

THE TRUTH

THE MIDWEST JOURNAL OF
INJUSTICE THROUGHOUT
AMERICA



ISSUE NO. 2

FREE



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LETHAL WEAPON



ENTERTAINMENT

editor's log

Greetings Readers!

First-and-foremost, let me apologize for the fact that the information contained in the previous issues of both The Sword & The TRUTH, specifically as it pertains to reaching-out to me, is no longer valid. My voicemail service was shut-down, and my email was apparently flagged by Gmail (Google) as a place of suspicious activity because (I believe) I had too many people trying to monitor and maintain it! Unfortunately, it has been very difficult finding and working with a single dependable person to help me manifest this brainchild to present to you something special, so I was trying the more-the-merrier approach..! In other words, if I couldn't find one individual to volunteer time assisting me - then, maybe, I could get several to volunteer a little time and get things done by committee! LOL! The silver-lining of it all is the fact that, in addition to working on completing these second issues, I am in the process of preparing for my release, so - sometime in the near future - manpower will no longer be a hurdle for me to have to overcome because I'll be able to do all the necessary work on my own! That includes actually being able to dive into the specific goals, or missions, that I had originally set for both zines. So, hopefully, the next issues that I release will provide you with much more specific and intentional content!

Until then... Please enjoy!

Respectfully,



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A NOTE FOR INDIVIDUALS-IN-CUSTODY IN ILLINOIS

Unfortunately, "Inmate Twitter" throughout the state is spreading the falsehood that the "Truth-In-Sentencing" Law has been overturned via House Bill 5219. Though many individuals responsible for scattering this falsehood are convinced of its truth because their people have confirmed it upon reading it at the General Assembly's website that it had an "Effective Date" of January 1, 2025 - I assure you that they did not overstand what they were looking at. The fact of the matter is: Whenever ANY Bill is introduced in the State of Illinois - it is given a date for which the legislature intends it to go into effect - IF IT IS PASSED and signed by the Governor.

I will now provide you with ACTUAL status of HB 5219, as of April 15, 2025. If you would like to verify the status of ANY Bill, you can simply write the Office of the Clerk, Illinois House of Representatives, Room 420 State Capitol, Springfield, Illinois, 62706, and ask did HB 5219 pass, and staff there will respond promptly. Also, Restore Justice, an organization responsible for initiating many of the Bills that we, as Individuals-In-Custody are hoping for, publish a newsletter that will keep you updated on imperative criminal legislation. You can write and request to be added to their mailing list at: Restore Justice, P.O. Box 101099, Chicago, Illinois, 60610.

With all of the above now said, Restore Justice reports that "advocates working on so-called 'truth in sentencing' bills have rebranded this issue 'credit for change.'" HB 2367 (A Credit For Change Bill), sponsored by Rep. Barbara Hernandez, will provide that every person incarcerated will receive one day of sentence credit for each day they spend in prison unless they have a natural life sentence. This Bill was previously filed in the 103rd General Assembly as HB 5219. HB 2367 WILL ELIMINATE provisions that a person must serve various percentages for a particular offense. Within six months individuals will be issued new calculation sheets, and those serving life sentences will be allowed to earn good time for future use should that sentence ever get reduced. HB 2367 did not advance and, therefore, must be reintroduced by the 104th General Assembly, this year.

THE SCOOP!



Understanding Your Deadlines

By Clifford L. Powers

Once you're convicted it's important to understand what your options are and when to use them. In this article, you will learn what your options are, the timelines involved, and where you can look to learn more about them. I will cover direct appeal, post-conviction, federal habeas corpus, and motion for relief from judgement. The easiest way to kill your appeal is missing a deadline. Luckily, keeping up with them isn't that hard.

Direct Appeal: Your direct appeal includes taking claims to the Appellate Court, the Illinois Supreme Court, and the United States Supreme Court.

Appellate Court: Once your Notice of Appeal is filed with the trial court your case is sent to the Appellate Court to be processed. You will be assigned an attorney, or you can hire one, and they will file the briefs in court. If the Appellate Court denies any of your claims, then you have 30 days to file a motion for rehearing with the court. You will have to do this yourself unless your attorney offers to do it for you.

IL Supreme Court: If the Appellate Court denies any part of your appeal, then you have 35 days to file a petition for leave to appeal (PLA) to the Illinois Supreme Court. This must be done in order to preserve your claims for late review by the federal courts, but it will also buy more time to work on your post-conviction petition.

US Supreme Court: If the Illinois Supreme Court denies your PLA or any of your claims, then you have 90 days to file a petition for writ of certiorari with the US Supreme Court. If nothing else, this too will give you more time to work on your post-conviction petition, and you want as much time as you can get.

Post-conviction: The post-conviction process includes filing a petition in the circuit (county) court, the Appellate Court, and the Illinois Supreme Court.

Circuit Court: Once your direct appeal ends, you have six months to file a petition for post-conviction relief in the court where you were convicted.

There are four possible starting points for this six-month period, depending on at what point your direct appeal ends and whether or not you file one.

1. If you do not file a direct appeal, then your petition must be filed within three years from the date your sentence becomes final.

2. If you file with the US Supreme Court, then your deadline is six months from the date that court denies your appeal.

3. If you do not file with the US Supreme Court, then the deadline is six months from the date the petition for certiorari would have been due. (In other words, nine months after the date the Illinois Supreme Court denied your appeal.)

4. If you do not file a Petition for Leave to Appeal, then it is due six months from the date the PLA would have been due. It should be noted that a successive post-conviction petition can be filed at any time with permission from the circuit court.

Appellate Court/Supreme Court: If any part of your petition is denied, then you will have 30 days to file a notice of appeal with the circuit court. From here the process and timeline is the same as on direct appeal, except that instead of filing a petition with the US Supreme Court, you will file a habeas corpus petition with the federal district court.

If you miss the 30-day deadline for filing the notice of appeal, then you have an additional 60 days to file a late notice of appeal with the Appellate Court, but you have to explain why you are late.

Federal Habeas Corpus: Once you have completed your direct and post-conviction appeals, then you can raise any federal claims you have preserved in a petition for writ of habeas corpus with the federal district court.

Like the time for filing a post-conviction petition, the time for filing habeas corpus petition begins the day your direct appeal ends, or the day your sentence becomes final if you don't file a direct appeal. You have one year to file, but there is a catch—the time you take to file your post-conviction petition eats up the time you have to file your habeas corpus petition. The clock on filing your habeas corpus petition stops when you file your post-conviction and starts back up again when the Illinois Supreme Court denies your appeal. To figure out how much time you have left to file in federal court, count the number of days from the date your direct appeal ended (or your sentence became final) to the date you filed your post-conviction petition, then subtract that number from 365.

Motion for Relief from Judgement: Commonly called a “2-1401 petition,” this motion can be used for very specific purposes and is filed in the circuit court.

For most purposes, you must file your motion for relief from judgement within two years from the date you are sentenced. If you are seeking relief from a void judgement, then you can file your motion at any time.

When you are counting the days you have to file something in court, then you must start from the date the court made its ruling. Never use the date of the mandate.

The easiest way to kill your appeal is missing a deadline. Luckily, keeping up with them isn't that hard. ●

CLIFFORD L. POWERS is a member of the Jailhouse Lawyer's Initiative and a long-time advocate. He is currently serving a 45-year sentence in the Illinois Department of Corrections. This article was taken from Stateville Speaks newsletter.

Within the Gates of Hell: True Covid-19 Stories by Inmates

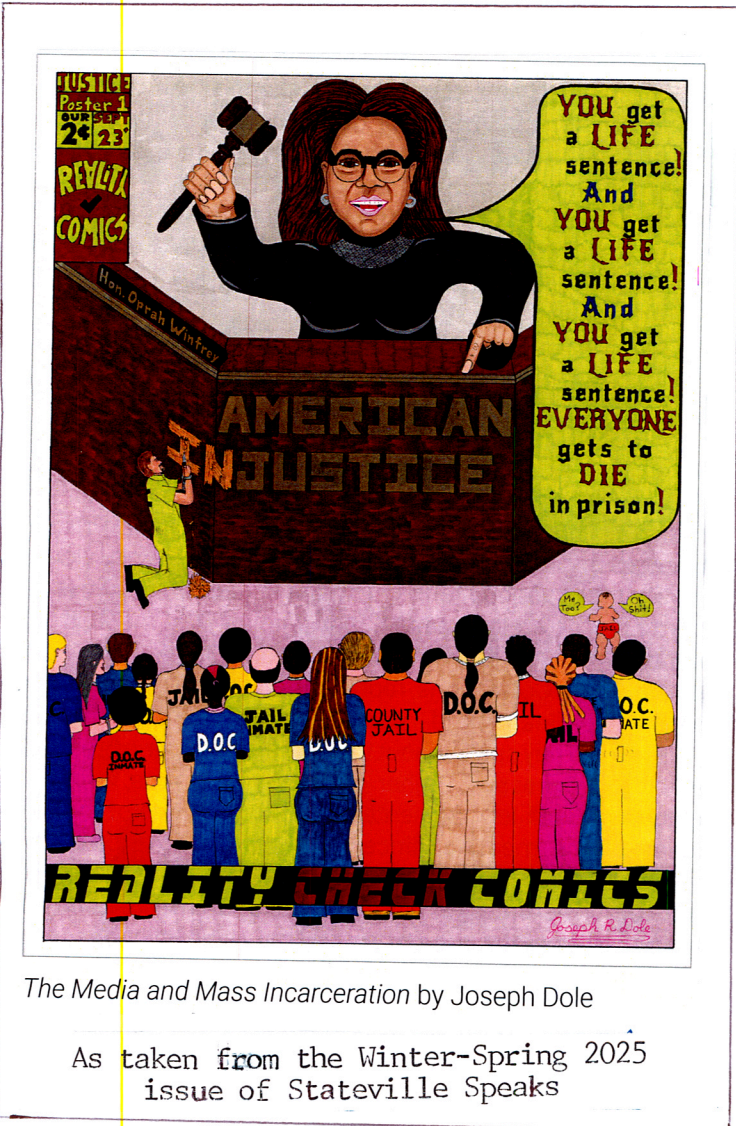


Barbara Jean Nagle, a woman who once dreamed of becoming a microbiologist, and editor of *WITHIN THE GATES OF HELL: TRUE COVID-19 STORIES BY INMATES*, opens up this prolific composition reporting that "the last great pandemic was the Spanish Flu of 1918-1920." First identified in military personnel in the Spring of 1918, it is estimated that about 500-million people, or one-third of the world's population became infected with the virus, and resulted in the deaths of approximately 50-million worldwide - 675,000 of them in the United States - ranging mostly, from the very young, to young adults.

In *WITHIN THE GATES OF HELL*, Mrs. Nagle, also known as "Stardragon," lays out a very interesting history of the outbreak of infectious viruses such as H1N1, Ebola,

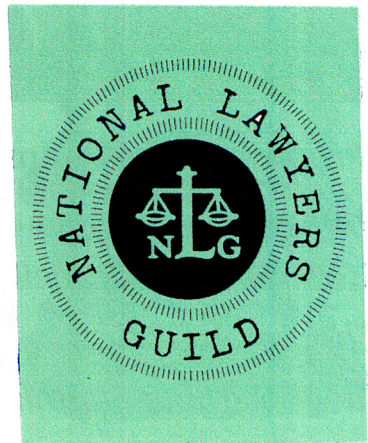
Hanta, HIV, and MERS, to name a few, up to modern-day COVID-19, as they have infiltrated the United States, and a glimpse at what Americans had to endure trying to escape them. I am certain that there are numerous books out there that delve deep into the struggles of American society in trying to deal with, and overcome, lives which were devastated by such viral onslaughts. But what sets this book apart is that it contains stories of the voiceless; stories of a people who had no place to go, who could not isolate themselves, who had to depend on strangers who mostly thought it was their job to oppress them rather than to keep them safe - and, for the most part, were responsible for actually infecting them. I'm talking about the Individuals-In-Custody throughout the United States, who just had to sit-in-it, while the Corona-Virus ravaged the nation. As an Individual-In-Custody who suffered the devastating effect upon my body from contracting the virus, and fortunately survived, I was particularly moved by several of the stories; specifically, one written by Texas DOC James V. Streetman's struggle with COVID-19 (Contributor #2), which he chose to battle, alone in a cell, because he ultimately felt, based on what he was witnessing, that asking for help would make no difference; which then takes me into sorrowful reflection about a brother named 'Time,' an Individual-In-Custody of the Illinois Department of Corrections, who (as reported by Leo Cardez, Contributor #48), despite the fact that years, or decades of incarceration may have subjected him to mental illness, was the first to try to make those around him aware that the prison was trying to isolate them from outside news pertaining to the COVID-19 virus as all of the news channels suddenly disappeared from their televisions, who then abruptly stopped eating his food, one day; and after his food trays began to pile-up outside his cell, would be found inside, alone, slumped in a chair, "head bent back, mouth wide open ... as if he died mid-scream." In contrast, there are some very touching and inspirational tales of men and women who consciously made the decision to struggle through the battle with COVID, together, as well as stories containing moments that will make you fall out of your chair laughing, such as when one of the contributing Individuals-In-Custody wrote that COVID-19 'gifted' him with the ability to only be able to obtain "half a hard on," apparently called Floppy Cock Syndrome! True; or not, the way he tells his story - you can't help but laugh (well, at least, I couldn't!!)

All-in-all, WITHIN THE GATES OF HELL is a powerful, evocative read, worth taking the time out to indulge - for Individuals-In-Custody, loved ones, supporters, and advocates alike!



The Media and Mass Incarceration by Joseph Dole

As taken from the Winter-Spring 2025
issue of Stateville Speaks



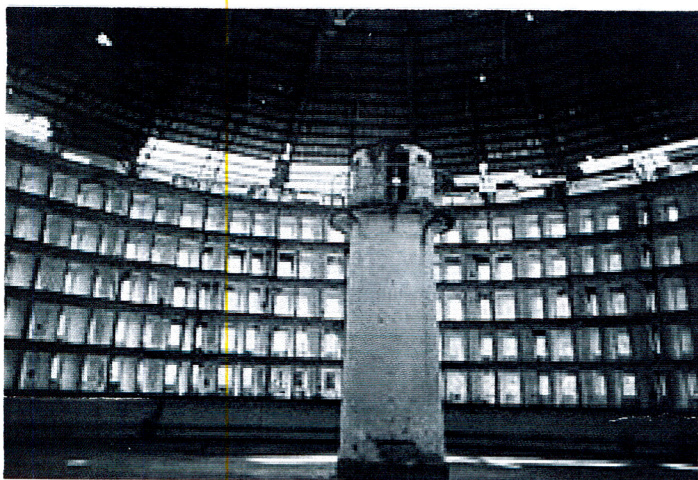
The NLG condemns the murder of Marcellus “Khaliifah” Williams at the hands of the state of Missouri.

May Marcellus rest in power and may his family and loved ones find solace. The state of Missouri knowingly and willfully murdered an innocent Black man. For years, Mr. Williams, alongside numerous organizations and advocates, have maintained his innocence and yet the evidence to exonerate him has continuously been denied in the court. The Williams family and even the family of the alleged victim and prosecutors themselves have all advocated in support of Marcellus “Khaliifah” Williams’ stay of execution.

Since the 2020 uprisings against police violence in the wake of George Floyd’s murder by an officer of the Minneapolis Police Department, the U.S. is now more than ever confronted with the horrific reality of the violence Black people face at the hands of State-sanctioned violence. Marcellus’ murder is yet another example of the criminal punishment system working as designed: to further criminalize and oppress communities of color with threats of violence and death. In the murder of both George and Marcellus are public lynchings of Black men carried out the abolition of prisons, in the name of “law and order”, not justice. As the NLG, we have called for the abolition of policing, and called for investigations into the death of Black people by the police. The NLG vehemently condemns the use of incarceration and the death penalty as a form of punishment. Since its inception, the American prison system has been used to disproportionately target Black people, people of color, and

the poor. Black people make up approximately 38 percent of the people in jails and prisons in the United States, despite being only about 13 percent of on Death Row.

As the NLG, we urge our supporters to put an end to the prison industrial complex and abolition everywhere, the U.S. population. Black people also make up 40% of the people abolition now! The NLG demands that not one more prisoner is executed by calling upon all correctional personnel and correctional personnel unions to refuse participation in executions and to condition union membership upon such refusal. Do not push the button. Do not flip the switch. Do not fire the gun. Do not initiate the gas. Resist. Not one more Marcellus Williams!



Prosecutorial Misconduct

**WRONGFUL
CONVICTION**

**UNFAIR
SENTENCE?**

BAD LAWYER?

NEED A DO-OVER?

DON'T PANIC

WE CAN HELP.

We assist with the drafting and submission of petitions for post-conviction relief, clemencies, mandamus, 2-1401 (to correct void judgement/sentence), pro se direct appeals, late notice of appeal, nunc pro tunc, divorce, child visitation, recovery of court documents/police reports, creation of legal funding campaigns, campaigns to obtain resentencing, legal research/report on specific questions of law, etc., etc.!! We are currently limited to the State of Illinois ONLY - except for federal habeas corpus & Section 1983 lawsuits! For more information send a SASE (Self-Addressed Stamped Envelope) to: Barbara Bryant, ATTN: Legal Lay Advocacy Group, 3205 Kiya Court #C5, Peoria, Illinois, 61604.

INTRODUCING "FLASHLIGHTS"!

On October 15-17, 2024, the Jailhouse Lawyer Initiative housed at the Bernstein Institute for Human Rights at NYU School of Law is hosting "Flashlights: Jailhouse Lawyers, Legal Empowerment and Building a Just World Together," a historic convening of jailhouse lawyers in dialogue with justice allies that illuminates the power and promise of legal empowerment to advance justice from the inside out.

For too long the loudest voices against mass incarceration have come from outside prison walls. Flashlights seeks to change this. This first of its kind gathering calls on the public to shift their gaze inward to prisons and jails across the country and hear directly from jailhouse lawyers - invisible defenders who have been pursuing justice from behind prison walls. Jailhouse lawyers are incarcerated individuals who teach themselves the law to advocate for themselves and the rights of their peers. They operate in deep isolation, with access to few resources at a high risk of retaliation for simply doing legal work. Despite these challenges, they have had a profound effect on the legal landscape of America, freeing their peers from incarceration, serving as counselors, mentors and teachers to their incarcerated community members and their families, and doing so with extraordinary humanity and resilience. Jailhouse lawyers are an essential part of reforming and abolishing the carceral system, and yet their stories are rarely known. FLASHLIGHTS seeks to change this.

Rooted in legal empowerment, Flashlights makes visible the transformative possibilities that come from shifting power, knowledge, and resources to directly affected communities so they can know, use, and shape the law. In doing so, directly impacted communities activate systems, lead justice struggles, and become the authors of their own liberation. During this groundbreaking gathering, jailhouse lawyers conversed with educators, advocates, artists, researchers and more as they reflected on how legal empowerment and jailhouse lawyering advances justice from the inside out. Speakers reflected on the role of jailhouse law-

- Continued on Page 20 -

How to Foster True Friendships

READ 1 SAMUEL 18:1-3

All people long to be in genuine relationships. God created us with this need, as we were not meant to live in isolation.

Our world is so driven by technology that many people today try to ease their loneliness through computer relationships. However, this can never satisfy or compare to the human fellowship that the Creator designed. But healthy friendships don't just happen. They require intentional effort.

Yesterday, in looking to Jonathan and David for a biblical model of godly companions, we saw how mutual respect is vital in a healthy friendship. Now, let's look at two more aspects of their relationship. These two men had an emotional love for one another; their hearts were knit together (1 Sam. 18:1). When one man experienced joy or sadness, the other man felt it too.

They also had genuine devotion to each other, which is a type of commitment that involves giving: to show loyalty, Jonathan gave his friend material items—his robe and weapon. But these two men also selflessly offered more: Jonathan even risked his life and future kingship in order to save David from execution. Notice, too, that Jonathan was often the initiator, and the one who gave more. He was a prince, whereas David was a lowly shepherd. Social status shouldn't interfere with cultivating a true friendship.

EARLY LIGHT

We were designed for true companionship based on mutual respect, genuine love, and commitment. This requires not only time and selfless devotion but also transparency—which means being real, even about our faults. Taking such a risk requires trust, but relationships are well worth the effort.

A Prison Story

By Nicholas Giles

As I wake up to greet a new day, I try to free my mind,
Reality sets in without delay, and disappointment is all I find.

I vow to stay tough, and out of self-pity's way,
And try to keep on movin' through another shitty day.

Can't complain too much. At least I awoke --
and found myself still breathin'.
I have the same dream over and over, about
the day I'm leavin'.

Will I even want to associate with or see my
so-called friends?

The same ones who were too busy all year to
touch paper with a pen?

What hurts a man most is a broken heart and a
trampled sense of pride.

What tears at the soul is the chain-link fence
blocking freedom on the other side.

Will I make it through another day here? Hard
to say. Only God knows.

No self-pity for me. Just regrets, and mistakes
in the road I chose.

Another mark off the calendar highlights
another day of worry.

And here on this page is just one more version
of the same ol' prison story.

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Establishing a Legal Defense Fund

by Jody Cramer

LET'S START with the bad news. A legal defense fund is about raising money, and raising money is very hard work. Below is a discussion of the essential elements that will be required if the fundraising is going to be successful.

A Proactive Prisoner

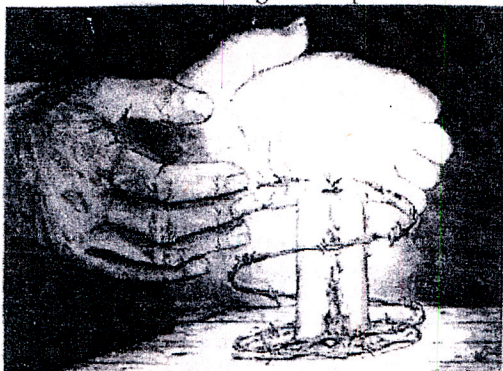
The inmate for whom the fund is being established must be willing to work extensively on his or her own behalf. The work to be done includes identifying and writing to any and all family, friends, contacts, organizations, and acquaintances who might make a donation or help raise money. The prisoner must be active in developing a support system. In addition, when a person or an organization does respond, the prisoner must promptly write a personal thank you note. Finally, if the prisoner is able to write compellingly about his or her experiences in prison or with the criminal justice system, the writings can help "put a face" on the individual and can be used as part of brochures, a website, solicitation letters, media packets and group appeals.

A Support System Leader

Someone in the support system must be willing to act as the leader. The responsibilities of the leader include:

- working closely with the prisoner to ensure that he/she is fully informed and has as much control as possible;
- coordinating the efforts of the support group in order to ensure that there is ongoing communication among members, assignment of tasks and consensus on activities;
- actively seeking potential organizations and individuals who might donate, contacting them in writing, maintaining files, taking phone calls and providing accurate information;
- tracking donations and ensuring that donors are thanked;
- thanking and encouraging support members for their efforts;
- developing a mailing list, preparing and mailing a

Warmth • Light • Hope



periodic newsletter;

- demonstrating enthusiasm, providing a vision, being positive.

The Best Way to Raise Big Money

The single best way to raise big money is to get it directly from people who have it. In the nonprofit world this is called "development" because a nonprofit organization "develops" and nurtures relationships with people who have discretionary money and who have shown an interest in the cause. Sometimes someone with money will hear about a cause or a need and be instantly touched to write a check. Other times people show an initial interest and must be brought along to a large donation over time. Here are the steps to approaching people with money:

- Develop and print a professional-appearing business card like this:

The XXXX Legal Defense Fund
(Leader's Name), Executive Director
Address
phone, email, website, fax

(Having a logo will help)

Other team members can have a card which says "Associate Director" or "Support Team Member" or "Executive Committee Member."

- Get together with the support team for a brainstorming session in which you think of all the people you know who have money and all the people you know who know people with money. Write these names down. Go back through the list and put the names in priority order based on how easy it will be to gain access to them and how much money they might give. Talk about how to gain access. (Does your brother know them? Did you work for them in the past? Is there someone wealthy in your family?) Select five or six target people. Decide if

you will send a letter first or try to speak to them in person. Decide if two people from the support group should go together to ask. Set dates for accomplishing the goal.

- Develop professional materials to use when you approach people. Usually a brief flyer or brochure is best. People are not going to read pages and pages of material. Know the case, know the answers to the questions that will be asked. Role-play and practice with the support group what you will say when asking for financial support. Tell your potential donor why the money is needed and how it will be spent.

- Most people are really afraid of asking for money. Often people who have money are actually happy to find a cause they care about and to support it. Go ask them! The worse thing that can happen is that they will say "No." This happens to all fundraisers. There is a marvelous Chinese saying that I think applies perfectly to asking for money: "Do what you fear!"

Other Ways to Raise Money

Here are some ways to raise money without asking people face-to-face. Many of these ways are very time-consuming and energy draining. It's important for the support group to consider how to get the "biggest bang for the buck" and how to be successful so that the group doesn't burnout and feel discouraged.

- Collect items and hold a yard sale, or sell the "merchandise" at a flea market;

- Speak at service clubs and organizations, and ask the membership for a donation;

- Speak at your church, and ask the church membership for a donation;

- Prepare a brochure to use in a mail solicitation. Be sure there is a "coupon" the recipient can cut off and return. The coupon should suggest some "giving levels" such as \$25 \$50 \$100. An addressed envelope should be included in the mailing to make it easier for the donor to respond. Send the mailing to everyone the prisoner knows, friends of the support group, and friends of the prisoner's family.

Activities That May Not Work

In my fundraising experience I haven't been successful in raising money by writing to celebrities, corporations, nonprofit organizations, or social organizations. It seems that in order to be successful, there must be some kind of personal connection.

When Donations Are Received

A separate account needs to be established for the donated funds and called something like "The XXXX Legal Defense Fund." A plan needs to be established to accurately track the donations, including collecting the addresses, phone numbers, dates of donations and donation amounts. The plan must include a sure way of

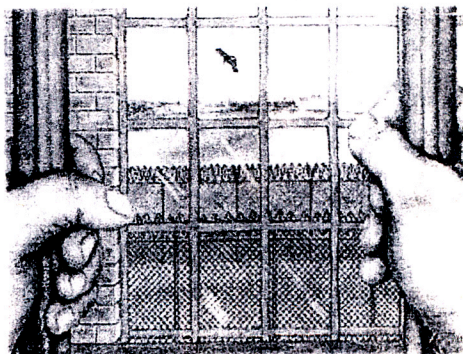
promptly thanking all the donors. Addresses collected can be used in the future for a newsletter mailing, which can ask for additional financial help. Donations are *not tax deductible* unless the supporters are able to receive them under the umbrella of an existing nonprofit organization. Such an organization would have to be found and its cooperation would have to be gained. Supporters will not be able to acquire nonprofit status for a defense fund which helps only one person.

Keeping Your Donors Informed

As money is raised and progress is made on the prisoner's case, it is important to convey this information to your donors. They will know that their contribution helped, and they may be moved to give again. If you have a donor or donors who give a significant amount, it's a very good idea to invite them to a special meeting where the case is reviewed for them and they are able to ask individual questions. Also, if the donor and the prisoner are willing, a visit to meet the prisoner can be very helpful in soliciting future donations.

A Final Few Words

Raising money for a prisoner, especially for one on death row, is not like raising money for kids with cancer. If you undertake this project, you must be prepared for the probability that some people will be offended that you even asked them. Some people will wonder why you are "wasting your time and talent" on something like this. Many people who hear from you will simply ignore you because they don't know what to do and your request for help has put them in a difficult situation. Forge on! Persistence is the essence of success. If people question why you are doing this work, tell them that you are concerned about suffering and injustice *wherever* they exist. The positive part is that you will have an opportunity to educate people about a very dark side of American life. It takes guts and commitment to do this work, but the reward will go far beyond the effort.



Dreams of Freedom

ATTITUDE

"The longer I live, the more I realize the impact of attitude on life. Attitude, to me is more important than facts. It is more important than the past, than education, than money, than circumstances, than what other people say or do. It is more important than appearance, giftedness or skill. It will make or break a company... a church... a home. The remarkable thing is we have a choice every day regarding the attitude that we will embrace for that day. We cannot change our past... we cannot change the fact that people will act in a certain way. We cannot change the inevitable. The only thing that we can do is play the one string we have, and that is our attitude... I am convinced that life is 10% what happens to me and 90% how I react to it. And so it is with you... We are in charge of our attitudes."

- Charles Swindoll -

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**The best things in life
come from God, and yet
He doesn't necessarily
eliminate our role in
the battle by which
they're won.**

RIISING UP

LEGAL LITIGATION HELP

AFSC, 2161 Massachusetts Ave., Cambridge, MA 02140 "Outlook on Justice" 24 page quarterly magazine. \$2/yr.

The Citebook, Starlite Inc., P.O. Box 20004, St Petersburg, FL 33742 (800) 577-2929. Citebook is a 275 page book designed to help the layperson to help themselves in researching their litigation. Total cost is \$59.95

Columbia Human Rights Law Review, 435 West 116th St. Box B-25, New York, NY 10027 (212) 663-8701. Sells the "Jailhouse Lawyers Manual", \$30.00 for prisoners.

Georgetown Law Journal Annual Review of Criminal Procedure, 600 New Jersey Avenue, NW, Washington, DC 20001-2075; criminalprocedure@law.georgetown.edu; (202) 662-9457. Published each year in June, the ARCP covers criminal procedure, habeas corpus relief and prisoners' rights. Available to prisoners at the discounted rate of \$15.

Patrick Crusade, S. Swiney, P.O. Box 1891, Alabaster, AL 35007.

Journal Broadcasting and Communications, P.O. Box 3084 Pittsburgh, PA 15230

"Writing for Lawyers" by Hollis T. Hurd. Excellent and useful. Price is about \$6.00. National Lawyers Guild, Prison Law Project 558 Cap Street, San Francisco, CA 94110 A national legal agency helping jailhouse lawyers.

Oceana Press, 75 Main Street, Dobbs Ferry, NY 10522 (914) 693-8100 Sells prison related legal books including: "The Prisoners Self Help Litigation Manual", \$32.95 for prisoners.

Prison Legal Aid Network, 1521 Alton Road, Suite 366, Miami Beach, FL 33139 "Plan" is made up of attorneys and paralegals who provide low-cost legal assistance to those in need throughout the U.S.

Prison Legal News, 2400 NW 80th Street, #148 PMB, Seattle, WA 98117 Provides newsletters, reports on court decisions affecting prisoners. Cost \$30/year for prisoners, and \$35/year for non-prisoners. or p.o. box 1151 lake worth florida 33460

"The Prisoner's Guide To Survival" 700+ pages soft cover edition, by PSI Publishing. It costs \$49.95 plus \$5 s&h for prisoners, and \$64.95 plus \$5 s&h for non-prisoners. Their address is: PSI Publishing, Inc., 413-B 19th Street #168, Lynden, WA 98264.

Southern Illinois University Press, P.O. Box 3697 Carbondale, IL 62902-3697 provides legal brochure "The Rights of Prisoners" free.

The Committee on the Judiciary, House of Representatives, U.S. Government Printing Office, Superintendent of Documents, Mail Stop; SSOP, Washington, DC 20402-9328 Request "Federal Rules of Evidence", "Federal Rules of Appellate Procedure".



The National Lawyers Guild (NLG) is an association dedicated to the need for basic change in the structure of our political and economic system. We seek to unite the lawyers, law students, legal workers, and jailhouse lawyers of America in an organization which shall function as an effective political and social force in the service of the people, to the end that human rights shall be regarded as more sacred than property interests.

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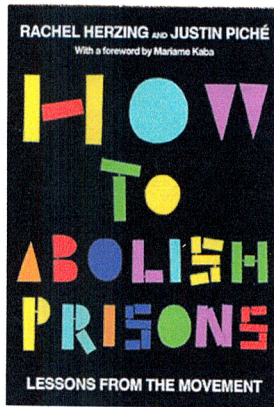
Scan the QR code to learn more about your rights while protesting, potential charges and consequences of an arrest as well as a guide detailing what to expect if you've been arrested at a protest.

www.nlgchicago.org



Book Review - How to Abolish Prisons: Lessons from the Movement Against Imprisonment (Haymarket Books, 2024) by Rachel Herzig and Justin Piché, with a forward by Mariam Kaba

Christopher Santiago, Columbia, SC



Over the last decade, prison abolition has gained wider acceptance, even garnering attention in the mainstream media. But some still dismiss it as purely utopian. In *How to Abolish Prisons*, Rachel Herzig and Justin Piché explore the tactics and strategies of prison abolitionists, drawing lessons from activists and organizers who put their ideals to work in the struggle for a decarceral future. Their new book shows abolitionist politics to be both practical and effective.

The book begins by describing the situation of imprisonment in Canada and the United States, making the case for abolition, and using the closure of Massachusetts “training schools” in the 1970s as an early example. It then considers the goals of abolition and the broader social objectives to which they are related, such as building social institutions that improve people’s health and well-being. Its main focus is on five common strategies: grassroots opposition to jail

and prison expansion, prisoner solidarity projects, arts and cultural work, policy advocacy, and legal advocacy. These goal-oriented activities provide a context for discussions about organizing, movement building, overcoming challenges, and securing victories in the fight against human caging.

Judging by its title, I expected the book to read like a typical how-to guide, but it is much more than that. Instead of giving step-by-step instructions, it explores some of today's abolitionist organizations and the instructive experiences and reflections of the people behind them. From 2015 to 2018, the authors interviewed members of various groups from Canada and the U.S., including Bar None, Black and Pink, the Chicago Community Bond Fund, Critical Resistance, Dignidad Rebelde, Justice Now, the Prisoner Correspondence Project, the Termite Collective, and Vancouver's Prisoners' Justice Day Committee. Quotes from their interview appear throughout the book along with case studies and input from movement literature.

The clear and engaging writing is suffused with a spirit of hope that is disruptive to the carceral mindset. It has opened my eyes to the work of the many caring, ethical people for whom I have a tremendous amount of respect. Moreover, it has deepened my understanding of abolitionist politics and helped me to think more clearly about my own political stance. There is an impressive amount of useful information packed into this short book. I believe it will be of great practical value to the project of prison abolition.

One of the things the authors repeatedly emphasize is the need to bring more people - especially currently and formerly incarcerated people - into the movement. In 2015, the National Lawyers Guild adopted the Resolution Supporting the Abolition of Prisons, and I want to recommend *How to Abolish Prisons* to all Gu-

ild members, incarcerated or not. Read this powerful book for yourself or donate a copy to someone behind bars. I hope it will inform and inspire your work - I highly recommend it.

-Christopher Santiago is a prisoner in the South Carolina Dept. of Corrections.

- Continued from Page 12 -

yers as human rights defenders, dialogued on effective inside-out strategies, shared thoughts on building international solidarity and voice, interrogated the unique experiences of women jailhouse lawyers, and explored how jailhouse lawyers in collaboration with allies are changing the way law is practised within law schools, on the streets, and in the courtrooms.

The above was taken from Issue #13 (December 2024) of the Jailhouse Lawyer Initiative Newsletter which summarized the three-days-long conference, as well as included pages from the long-anticipated launch of the Flashlights website (www.JailhouseLawyers.org), a collaboration between the Jailhouse Lawyer Initiative and Zealous, providing a digital archive serving to introduce the public to jailhouse lawyers through a powerful collection of letters, poems, and art, and highlights their struggles as they advocate for themselves and their peers, as well as the profound role they play in advancing justice from the inside out. If you are a jailhouse lawyer and would like to submit your story, commentary, ideas and/or suggestions, etc., etc. contact: Jailhouse Lawyer Initiative, c/o Tyler Walton Esq., 139 MacDougal Street B22, New York, NY, 10012.

Unapologetic

Dennis Morland

Tall Buildings,
Blood Stains On Concrete
From Ghetto Children,

The City is Windy,
But The Game is Much Colder,

A Simple Traffic Stop,
If You're Black,
Could Result in Death From Gunshots,

The Technology Like Taylor,
Is Swift,
A Double-Edged Sword,

Really A Curse And A Gift,
Like A Slave And A Ship,
Like A Master And A Whip,
Like A Whore And A Pimp,
Damn! This is The True
Meaning Of Broken Relationships,

The Change We Need or
Desire To Be,
Is In The Mirror Right In Front
Of You And Me,

If You're Waiting For An Apology,
Mercy, Forgiveness, Empathy,
Or Remorse Please Forget It,

Because The System Itself,
And Those Individuals Who Run It,
Are Unapologetic!



QUALIFIED IMMUNITY

by Dennis M.

QUALIFIED IMMUNITY! WHICH
MEANS LEGAL ASSASSINATION,

WE HAVE TO FACE THE FACTS,
AND THEN, WE CAN FACE
THE NATION,

PROSECUTORS PROTECT THE
PEOPLE WHO COMMIT THE MOST
CRIMES,

IN BLUE UNIFORMS ALL
THE TIME,

MORE DISPARITY THAN CHARITY
IN OUR COMMUNITY,

WHY ARE CITIZENS' TAX
DOLLARS USED TO PAY
THE SALARIES,

OF THOSE WHO CAUSE
CASUALTIES IN OUR FAMILIES,

HOW DO THESE TRAGIC OUTCOMES
SO OFTEN DEPENDS,

ON HOW YOU MAY LOOK,
OR THE COLOR OF THE SKIN
YOU'RE IN,

FROM THE COTTON FIELDS TO
THE COURTROOM,

BOOM!

SEVENTEEN SHOTS AND A
COVER-UP,

LIKE A TATTOO,

PEACE AND BLESSINGS LAQUAN,
I SEE YOU EVERYTIME I
LOOK UP,

I BELIEVE THE CHILDREN
ARE THE FUTURE,

BUT HOW CAN OUR CHILDREN
HAVE A FUTURE IF FOR ANY
TRIVIAL REASON THE
POLICE WILL SHOOT YOU,

YOU BELIEVE IN THE LAW
THAT ANOTHER MAN CREATED,

BUT UNFORTUNATELY, THE MAN
WHO CREATED THE LAW WAS
FULL OF SIN AND HATRED,

THE GREAT DIVIDE WILL ALWAYS
EXIST,

IF WE CONTINUE TO LEGALIZE,
SUCH ILLEGAL SHIT!

A FORMULA FOR SUCCESS:
Criminal Pro Se Defense

By E.C. Theus-Roberts

Pendleton CF, Pendleton, IN

(As taken from Guild Notes, Vol. 50, No. 1, Winter 2025)

Within the criminal justice community there is a saying any attorney worth their degree knows by memory: A lawyer who represents himself in court has a fool for a client. This, in part, is why criminal defense lawyers invariably try to dissuade clients from self-representation; in legal-ese pro se (Latin: for oneself). Yet, going pro se is not always a fool's gambit.

My first decade behind bars in CO was contumacious and consequential. I was first sent to administrative segregation (Ad-Seg) in late 2012 for two staff assaults. In the years that followed, 2012-2020, I would average about one new felony charge per year.

Bad experiences with two Denver County (CO) public defenders had left me disillusioned, with a virtual life sentence. I had few other options than proceeding pro se. These seven new cases resulted in one guilty plea, one hung jury, and five dismissals.

I would prefer readers do not follow my example of misconduct, but gather wisdom by and from my experiences. Therefore, here are some practical tips and useful advice for self-representation.

The most imperative aspect of pro se representation is self-control. When I represented myself at trial in 2017, the smartest thing I did, besides researching related criminal codes, was learn to school my reactions - verbal and nonverbal. Tones of voice, facial expressions, body language can all condemn a defendant as easily as a smoking gun. In this, the prosecutor was my best teacher.

Second most important is making a good presentation. Think of every court appearance as if it were a job inter-

view. Be presentable, professional, and articulate. That means curbing one's enthusiasm for profanity, slang, slouching, and irreverence. The commonly accepted prison/county jail etiquette is not serviceable inside the courtroom.

Now, to some more practical matters. A pro se defendant must know what he/she is defending against. If the charge is introduction/possession of contraband, for example, as one of my dismissed cases in 2018 was, a pro se defendant needs to be conversant on the principal criminal code and familiar with associated/lesser included charges. More than the evidence held against a defendant, the charge(s) dictate what all the prosecuting attorney needs to prove beyond a reasonable doubt. As the responsibility of ensuring the state meets obligatory standards.

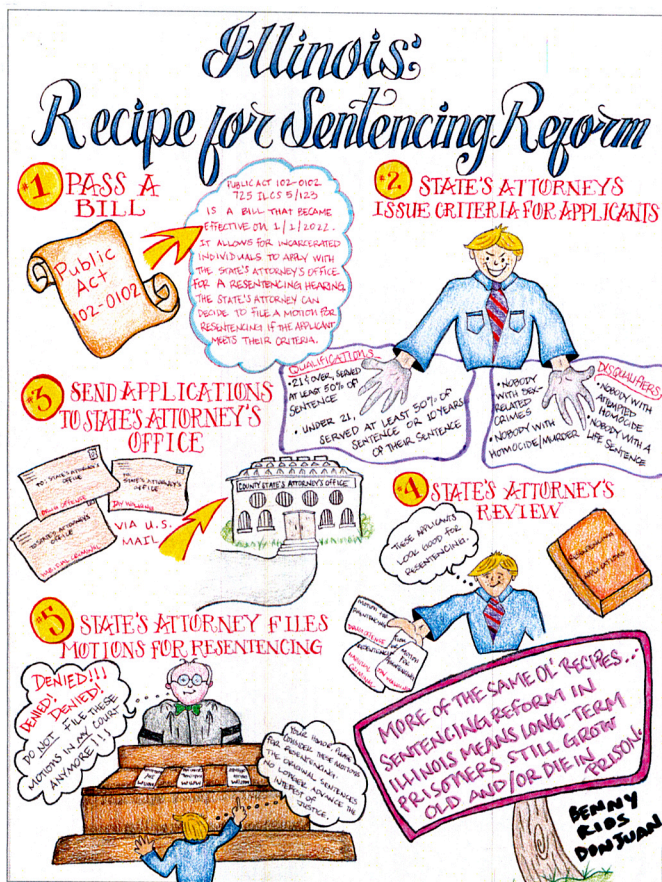
Another matter is "discovery" - a file, held by the prosecuting attorney, containing all collected evidence to be used to prove the state's allegations. Discovery rules, like motion and alibi procedures, vary depending on state and jurisdiction. One benefit of proceeding pro se is being provided the discovery in a format allowing comparable accessibility to that of the prosecutor. There must be parity. Whether the district/state attorney has to print out every page or copy the entire discovery to a CD-ROM, a pro se defendant must be given equal access and time to review discovery, by 'time', here it is meant opportunity. This parity is protected by Constitutional Due Process of the 5th and 14th Amendments.

Lastly, legal arguments. What and how you argue is of utmost importance. Avoid the irascible urge to dispute every point in court. Not every point of contention is significant for the final verdict. The wrong social security number is a moot point if you are caught on video. Dedicate time to highlighting what all the state failed to or cannot give evidence of. Arguments should highlight notes on the state's case and sow doubt, not annoy the jury or vex the judge.

I do not make boast of my legal prowess. It came at a heavy, most regrettable cost. In my travails I learned that it is never a question of their [state/prosecutor] version against yours; simply why they are wrong about your guilt.

Every success I have greeted in criminal court has come as a consequence of demonstrating what the state could not prove instead of trying to prove my innocence.

I do not advise placing yourself in a position to need these counsels. Still, prison is dangerous and should you find yourself at the accused's table, remember: it is not what you know but what you can prove.



"Letter Beginning with Two Lines by Czesław Miłosz," Mathew Olzman
Kundiman, MacDowell, Pushcart, and the National Endowment for the Arts

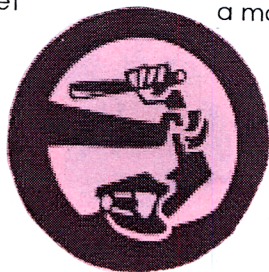
***You whom I could not save,
Listen to me.***

Can we agree Kevlar
backpacks shouldn't be needed
for children walking to school?
Those same children
also shouldn't require a suit
of armor when standing
on their front lawns, or snipers
to watch their backs
as they eat at McDonalds.
They shouldn't have to stop
to consider the speed
of a bullet or how it might
reshape their bodies. But
one winter, back in Detroit,
I had one student
who opened a door and died.
It was the front
door of his house, but
it could have been any door,
and the bullet could have written
any name. The shooter
was thirteen years old
and was aiming
at someone else. But
a bullet doesn't care
about "aim," it doesn't
distinguish between
the innocent and the innocent,
and how was the bullet

supposed to know this
child would open the door
at the exact wrong moment
because his friend
was outside and screaming
for help. Did I say
I had "one" student who
opened a door and died?
That's wrong.

There were many.
The classroom of grief
had far more seats
than the classroom for math
though every student
in the classroom for math
could count the names
of the dead.

A kid opens a door. The bullet
couldn't possibly know,
nor could the gun, because
"guns don't kill people," they don't
have minds to decide
such things, they don't choose
or have a conscience,
and when a man doesn't
have a conscience, we call him
a psychopath. This is how
we know what type of assault rifle
a man can be,



and how we discover
the hell that thrums inside

each of them. Today,
there's another

shooting with dead
kids everywhere. It was a school,
a movie theater, a parking lot.
The world

is full of doors.
And you, whom I cannot save,
you may open a door
and enter

a meadow or a eulogy.
And if the latter, you will be
mourned, then buried
in rhetoric.

There will be
monuments of legislation,

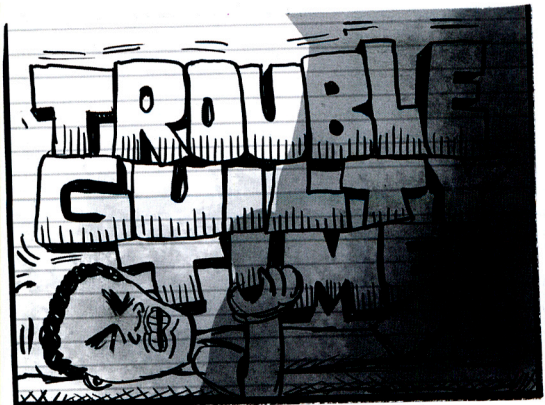
little flowers made
from red tape.

What should we do? we'll ask
again. The earth will close

like a door above you.
What should we do?

And that click you hear?
That's just our voices,

the deadbolt of discourse
sliding into place.



Long Live Anthony Gay!



The National Alliance Against Racist and Political Repression dips our banners in honor of freedom fighter **Anthony Gay**, who recently passed away. We send our condolences to his family and broad community of supporters who are feeling the weight of this enormous loss. Anthony made history by connecting his personal fight to a broader struggle against the system of racist tyranny that keeps so many oppressed people controlled and confined. He survived 22 years in solitary confinement, under the iron heel of police repression and mass incarceration. While enduring that torture, Anthony transformed himself into a freedom fighter. And when he got out, he broadened his fight to change not only his own personal conditions, but to change the way this system is allowed to operate. That fight continues.



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