



## JULY 2017 LETTER INSIDE

### POLICY EDITION

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#### Feature One

#### THE ADVOCACY EXPERIENCE

*ARC Members Daniel Herron, Jose Gonzalez, and Rudy Reyes briefly describe their experiences in advocating with ARC for fairer criminal justice policies.*



##### The Privilege of Hope by Daniel Herron

Do you remember the days when the BPH panel conducted hearings in the prisons you were in? I do. Although I'm not a lifer, I still recall the feeling of uncertainty that permeated the yard as if it were yesterday. I remember the men who were confident that today would be the day they would finally, after 10 or 15 attempts, get the "nod" from the panel, and those who seemed to have no hope at all, who were just going through the motions until their next three year denial. There's one day in particular that I will never forget: my friend Joe, 50 years old, serving his 25th year on a 7 to life sentence for kidnapping for ransom, walking the yard with me and feeling completely hopeless. That day he would go before the board for what, I believe, was his 18th time. This man had taught me a great deal about tenacity and fight, but on this day, I witnessed someone strong feeling completely hopeless – just going through the motions. Dark clouds and sadness attempted to consume my spirit that day as my friend and I walked together in uncertainty.

Last month, for the first time in my life, I set foot in our state capitol building. The feeling was electric — a

stark contrast to those days of BPH hearings. Today, I was given the opportunity to make a difference for all my friends I had left behind, seemingly with no hope of ever walking through a sally port to freedom. Many of my friends were minors when they made the terrible mistakes that forever changed their lives but I know those mistakes do not define who they are today: the men they have become. Today, the privilege is mine to stand before our lawmakers and say, "My name is Daniel Herron, I represent The Anti-Recidivism Coalition, I was formerly incarcerated, and I strongly support this bill." Privileged. I can think of no other word that better depicts the feeling I feel within myself. I am now making living amends, and putting forth an effort to do the right thing.

My day at the capitol ended with a meeting with the assembly member who represents my district: Honorable Jose Medina of the California State Assembly, representing the 61st Assembly District. As I sat in this meeting, waiting for my turn to share the change and hope I had witnessed first-hand, I was overcome by emotions. I could not stop thinking of my friend Ray. I used to firmly believe he would never have a chance to ever come home, yet as I sat before my own representative, hope rushed through me. I began crying as I started to share my experience witnessing various men grow and mature right before my eyes in a place where change is easily hindered. The old thoughts of compassion and hopelessness for my friend Ray escaped the depths of my heart as I sat in that room and spoke from a place of love and empathy. For the betterment of society and for those good men I left behind, I am doing all in my power to bring change.

To stand before the men and women who represent us in government and advocate for hope on behalf of those whose voices have become faint in society, can be life-changing. I know because the experience has elevated my life. I cannot wait to return to the capitol, suited and booted, this time for the right cause, and to use my own voice to help spread hope behind the walls.



### Styled by The State

by Jose Gonzalez

For years, I behaved in accordance with a negative lifestyle that I believed was natural. I lent my voice to this lifestyle. I participated in destructive behavior that was haphazardly aimed at anyone, perpetuating a belief of “anti” humanity. I understood backward ideals and twisted morals — the opposite of progressive politics. I knew it as institutional bureaucracy. I was a proud constituent, a slack jawed card holding member, and a staunch advocate. My ignorance blinded me from understanding the power of a directed voice and the actions of the people, of a population who made themselves heard and felt by uniting together and believing in what was correct. This was in front of me the whole time, but in a negative and skewed way. Now let me stress something, not every battle within the walls has a connotation of negativity. Many injustices have been addressed from within, by the individuals suffering from them. However, my eyes were shut to the truth and I only saw what I didn’t agree with or understand. My eyes forced shut by a barbaric belief system, I was unwilling to realize the potential of an idea and of compassion in the form of a united voice. As I grew within myself and amongst my peers, I began to evolve. This evolution, which is still in its infancy, allowed me to realize that there were people out here in the “free-society” that were small in numbers, but gargantuan in power, with mighty voices and gentle hearts who truly cared about people like me. People like you. People like us.

They moved mountains with their love, influencing stoic politicians to dust off the pen meant for the people and use it to sign chain-breaking documents that crumbled once unimaginable sentences. One such earth-shattering document was SB260. This allowed some of the people within our community the opportunity to walk amongst the trees, granting a profound sight to those who, for decades, could see no farther than a concrete wall buttressed with sniper towers and razor wire.

Once I knew this and understood, I couldn’t take my ducat and run off into the wilderness of life never to look back at what I had left behind, like Jay Z said,

“I couldn’t skip leg day just to run my mouth”. I used my legs and my voice and hit the ground running. The conversations I had with Scott Budnick while I was styled by the state was the foundation of what was to come. As a member of The Anti-Recidivism Coalition, I stood, with those who have fought for me, and voiced my support for SB261. Policy training events and numerous legislative visits later, along with the help of our allies, we tackled our next goal. We knocked on doors and gathered signatures for Prop. 57, eventually watching it pass on a big screen TV in one of our offices. I frequent the halls of our state capitol and enter the offices with a new air about me, that of an advocate. I am thoughtful of my past and appreciative of my present as I walk out of the conference room where the governor makes his power felt. After a lengthy debate, I am humbled by the people with me, and am reminded of my times in the cell. I never imagined breaking bread with so many advocates and becoming a voice, a note in the tune of freedom. I know that one day you will help lend your voice to this cause, your positive actions, and righteous life will allow you to become the next standard bearers for this never-ending war against injustice.



### From Hopelessness to Advocacy

by Rudy Reyes

In 2012, I was sitting in the SHU, experiencing a sense of hopelessness and despair that was draining. Fortunately, the Ashker Lawsuit was settled after rounds of hunger strikes that happened in many prisons ranging from Pelican Bay up north all the way down to Donovan. As a result, men were finally being released from solitary confinement after decades of torture.

My release to the Transitional Housing Unit was a reprieve and an awakening to another level of advocacy as the U.S. Supreme Court made a series of rulings in favor of prisoners and their families. *Miller v. Alabama* paved the way and opened the door for juvenile justice advocacy that reinforced the science conducted by the American Medical Association and the American Psychological Association, which stated that “developments in psychology and brain science continue to show fundamental differences between juvenile and adults minds.” I realized that this ruling was huge, as I read all new rulings in the Los Angeles Daily Journal each morning.

Positive change was also happening on the legislative front. In 2013, SB 9 became law, allowing people who committed offenses under age 18 and sentenced to LWOP a chance at parole. Still, many of us raised an eyebrow in skepticism and wondered if real change was actually happening. We were so accustomed to negativity and disappointment that we couldn’t really fathom that there was something to hope for. Then SB 260 happened. Things changed. At that moment, we started allowing ourselves to hope and believe.

In 2015, I was transferred from Kern Valley to High Desert, where I was voted in as the IAC-Chairman. I was directly responsible, along with a select number of inmates, to reform High Desert and implement several self-help groups, primarily CGA. At that time there was no programming at High Desert.

In 2016, I came face to face with Scott Budnick, ARC members, and other advocates who worked together to bring more programming to places like High Desert and pass the laws that led many of us to believe again. After meeting these people, I knew exactly what I wanted to do if and when I was paroled from prison – I wanted to be on a team of advocates working together to ensure that incarcerated people had a chance to rehabilitate and return to their communities.

I paroled in January 2017, became a member of ARC, and made my first legislative visit to Sacramento in June 2017. As I made my way into the Capitol, my thoughts often drifted back to the men that I left behind in prison and those who were counting on me to advocate for them in a way they could not. I said a silent prayer as I entered each Representative’s office. I was in my element as we advocated for SB 394, which would bring California into compliance with the Supreme Court’s rulings on LWOP and make individuals eligible for a parole hearing after 25 years of incarceration without having to file a re-sentencing request, and SB 395, a measure that would require juveniles to speak to an attorney prior to be interrogated so they are advised on and understand their Miranda rights.

As we continue to grow and move forward as a coalition, let us not lose focus on why we are doing this work – for those we left behind in prison who have no real voice, for those returning home to have a safe haven rich with resources to aid their success in life and never fall back into old habits, and for the youngsters to never get involved in the destructive lifestyles of addiction to gangs, drugs, and violence that we did. We are working in hopes that there will be one less offender, one less victim, one less crime, and one less incarcerated person through our policy work in Sacramento and throughout California.



## Feature Two

## 2017 LEGISLATIVE UPDATE

ARC works with several local and statewide advocacy organizations to create opportunities for members to lend their voices to justice reform efforts. This work has led to several important improvements in California's justice system. Below are measures ARC is either co-sponsoring or supporting.

### **Bills ARC is Co-sponsoring**

#### **AB 42 (Bonta)**

The California Bail Reform Act will ensure that people are not held in dangerous, overcrowded jails after an arrest simply because they cannot afford to post bail. The effect of the Act will be to ensure that people return to court as required and that the public is protected, while ending the current bail system's cruel discrimination against low-income Californians and people of color. It would allow people to be released based on their likelihood to return to court and if they posed a danger to the community, rather than their ability to afford bail.

**Status:** AB 42 did not pass the Assembly. The author can reconsider the motion as a two-year bill in 2018.

#### **SB 10 (Hertzberg)**

The California Bail Reform Act will ensure that people are not held in dangerous, overcrowded jails after an arrest simply because they cannot afford to post bail. The effect of the Act will be to ensure that people return to court as required and that the public is protected, while ending the current bail system's cruel discrimination against low-income Californians and people of color. It would allow people to be released based on their likelihood to return to court and if they posed a danger to the community, rather than their ability to afford bail.

**Status:** SB 10 passed the Senate and will head to the Assembly Public Safety Committee next.

#### **SB 190 (Mitchell)**

This measure will end the harmful, unlawful, and costly assessment and collection of administrative fees against families with youth in the juvenile system. This bill will foster youth rehabilitation and the reentry of youth into their families and communities.

**Status:** SB 190 passed the Senate and was ordered to the Assembly. SB 190 is headed to the Assembly Committee on Public Safety and the Assembly Committee on Human Services.

#### **SB 312 (Skinner)**

This measure would restore a youth's ability to seal a juvenile court record involving a past WIC Section 707 (b) (serious and/or violent juvenile offenses) listed offense committed at age 14 or older, and therefore allow these Californians to go on to lead productive lives without suffering the negative employment, educational, housing and other economic and social exclusions that accompany a juvenile record.

**Status:** SB 312 passed the Senate and is headed to the Assembly. SB 312 will next be heard in the Assembly Committee on Public Safety.

#### **SB 394 (Lara/Mitchell)**

This measure would bring California law into compliance with the U.S. Supreme Court's recent decision in *Montgomery v. Louisiana* (2016), and give individuals serving life without parole for crimes they committed as youths under 18 years old the opportunity to have a parole hearing after 25 years of incarceration, WITHOUT having to endure a re-sentencing hearing.

**Status:** SB 394 passed the Senate and was ordered to the Assembly. SB 394 passed out of Assembly Public Safety Committee and is headed to Assembly Appropriations Committee.

#### **SB 395 (Lara/Mitchell)**

This measure would safeguard young people's rights under the United States and California Constitutions by requiring that youth under 18 consult with counsel prior to waiving their Miranda Rights.

**Status:** SB 395 passed the Senate and was ordered to the Assembly. SB 395 passed out of Assembly Public Safety and are headed to Assembly Appropriations Committee.

#### **SB 620 (Bradford)**

This measure would allow a court, in the interest of justice and at the time of sentencing, to strike a sentence enhancement for using or discharging a firearm when a person is convicted for committing a felony, consistent with other enhancements. This measure would not be retroactive.

**Status:** SB 620 passed the Senate floor and currently is being voted on in the Assembly.



### **Bills ARC is Supporting**

#### **SB 142 (Beall)**

This measure would encourage judges to consider community mental health treatment during sentencing. SB 142 also re-invests savings from reduced prison costs into effective community-based services with incentives to create a positive cycle of effective treatment and reduced crime.

**Status:** SB 142 passed the Senate and was ordered to the Assembly. It will next be heard in the Assembly Committee on Public Safety.

#### **SB 143 (Beall)**

This measure would allow people confined to a state mental hospital to reenter the community for treatment. By allowing equal access to Proposition 36 (2012) and Proposition 47 (2014), this population would be able to access community mental health centers and other support networks. If the person is found to no longer be a danger to public safety, then community treatment would allow them more treatment options and access to their natural support systems such as family and friends.

**Status:** SB 143 passed the Senate Committee on Public Safety. SB 143 was referred to Senate Appropriations Committee.



### **SB 180 (Mitchell)**

This measure would free-up funds for community-based treatment programs and community investment, generally, by repealing the three-year sentence enhancement for prior drug convictions.

**Status:** SB 180 passed the Senate and was ordered to the Assembly. SB 180 has been referred to Assembly Committee on Public Safety.

### **AB 90 (Weber)**

This measure would address accuracy and fairness in the collection and accessing of gang allegations through CalGang and other shared gang databases, including enacting reforms outlined in the 2016 audit of shared gang databases released by the California State Auditor.

**Status:** AB 90 passed the Assembly and was ordered to the Senate. AB 90 will next be heard in the Senate Committee on Public Safety.

### **AB 864 (McCarty)**

This measure would allow the Executive Director at the California Conservation Corps (CCC) to consider applications to the CCC from individuals 18-25 years old who are on probation.

**Status:** AB 864 passed the Assembly and was ordered to the Senate. AB 864 has been referred to the Senate Committee on Natural Resources and Water.

### **AB 1008 (McCarty)**

This measure would prohibit employers from inquiring into or reviewing a job applicant's conviction history until after that applicant has received a conditional offer. This bill would also clarify the standards an employer must apply when considering an applicant's conviction history.

**Status:** AB 1008 passed the Assembly and was ordered to the Senate. AB 1008 has been referred to the Senate Judiciary Committee and the Senate Committee on Labor and Industrial Relations.



### **AB 1058 (Gipson)**

This measure will authorize a waiver of the \$46 / unit community college student fee for youth who are younger than 25 years-old and are former wards of the juvenile court and were placed in out-of-home care in connection with that status after reaching 16 years-old.

**Status:** AB 1058 passed the Assembly Committee on Higher Education. The bill has been referred to the Assembly Appropriations Committee.

### **AB 1114 (Garcia)**

This measure will strengthen the Supervised Population Workforce Training Grant Program established by AB 2060 (V.M. Perez) in 2014. Investing in workforce development opportunities for reentry populations is a critical step towards expanding their access to well-paying jobs and careers, reducing recidivism rates, improving community safety, and generating overall net state savings. AB 1114 makes adjustments to the Supervised Population Workforce Training Program to expand the eligible target population to include people on parole, require applicants to include a partnership with a community based organization that works with the reentry population, authorize multi-year grant allocations, and strengthen the prioritization of work-based learning activities



**Status:** AB 1114 passed the Assembly Public Safety Committee. The bill has been referred to the Assembly Appropriations Committee.

### **AB 1308 (Stone)**

This measure would require the Board of Parole Hearings to conduct youth offender parole hearings for people sentenced to state prison who committed specified crimes when they were 25 years of age or younger. This would essentially extend SB 261 from age 23 to 25.

**Status:** AB 1308 passed the Assembly and was ordered to the Senate. AB 1308 passed through Senate Public Safety and is headed to Senate appropriations.

### **AB 1448 (Weber)**

This measure will codify the existing Elderly Parole Program, granting continued and formalized parole consideration to individuals age 60 and older who have been incarcerated for at least 25 years.

**Status:** AB 1448 passed the Assembly and was ordered to the Senate. AB 1448 has been referred to Senate Committee on Public Safety.



## Feature Three COMMON LAUNCHES TOUR AT FOUR SOUTHERN CALIFORNIA PRISONS



by Esteban Nunez, ARC Life Coach/Development Assistant

I spent six years incarcerated in California's prison system, so when I think about a concert in prison, what comes to mind is inmates performing for one another, singing, rapping, or showcasing other talents. To learn that a concert by a well-known musician was taking place in a prison setting was perplexing. To learn that a Grammy, Golden Globe, and Academy Award-winning hip hop recording artist, actor, film producer, and poet was hosting a concert specifically for inmates was even more shocking.

On March 27, 2017, Common launched his Hope and Redemption Tour, where he planned performances at four prisons – Calipatria State Prison (CAL), California's Institution for Women (CIW), Lancaster State Prison (LAC), and Ironwood State Prison (ISP) – in four days to bring hope to incarcerated men and women, and raise awareness of mass incarceration. Common didn't stop there. Prior to performing, he went into the day rooms and housing units to meet and speak with inmates. His excitement and determination to graciously bring peace to inmates, undoubtedly impacted the atmosphere at each institution and the hearts of each person he came into contact with.

When Common was unable to perform on the yard at LAC due to weather concerns, he held a round table discussion with the men who would have attended the concert. He also participated in a self-help group at CIW, during which he shared his own personal experiences. His visits have provided thousands with optimism and encouragement. Kern Kim, an ARC member and employee of The California Endowment, remembered the experience as "sparking a sense of determination and positivity in the institutions."

Common and his team organized the Hope and Redemption Tour in partnership with The California Endowment and the Anti-Recidivism Coalition (ARC). ARC Founder and President Scott Budnick brought many formerly incarcerated ARC members back into the prisons to help with the tour. For these members, utilizing this opportunity to instill hope was moving and uplifting. They were able to show their incarcerated brothers and sisters how determination and hard work can change one's life.

Through his performances, it was clear that Common was amped to engage with those with little hope and those who have lost touch with the outside world, while also utilizing his platform to encourage change and redemption. The concerts themselves show that the system is changing. The transition that has been taking place in institutions has become increasingly apparent. With new funding for programming and the passing of Prop. 57, California is shifting to a more rehabilitative system that has proven beneficial for all involved.

*Below ARC member Omar Castaneda interviews Charles Anderson, who was incarcerated during the Hope and Redemption Tour and was interviewed by Common at ISP. Just three weeks later, Charles left Ironwood and is now volunteering at ARC.*

***Where were you when you learned that Common was hosting a concert at Ironwood State Prison (ISP)? How did you find out? What were you feeling in that moment?***

When I first heard that Common was going to be hosting a concert at Ironwood State Prison, I was in my Last Mile Coding class. I first heard about it from my friend and roommate David. I couldn't believe it. I was excited and amazed that something like that could ever happen inside a prison. I did not fully believe it until my mentor Scott Budnick told me it was true. I was ecstatic.

***There are thousands of inmates at ISP, and yet a Grammy-award winning artist chose to sit down with you. What did that feel like?***

It was a very special and intimate moment to be able to sit down with Common. I knew he was a Grammy-award/Oscar-winning artist, but when we started having a conversation I quickly realized that he was a genuine person. He spoke to me like a regular person and not some criminal. Sitting with him was a dream-like experience, I felt amazed, happy, and blessed to have that kind of opportunity.

***What was discussed? Were there topics you specifically wanted to discuss with Common? Did anything surprise you about the conversation or meeting Common?***

Our conversation flowed in different directions. We talked about my childhood and what factors contributed to making the type of decisions I made. We talked about what kind of programs or opportunities could have prevented me from making bad decisions. We talked about the importance of change in the justice system and helping inner city youth develop into respectful young men. My conversation with Common surprised me because he instantly made me feel so comfortable and happy. He has the most amazing positive vibes I had ever seen in a person.

***You met with Common a few weeks before you were released from ISP. Did sitting with Common change or have any effect on the goals and aspirations you had in place for coming home?***

After my conversation with Common, I was inspired to get more involved in the justice reform movement. I realized that there are a lot of people who care about us and want to see change in our justice system. My goals were filled with more passion because I realized the power of a success story. I realized that my actions and success can be used to help others who find themselves in similar situations that I once found myself in. I know my success can shed more light and all these social injustice issues and help bring about change and reform.

***When did you come home? What has been the most challenging aspect? What are your plans?***

I was released from prison on April 30th. One of the most challenging aspects of integrating back into society is time management. In prison you have school and jobs, but everything is literally within a 100-yard radius. So you can leave to work a minute before you start, but in society there's so many other factors to consider. There's traffic, distance, transportation, etc. My plans for my future are to start and complete computer coding school, get employed at a tech company, and start my own nonprofit where I can help inmates being released into coding classes and internships, but also help inner city youth and at risk youth get introduced to computer coding and help them with classes to learn the trade.





**Anti-Recidivism Coalition**  
**448 S. Hill Street**  
**Suite 908**  
**Los Angeles, CA 90013**



The mission of the Anti-Recidivism Coalition (ARC) is to change lives and create safe, healthy, healthy communities by providing a support and advocacy network for and compromised of, formerly incarcerated men and women.

Founded in 2013, with offices in Los Angeles and Sacramento, ARC provides services and support to formerly incarcerated individuals while advocating for fairer criminal justice policies. ARC provides its membership with mentorship, mental health services, supportive housing, access to jobs and education, and opportunities to advocate for criminal justice reform.

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## Write to the Anti-Recidivism Coalition

Los Angeles: Anti-Recidivism Coalition, 448 S. Hill Street, Suite 908, Los Angeles, CA 90013

Sacramento: Anti-Recidivism Coalition, 1414 K Street, Suite 150, Sacramento, CA 95814

If you write ARC a letter, please include some general information that will assist us in determining how to best serve you, and that will aid ARC with their advocacy efforts. Please answer the following questions:

- Are you serving a determinate sentence, serving a life sentence, or a life without the possibility of parole sentence?
- Do you fall all under SB9, SB260, SB261, or Prop. 57?
- Have you had a suitability hearing? If so, how many have you had?

Also please keep ARC updated if you happen to transfer out of your current institution. This will ensure you continue to receive the ARC quarterly newsletter.

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## Learn How You and Your Family Can Get Involved

The bills that ARC and other community-based groups throughout California are supporting this year are significant in that they help provide many of you with chances to return to your families, remove barriers to your employment once you return home, and ensure that young people never enter the juvenile / criminal justice systems.

California legislators need to know that these bills are extremely important to their constituents. One of the ways that you can help these bills become reality is to encourage your families to contact their representatives and voice their support. They can find out who their representatives are by using the following website: [findyourrep.legislature.ca.gov](http://findyourrep.legislature.ca.gov)

Once they find out who their representatives are, they simply have to contact them and voice their support. Your family members, loved ones and friends can contact their representatives through phone calls and social media, as well.

Please encourage your friends and loved ones today!