FBI is also now employing mitochondrial DNA hair analysis in addition to microscopic analysis.” Peter Neufeld, Co-Director of the Innocence



Project said, “These findings confirm that the FBI microscopic hair analysts committed widespread, systematic error, grossly exaggerating the significance of their data under oath with the consequence of unfairly bolstering the prosecutions’ case.” (4/20/2015, <https://www.fbi.gov/news>). Prior to 2000, Oregon has—in some cases—outsourced hair analysis testing to the FBI. If you would like to know more send a kite to the Lifers’ Club Clerk and/or email.

Paul Cates, Innocence Project:
pcates@innocenceproject.org

Ivan Dominguez, NACDL:
idinguez@nacdl.org

A Friendly Reminder

Please remember that when you submit a CD-28 to the Lifers’ Club for a fundraiser, you should check to see that it is properly filled out and stamped before you submit it. This will ensure the prompt processing of your order and prevent any unnecessary delays. Or, in a worse case scenario, cause



you to miss out on the fundraiser entirely (which, is an outcome that none of us want). Thank you in advance for your attention to this detail. (RPL).

Looking Back On What’s Been Said...

“When the prison gates slam behind an inmate, he does not lose his human quality; his mind does not become closed to ideas; his intellect does not cease to feed on a free and open interchange of opinions; his yearning for self-respect does not end; nor is his quest for self-realization concluded. If anything, the needs for identity and self-respect are more compelling in the dehumanizing prison environment. Whether an O. Henry authoring his short stories in a jail cell or a frightened young inmate writing his family, a prisoner needs a medium for self-expression.” U.S. Supreme Court Justice Thurgood Marshall (*Procunier v. Martinez*, 416 U.S. 428 (1974)). (RPL).

Lifers’ Club Fundraisers

CONTINUOUS...

Sale of Tooth Brushes: \$12.00

Replacement Heads: 2pk for \$11.00

NO REFUNDS UNLESS TRANSFERED

Tuff-Enuff Long Rain Coats

Approved at all Oregon Prisons

Available in XL thru 2XL ONLY! the one in the photo is 2X
48in Long CLEAR .20 mm PVC 100 % WATER PROOF

\$14.50

Please submit separate cd-28s for each Fundraiser to Lifers' #2430

Early Release Terms and Definitions

Here are some general terms and definitions regarding early release.

- **Commutation:** The effect of a commutation is to shorten a custodial sentence, usually to time served. Commutation recipients may be either released to community supervision or outright release.
- **Reprieve:** A reprieve is a temporary suspension of a sentence; it does not affect the amount of time served, but rather allows recipients to resume their sentences at a later date.
- **Furloughs:** A furlough allows a person to serve a portion of their sentence outside a prison or jail.

- **Compassionate Release:** Compassionate release is an umbrella term for mechanisms that release individuals when terminal illness, advanced age, sickness, debilitation, or extreme family circumstances outweigh continued imprisonment. (RPL).



Problems With The Phone, Tablet or Video-Visiting?

At the August 20th, *Community Forum with Mr. Kelly*, a participant raised some concerns that they were having with the prison's video-visiting system. The Lifer's Club would like its members to know that if you are experiencing problems with the new provider and would like to register a complaint regarding the telephone, tablets and/or video-visiting systems you can write to:

Akasha Lawrence Spence
U.S. Rep. — Oregon
900 Court Street NE #5-223
Salem, Oregon 97301
And:
Ginny Burdick
Senator — Oregon
900 Court Street NE #5-223
Salem, Oregon 97301

These representatives have received a formal report from an outside group of concerned friends, family members and other community professionals. The report highlights 10 key issues with the new provider, as well as, a petition with several impact statements. Importantly, these representatives want to hear from AICs so that they can adequately assess the quality of the services being provide and correct the problems that we are experiencing. Let's take advantage of this opportunity by providing them with information on how the new provider has negatively impacted you, your friends and/or your family members. All that's missing is our feedback. (RPL).

The Tale of Two Cities

A traveler nearing a great city asked a woman seated by the wayside, "What are the people like in the city?" "How were the people where you came from?" "A terrible lot," the traveler responded. "Mean, untrustworthy, detestable in all respects." "Ah," said the woman, "you will find them the same in the city ahead." Scarcely was the first traveler gone when another one stopped and also inquired about the people in the city before him. Again the old woman asked about the people in the place the traveler had left. "They were fine people; honest, industrious, and generous to a fault. I was sorry to leave," declared the second traveler. Responded the wise woman: "So you will find them in the city ahead." From *The Best of Bits & Pieces*

A Health Tid-Bit

First Line Of Defense Is Lowering Risk Even When Genetics Isn't On Your Side

Submitted by J.R Oslund

Here's the good news: Heart disease and its consequences are largely preventable. The bad news is that nearly one million Americans will suffer a heart attack this year.

Deaths from coronary heart disease in the U.S. have been cut by 75% during the past 50 years. Hospital administrations for heart attack among the elderly fell by nearly 25% in a five-year period during the last decade, a remarkable feat when many experts had expected the age population to cause an increase in the problem.

Still, cardiovascular disease remains the leading killer of both men and women. Doctors worry that the steady progress from an intense public-health campaign beginning in the 1960s is in jeopardy thanks to the obesity epidemic and rising prevalence of diabetes. Only a relative handful of people are fully compliant with recommendations for diet, exercise and other personal habits well proven to help keep hearts healthy.

Particularly troubling are increasingly common reports of heart attacks among younger people, even those in their 20s and 30s, says Donald M. Lloyd-Jones, a cardiologist and chief of preventive medicine at Northwestern University's Feinberg School of Medicine in Chicago.

There is a lot a person can do to help prevent a heart attack. One international study found that about 90% of the risk associated with such factors as high cholesterol and diet, are within a person's ability to control. people from every continent who suffered a or close associates who didn't.

While genetics plays a role in up to one-lot of your genetics with choices you make Dr. Lloyd-Jones.

Spending more than four hours a day in person's heart risk.

The Basics

Knowing your cholesterol and blood pressure numbers is as fundamental to heart health as knowing the alphabet is to reading. Yet surveys show about one third of people with problem levels don't know it. For most people, optimal LDL, or bad cholesterol, is under 100; HDL, or good cholesterol, is over 60; and blood pressure is less than 120/80.

Tests for such readings aren't only important to understanding your risk, doctors say, but to measuring your progress toward reducing it. Healthy diet and exercise habits comprise the first line of offense toward improving or managing these numbers and toward controlling weight and blood sugar levels as well. Drugs to lower cholesterol and blood pressure are effective weapons when needed. LUC

Knowing your cholesterol
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blood pressure, physical activity, smoking and The study, called Inter-heart, compared 15,000 heart attack with a similar number of relatives

half of heart attacks, "You can trump an awful and with medicines if you need them," says

front of a computer or television can double a

Greetings From The Lifers' Unlimited Club Clerk

Hello. My name is Robert Langley and I have been hired as the Clerk for the Lifers' Club. One of my responsibilities is to publish the Lifers' Unlimited Club Newsletter. Because our newsletter belongs to the Lifers' Club and its members, I am writing to ask you the following questions: 1. In your opinion, how do you think we can make the newsletter better? 2. How do you think we can use the



Share your thoughts and ideas about our newsletter

newsletter to better serve our membership? 3. What changes would you like to see made to the newsletter? Please send all of your thoughts on this matter to the Lifers' Club – or – if you see me around, please feel free to share your thoughts directly with me. All suggestions are welcomed. Again, my goal is to find ways for the Lifers' Unlimited Club Newsletter to better serve its membership. Thank you in advance for your suggestions. (RPL).

LIFERS' UNLIMITED CLUB

Oregon State Penitentiary
Activities Section
2605 State Street
Salem, OR 97310-0505

A Thought for this November's U.S. Presidential Election

"A little rebellion now and then is a good thing, and as necessary in the political world as storms in the physical."

Thomas Jefferson

LUC 2020 Calendar

Unfortunately, all events are closed until social distancing restrictions are lifted. The Lifers' Club will do our best to keep everyone advised as events and/or circumstances develop. Thank you for your patients.

WE ALL HAVE UNLIMITED POTENTIAL

Lifers' Unlimited Club Executive Body

President:	Robert Kelley
Vice President:	Marty Wendt
Secretary:	Juan Solis
Treasurer:	Bill Knepper
Facilitator:	Stephen Weavill

«Name»

«Sid #»

«Cell »

While Supplies Last (12 Veggie Mix Left)

LIFERS' UNLIMITED CLUB
Frontier Deluxe Veggie Mix
1 Pound Bulk Bag
All-Natural, Kosher
No Additives
No Preservatives
Certified Gluten Free
Rated 4 out of 5 Stars
(Carrots, onions, potatoes, peas, tomatoes, celery, peppers, beans)
Approximately **5 lb** of fresh Vegetables per bag!


\$18.00

- 9 Flavor S.S Liquid Creamers
- Salted Caramel, French Vanilla, Italian Sweet Creme, Original, Cafe Mocha, Cinnamon Vanilla Creme, Vanilla, Caramel, Irish Creme, Hazelnut
- No refrigeration needed


180 prepackaged cups:
\$34.00

#2430...NO REFUNDS UNLESS TRANSFERRED

Mission Statement

The purpose of the Lifers' Unlimited Club is to unite the incarcerated men of OSP with a goal of improving the quality of life for those inside and outside of these walls. The club will work with charity programs, informational services, youth speaking panels and other positive programs. We cannot change the past, however, we believe through rehabilitation and pro-social behavior we can create a more productive future.