



Prisonersolidarity.org Newsletter

Quarterly Print Edition

Spring 2007

This June, the **Free Siddique Abdullah Hasan Coalition** is kicking off a six-month abolition tour. Contact Saadiqah Hasan if you'd like to become involved, at: Sherrell508@sbcglobal.net. ++ **Keith Lamar's evidentiary hearing is on**

July 9 in Dayton. Contact Sharon Danann for more information, at pfcenter@sbcglobal.net ++ On Sept. 26, join thousands of people at the statehouse grounds in Columbus for a **rally to end the death penalty**. www.acluohio.org

Lucasville, The Untold Story of a Prison Uprising: **Fair and impartial aggravated murder**

By Staughton Lynd, *The Columbus Free Press*

March 28, 2007

On Friday, March 16, Governor Strickland denied clemency to Kenneth Biros.

Commenting to the Associated Press, Mr. Strickland said he has no intention of placing a moratorium on capital punishment in Ohio. He also said, according to the AP, "that he is open to new information on the matter, but for now is satisfied that Ohio has a fair and impartial system."

Profile in Lack of Courage

"No person shall purposefully, and with prior calculation and design, cause the death of another . . ."

This is the definition of "aggravated murder" in section 2903.01 of the Ohio Revised Code.

An execution is a killing with prior calculation and design. There are approximately 195 men on Ohio's Death Row. Thus when Mr. Strickland denied clemency to Mr. Biros and, at the same time, appeared to shut the door on a moratorium, Ohio missed an opportunity to prevent what could amount to as many as 195 aggravated murders. Strickland denied clemency to Biros at a time when other governors, in other states all over the country, have

taken at least a first step toward stopping executions. In Illinois, California, Florida, Tennessee, New Jersey, North Carolina, and Missouri, governors did more than Ohio's governor saw fit to do. And this comes in the context that in recent years Ohio has been second only to Texas in the number of human beings it deliberately put to death.



Playing the five prisoners in Lucasville are (L-R), Christopher Fidram, Lessley Harmon, Sam Perry, Clyde Holmes and Kunta Kenyatta.

Ohio? Where Clarence Darrow was born (in Kinsman) and John Brown grew to manhood (in Hudson)? Ohio? The red state of the North? As if it were not enough to have thrown the 2004 election to George W. Bush, the state in which we live now firmly declines to join the nationwide trend toward abolition of state-sponsored aggravated murder.

These questions burden the mind as I

contemplate the forthcoming presentation of a play, "Lucasville," in Portsmouth (April 11), Cincinnati (April 14), Toledo (April 15), Columbus (April 21), Athens (April 22), Cleveland (April 28), and Youngstown (April 29).

Along with Gary L. Anderson of American Legends Theatre Works, I am a co-author of the play. Gary is a professional theater person who does a wonderful one-person show about Clarence Darrow, who saved 102 defendants from being sentenced to death. Except on opening night in Portsmouth, at each stop "Darrow" will be presented in the afternoon before "Lucasville" is performed in the evening.

After each performance of "Lucasville" I will lead a discussion with any members of the audience who are

interested. I will assure folks that the action and dialogue of the play are drawn almost entirely from trial testimony, trial exhibits, and affidavits. My wife, attorney Alice Lynd, is compiling a notebook containing a sample of these underlying documents.

Hopefully at least some persons will pose the question, "What can we do?" For them I have a simple peti-

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tion to Governor Strickland used by the Catholic Diocese of Youngstown.

The petition says:

Dear Governor Strickland:

We, the undersigned urge you to call for a moratorium on executions in the State of Ohio.

We are opposed to the use of capital punishment.

We deeply sympathize with the families and friends of the victims of violent crime. We respectfully offer that additional death will not heal or resolve these tragedies.

The Compromise of 2007

As an historian, I have had occasion to try to understand where slavery, racism, and the thirst to kill come from in this country.

Begin with the fact that in May 1787, when the Constitutional

Convention assembled in Philadelphia, twelve men in London founded the British anti-slavery movement. The movie "Amazing Grace" tells the story, albeit from a topdown point of view. As Thomas Clarkson and his friends set in motion the first-hand investigations and petitions to Parliament that caused the British slave trade and then slavery in the British West Indies to be abolished, the great white men of the United States gathered for a Constitutional Convention that recognized and compromised with our peculiar institution. I have called it "the compromise of 1787," preceding the better-known compromises of 1819 and 1850.

Meeting in New York that summer, the Continental Congress passed the so-called Northwest Ordinance. This

document banned slavery north of the Ohio River. But it was understood at the time to be a "Southwest Ordinance" protecting slavery where it existed and was expected to spread.

The Northwest Ordinance contained the first national fugitive slave clause. When it passed, a number of men abruptly departed New York to carry the news of the Ordinance to Philadelphia, where the Constitutional Convention adopted the identical fugitive slave clause a few days later.

These fugitive slave provisions were expected to be implemented. A few years later, when President George Washington was in Philadelphia (then the nation's capital), a slave named Ona

Judge who helped Mrs. Washington to dress her hair and put her clothes on, ran away. The Washingtons spread the rumor that Ms. Judge had been seduced by a French sailor. There was no French sailor. Ms. Judge ran away on her own, and left to posterity the words that she wanted to be free and wanted to learn how to read and write.

The Father of Our Country wrote to the customs collector in Portsmouth, New Hampshire, directing him to kidnap Ms. Judge and put her on a ship bound for Virginia. Instead, that man sent Ms. Judge a note, warning her to get out of town. As far as we know she remained in freedom.

The best explanation for Governor Strickland's action is that the tide of migration to the Southwest (which

Southerners expected to give them control of the national government) flowed across the Ohio River into southern Ohio, Indiana and Illinois. Cincinnati became the racist city it has been for almost two hundred years, presently providing one fourth of the men on Ohio's Death Row. The Indiana towns across the river from Louisville, where my father grew up, and Alton, Illinois, where antislavery editor Elijah Lovejoy was murdered, became similar hotbeds of violence.

Another tradition also took root in these Ohio River towns. Ripley, Ohio, halfway between Cincinnati

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Prisonersolidarity.org
Newsletter Quarterly Print Edition

Spring 2007 Issue
Volume 1, Number 2

The **Prisonersolidarity** newsletter supplements our Internet publication and listserv. Subscriptions are \$6 per year.

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Submission Guidelines

Submissions should be no more than 2,000 words. We accept essays, poems and artwork on philosophical, political and social topics that are of importance to you. Please send your contribution to:

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Plays about Lucasville riot, Clarence Darrow spotlight death penalty

An Interview with *Lucasville* director, Gary Anderson

By Daniel Sturm, The Athens News
April 16th, 2007 - "What?" responded one Ohio University student in disbelief after finding out that Ohio still enforces the death penalty. She was shaken to hear that, since 2004, Ohio has been the second-highest execution state in the country, following Texas. Most of the 195 death-row inmates are now housed at the supermax prison in Youngstown. A day before the execution, prisoners are transported to the "death house" at Southern Ohio Correctional Facility in Lucasville.

Ohio places most of its death-row inmates in a fancy high-tech prison. The Ohio State Penitentiary, in Youngstown, was constructed in response to the 1993 Lucasville prison rebellion, for a cost of \$85 million. Aiming to lift the veil between the condemned and the outside world, an Ohio civil rights lawyer and a California theater director have joined forces, to bring two gripping plays about the death penalty to Ohio. "Lucasville: The Untold Story of a Prison Uprising" comes to Athens on Sunday, April 22 (7:30 p.m., Mitchell Auditorium, Seigfred Hall). The exclusive debut will tour with the nationally acclaimed one-man piece, "Clarence Darrow: The Search for Justice" (2 p.m., same location). The American Civil Liberties Union of Ohio and the OU Department of Sociology and Anthropology are co-sponsoring the double feature.

The "Lucasville" play is based on Staughton Lynd's definitive history of the prison rebellion. In April 1993, prisoners took over a cellblock in the Southern Ohio Correctional Facility. During the riot, nine prisoners and one correctional officer were murdered. About 2,000 law-enforcement officers surrounded the prison in a stand-off that was covered by national media outlets.

In retrospect, The Columbia Journalism Review wrote that, "Glaring mistakes were reported as fact and never corrected. Reporters vied for atrocity stories. They ran scary tales -- totally false, it was later found -- that spread panic and paranoia throughout the region." Based on Lynd's book documenting the true events of the rebellion, the Lucasville play aims to set the record straight.

The play acts out the trial for the murder of correctional officer Vallandingham, focusing on the predica-

ment of the five prisoners who were accused of being responsible for this crime. George Skatzes, Siddique Abdullah Hasan, Jason Robb, James Were and Keith Lamar are all currently on death row and pursuing appeals. The conviction of these five was based on the snitch testimonies of other prisoners involved in the riot, and made without any physical or DNA evidence. Were the right men convicted? The play challenges the audience to decide.

Called a "Saint of the American Left" by Democracy Now's Amy Goodman, the civil rights attorney and historian Staughton Lynd has made it his fight to regulate Ohio's prisons and abolish the death penalty. He and his wife, Alice, live in a small bungalow in Niles, near Youngstown. In the 1960s, Lynd was the director of the Mississippi Freedom Schools and taught history alongside Howard Zinn at Spellman College. In the late 1970s and early 1980s, when the steel mills closed, Lynd represented the workers, and then turned to the prison-industrial complex that had risen in the steel industry's wake.

Recognizing the importance of Lynd's work, Gary L. Anderson, who manages American Legends Theatre in Redding, Calif., decided to join forces with the civil-rights attorney. He had artistically dealt with the controversial issue of the death penalty before the Lucasville play, in the nationally touring one-man show, "Clarence Darrow: The Search for Justice." The native Ohio lawyer, Clarence Darrow (1857-1938), is most famous for his work in the Scopes "Monkey" Trial. Fighting against social injustice and racism, over the course of his career Darrow managed to save 102 men from execution. Despite the serious nature of the subject matter of these two plays, Anderson emphasized that both offer plenty of opportunity for a good laugh.

STURM: What inspired you to direct "Lucasville: The Untold Story of a Prison Uprising"?

ANDERSON: On the 4th of July, I was in San Francisco with my fiancée, watching this wonderful fireworks display. She's having a beer, we're sitting on the grass, and I am reading Staughton Lynd's book by the light of the fireworks. I couldn't put it down! With that boast of the celebration of American freedom and American justice system, that we hold out as an ideal for the world, I was suddenly shaken by the fact that there was truly some injustice done to these men. It was that

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moment under the firework that it kind of clicked in my head that I should call Staughton the very next day.

STURM: There were three big prison rebellions between 1970 and 1995, where prisoners killed one another: Attica in 1971, Santa Fe in 1980, and then finally Lucasville. What separates Lucasville?

ANDERSON: For one thing, I don't think anyone has ever written a play that's toured nationally, the way this one will, about either Attica or Santa Fe. But what separates Lucasville from the other two rebellions is that these five men were in prison for very good reasons to begin with.

This is not like an innocence project, where someone is innocent from the very beginning, or mentally ill, and the police decide to frame them. These folks were already in jail, and four of them for good reason. That's why the Innocence Project, or similar projects around America, won't touch these men. Even though they are innocent of the crimes that bumped them from being just "bad," up to death row, no one is helping them.

STURM: Can you describe people's reactions?

ANDERSON: I talk to people at Kinko's, or at lunch. I say, "Hey, have you guys heard of the Lucasville thing?" "Yes, we have." "Do you remember what caused the riot?" "No, we don't." "Do you remember what happened to the guys at trial?" "Well, they probably deserved it, even though they didn't

do this or that, because they were already in prison. So we're not going to worry about them getting executed." They're willing to lock them up and throw them away. It's a very harsh judgment that we're getting from the general public.

STURM: What about the charge that the state attained death sentences for four men convicted of the murder of correctional officer Vallandingham almost entirely on the basis of inmate informant testimonies?

ANDERSON: Yes, there was a snitch academy set up. And we intend to expose that scandal here in the state by talking about it in the



"There was a snitch academy set up. We expose that scandal in the state by mocking it."

Gary Anderson, Director of "Lucasville" and "Darrow"

play, by mocking it, by giving excerpts of how these men were pressured to give testimony against these so-called leaders of the rebellion. And in actuality, of course, these five men were just in the circumstances of doing the best they could to stop the killing and to get their negotiated ends out there. But the snitches were coached. They were taken away for a period of months, so each would corroborate each other.

STURM: What themes of the Lucasville riot do you cover in the play?

ANDERSON: The themes that go

through the entire production are uncorroborated snitch testimony, death-qualified jury, which is when prosecutors stack the deck and make sure that there are not only people that are open to voting for the death penalty, but are rabidly for it. So we illustrate that. And of course, we're looking for a moratorium at least for these five men and a reconsideration of what happened to the other men who are serving long sentences in the "supermax." Those are the three themes that resonate outside of Ohio.

STURM: Immediately after the rebellion, a new category of prisoners was created: "high maximum security." And there's some evidence that the \$85 million prison was built for the Lucasville Five, correct?

ANDERSON: They were the first occupants of it. That's how they got the funding. We believe that Warden Arthur Tate always

wanted to build some kind of super-max security unit. But they told him there was no justification for it. There had been no escalation of violence. Well, bingo! What happens? On April 11, 407 prisoners are left guarded by 15 guards. I mean, gee! It's like an invitation to do something wrong.

STURM: Did you actually meet with the real life Lucasville Five?

ANDERSON: I met with Jason Robb. He's a captain in the Aryan brotherhood. And I met with Siddique Abdullah Hasan, also known as Carlos Sanders. He was an Imam and leader of the Muslims

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during the prison rebellion. I'm meeting with Keith LaMar. And then I met with George Skatzes. He was transferred out of the supermax and is in Mansfield. He developed a great depression from being in the supermax cell. It's only the size of a compact car. During our presentation, we form living walls with 16 actors that represent the height, width and depth of an actual supermax cell. Then we put one of the men in it, George Skatzes, to talk about what living in a cell this size is like. The audience has to see it. Drawing a diagram on the floor is not good enough. We do a portion of the play inside the supermax film.

STURM: What do the "Lucasville Five" think about the play? Do they like it?

ANDERSON: Oh, yes. This was the one thing that I was worried about, that it would give them some hope. And it would put them back in to the headlines again, and might make a difference, if the issue is taken up by every state. Can you imagine how the state of Ohio may react if this thing is touring the country? And for once they not only get the pressure coming from inside the state, but have 49 other states starting to call them up and say, "What the hell is going on there in Ohio?" We just want to bring it to the public's attention.

STURM: Maryland, New Jersey, Connecticut, Illinois, New Mexico and North Carolina are all likely to ban executions. And your own state of California has ordered an investigation of the death-penalty system. What's your take on the situation in Ohio?

ANDERSON: Yesterday, on my

way out of a store, I tested the waters. It was the day after the execution of Kenneth Biros was halted. I said to this fellow, "What do you think about this whole death-penalty thing?" And then he said, "I hope that bastard suffers. God wants him to suffer for what he did to this girl's family. This is God's work!" And I just looked at him with my mouth open. I didn't expect such a vehement opinion. I asked, "God does? Do you know the mind of God?"



"What the hell is going on there in Ohio?"

Gary Anderson, Director of "Lucasville" and "Clarence Darrow"

The guy was just taken aback, and said: "Maybe I went too far, but this is a bad guy. I don't want to hear all this bleeding-heart stuff. The death penalty is a good thing; it kills and animals and scum like that." And he got back in his car. People have deep opinions about this, and about abortion and about gay rights. There are certain hot-button issues that Americans citizens are just crazy about!

STURM: Do you think your play can make a difference in terms of changing people's minds about the

death penalty?

ANDERSON: Here's the way I feel about theater. I've done musicals and comedy for too many years in my life when I don't think we've done anything but help people get to sleep better. I think theater should engage and enrage. And if it causes controversy, so be it. I think this is what's going to happen with this play.

STURM: "Lucasville" and "Clarence Darrow: The Search for Justice" are presented as a double feature. Four hours of deadly serious subject matter - couldn't this be too much for an audience to bear?

ANDERSON: You should make no mistake. I love to laugh. The humor in Lucasville comes from the tenseness of the situation. There are natural things that occur. For instance, in the discussion between the state and the inmate negotiators. After 15 or 20 hours of negotiation, people are tired. They let their sense of humor come into it. They let their compassion slip. And they laugh with each other. It's almost like breaking bread. If you can laugh together, you found some common ground. Humor is peppered throughout the play.

But I also have included in "Lucasville" a device that's called the stage manager. In Lucasville he weaves himself in and out the entire production, keeping the action moving on. He comments in a very funny way, and he even mocks various things that he doesn't agree with. "Ladies and gentlemen, introducing the negotiator for the Department of Rehabilitation and Correction, and backed up by 2,000 armed troops outside the wall, we have David Burchett." We have the

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actors applauding. “And on in the other corner we have George Skatzes, currently a guest of the state, and backed up by the wall.” I’m no dummy. I know how to get laughs. “Lucasville” offers a mixture of laugh and tears, and of course sadness. It should touch you on many levels.

STURM: You have been portraying Clarence Darrow, the famous

He was a terrible businessman. He worked pro bono for most of the cases during his life. Even when he was promised \$1 million in the Leopold and Loeb case, he wound up with \$10,000.

STURM: What would he have to say about the judicial system that prosecuted the Lucasville prisoners?

ANDERSON: Darrow would say

ville” just like they would 7 Eleven, Walgreens, Rite Aid, Starbucks. Every time a community turns around, I want them saying, “What is this play? It’s everywhere!” This is not just a regional play. I have three cities in Florida that want to do Lucasville, and I have some groups in Idaho that want this play. Oklahoma and California are interested, too. We’re going to assault this nation with the way that these



lawyer who saved 102 men from execution, for three years now. If Darrow were alive, would he defend the Lucasville Five?

ANDERSON: Absolutely. Darrow never had a client executed. That’s unheard of in the world of legal history. He was a starch opponent of the death penalty. He would do it, whether he made money or not.

that it was unfair. It needs a revision. It needs to be examined. I don’t think he would agree with Gov. Strickland saying that the justice system in Ohio is “fair and impartial,” for a moment.

STURM: What are your plans to take “Lucasville” on a national tour?

ANDERSON: I want people tripping over productions of “Lucas-

men have been framed. We’re going to really call everyone’s sense of justice into play. Now do we tell the audience what to do at the end of this play? Absolutely not. Why should we? Theater is meant to inspire, intrigue and engage, and get people to come to these things on their own. That’s the best kind of truth. The truth that comes from within. That’s what urges you.

No Parole Rule Rescinded in Ohio!

Many years ago, Staughton Lynd asked his wife to give him a teaspoon, so he could start tearing down the Ohio supermax prison. Now, after many smaller and bigger victories, in humanizing the Ohio prison system, ALICE LYND sends *Prisonersolidarity* the news of another major success.

[May 18, 2007] Dear all:
Effective immediately, prisoners on Level 5 and Level 4 can be recommended for release on parole!
Attached is a copy of the memo to

the Parole Board from the chairman of the Parole Board, approved by Terry Collins on May 16, 2007, rescinding the rule precluding release on parole from Level 4 or Level 5.

When we filed the OSP class action in January 2001, the no parole rule was one of the issues in our Complaint. No parole was one of the factors that led the courts to conclude that imprisonment at OSP is an atypical and significant hardship. In February 2007, after hearing testimony by one of the Level 5A

longtermers, Judge Gwin made it clear that he thought it should be the Parole Board (not someone deciding security classification or length of stay) that decides whether or not to release an individual on parole. The no parole rule was one of the issues in the proposed findings of fact and conclusions of law that we were ready to file in court on May 21. But Defendants filed a notice in *Austin v. Wilkinson* on May 17, 2007 saying they are changing the Parole Board policy.

-Alice

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and Scioto County (where the town of Lucasville and the Southern Ohio Correctional Facility are located), was the scene of an antislavery movement that began ten years before William Lloyd Garrison first published *The Liberator*. As described in Ann Hagedorn's book, *Beyond the River*, it was at Ripley that the most famous incident later recounted in *Uncle Tom's Cabin* -- "Eliza crossing the ice" -- actually occurred.

At that time abolitionist John Rankin had a house on a hilltop above Ripley where he left a lantern on all night. It is said that when Eliza and her infant child reached the northern shore of the Ohio, soaked and freezing, they were met by a professional slavecatcher named Shaw who seized escaping slaves and returned them to the South for money. Mr. Shaw is said to have been so moved by Eliza's bravery that he pointed up the hill to the light from the lantern, and told her to go there for help.

Alas, Governor Strickland thus far appears to lack the courage of that slavecatcher. It is really preposterous that he should find the trials that followed the 1993 uprising at the Southern Ohio Correctional Facility in Lucasville to have been fair and impartial. There was no physical evidence. Convictions depended entirely on the testimony of prisoner informants, or "snitches," who received benefits like not being charged, or a letter to the Parole Board, in exchange for saying what the prosecutors wanted them to testify. As I show in my book *Lucasville*, from their first conversations with prisoner witnesses, the prosecutors and troopers of the Highway Patrol deliberately framed several spokesmen for the prisoners.

Tragedy or Melodrama?

What really happened at Lucasville in April 1993? We know the exter-

nals. Prisoners occupied L block for eleven days. Ten persons (nine inmates and one hostage correctional officer) were killed by the rebelling prisoners. The siege of L block ended peacefully when Attorney Niki Schwartz of Cleveland helped the rebels to negotiate a 21-point agreement. Thereafter, in trials lasting into 1996, five supposed leaders of the rebellion (the "Lucasville Five") were sentenced to death.



I drive attorneys for the State frantic by refusing to use the word "riot," referring instead to an uprising or a rebellion. I protest the words of Judge Fred Cartolano in the trial of Siddique Abdullah Hasan: "Riots are not created by the prison. Riots are created by the inmates." *State v. Sanders*, Transcript p. 5332. I remind readers or listeners that before the April 1993 events, the Southern Ohio Correctional Facility allowed prisoners one five-minute telephone call per year. Even a defendant in a homicide arising from a barroom brawl, I argue, would be allowed to present evidence of provocation. But I do not think Lucasville was a melodrama, with the good guys all on one side and the bad guys all on the other. No one intended what actually occurred.

The Muslim prisoners who first seized officers in L block and made them hostages had in mind a brief,

bloodless disturbance. They hoped to catch the attention of authorities in Columbus and cause them to overrule Warden Tate's insistence on testing for TB by injecting under the skin a substance containing phenol, a form of alcohol.

Within moments, events spun out of control. What all witnesses describe as "chaos" ensued. Officers were severely beaten. The prisoners in

rebellion thought several of the injured officers might die, and went to some risk to take them to the yard where they could be recovered and receive medical attention. Warden Tate had encouraged informants, even creating a special Post Office box to receive their communications. Six supposed "snitches" were murdered by fellow prisoners during the first hours of the uprising.

The prison administrators created their share of unintended consequences, too. As Sergeant Howard Hudson testified, their hostage negotiating manual directed that prison negotiators should deliberately stall in order to wear down the resistance of the hostage takers. The same approach caused the authorities on the first full day of the occupation to turn off water and electricity. Three days later, the authorities' refusal to restore these utilities became the immediate cause of hostage officer

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Robert Vallandingham's murder. I have come to believe that there were individuals on both sides during the eleven-day rebellion who sought to avoid bloodshed. (The behavior of prosecuting attorneys and judges after the surrender is another matter.) In negotiating a settlement and a peaceful surrender, the Lucasville protagonists brought their confrontation to an end with significantly fewer deaths than in earlier prison rebellions at Attica and Santa Fe.

The behavior of the prisoners might be compared to the actions of soldiers pinned down by enemy fire on an unexpected battlefield. Most of the 407 men in L block, including some of the alleged leaders, had nothing whatever to do with starting the rebellion. Their motivation in staying in L block was to protect their property and to help fellow prisoners survive. What distinguished some from others, again as in a foxhole under fire, was whether they thought mainly about themselves or guided their actions by the perceived welfare of the entire convict body.

This understanding of the Lucasville events is what leads me to propose a general amnesty, as at Attica. Case by case adjudication of individual guilt or innocence misses the essential character of the tragedy. Those convicted of murder, assault, or kidnapping have already served almost fifteen years in solitary confinement. It is enough.

Life Without Parole?

Even if the Lucasville defendants sentenced to death should one day be found Not Guilty, and set free, a troubling question remains.

What should happen to death-sentenced men who are guilty of murder? They may have committed terrible rapes and homicides years before they finally are strapped to the gurney at the Lucasville death house. Sister Helen Prejean, the Catholic Church, and (if I am not mistaken) the American Civil Liberties Union, propose life without parole as an alternative to execution. Many death-sentenced men whom my wife and I have come to know disagree. They say to us, "If I am to be totally deprived of any hope of ever being free, kill me now."

It seems to us, as Quakers, that there is in every human being the possibility of change, of redemption. But no one has a crystal ball or measuring



instrument that makes it possible to know for sure when such change has truly occurred.

In our society, persons who were poorly educated, had a hard time finding work, and then committed a crime, "max out" or are paroled even less prepared to obtain a livelihood and live a normal life. In Boston last fall, a questioner asked about persons who are psychologically unprepared for freedom and likely to repeat the crimes that landed them behind bars. As I pondered a response, another member of the audience volunteered an answer. He said he had spent most of his life in maximum security prisons. In his

opinion, some prisoners need mental health assistance before they can be safely released. But prison, this man emphasized, helps no one. Support for the death penalty being so strong among persons who also call themselves fervent Christians, I have had occasion to propose what I call "the prison program of Jesus of Nazareth." It has three parts.

The first is the instruction in Matthew 25: "I was in prison and you visited me." Personal acquaintance with prisoners is the beginning of wisdom in these matters.

The second part of the program is the incident recounted in John 8. A woman was caught in the act of adultery, which in ancient Israel was punishable with death by stoning.

Jesus said, "Let him who is without sin cast the first stone." The death squad slunk away, shamefaced and conscience-stricken. Left alone with the woman, Jesus said, "Go, and sin no more."

The most challenging part of the prison program is the third. Luke 4 tells the story of

Jesus' first public ministry. He stood up in the synagogue at Nazareth and read from the scroll of chapter 61 of the prophet Isaiah:

The Spirit of the Lord God is upon me;

because the Lord hath anointed me to preach good tidings unto the meek;

he hath sent me to bind up the broken-hearted,

to proclaim liberty to the captives,

and the opening of the prison to them that are bound.

(Emphasis added.)

A first step toward the society envisioned by Isaiah and Jesus is to end the death penalty.

Letter to 192 Prisoners on Ohio's Death Row: Referendum to End the Death Penalty

By Kunta Kenyatta & Laurie Hoover, *Prisonersolidarity.org*
April 14, 2007

Greetings, once again, to those of you who the state of Ohio has condemned to death! The anti-death penalty forces on the outside are locked in debate as to what is the best way for us to move forward in our fight to put an end to the death penalty in this state, the governor Ted Strickland has already stated publicly that he is not considering a moratorium on the death penalty or clemency for the upcoming executions, which leaves the conservative factions of the anti-death penalty struggle with only more candle-light vigils as an option, being that begging the politicians has not been successful.

However, the more progressive anti-death penalty forces would very much like to push a state wide referendum that would allow the

Ohio voters themselves to outlaw state-sponsored murder in Ohio, without depending on the politicians. Referendums are not easy but this is the same method that Ohio voters just recently used to ban smoking in public places in Ohio, as well as,



raise the minimum wage in this state, and unlike any of our previous activities, a referendum, if successful would effectively eliminate the death penalty in Ohio.

If we were to move forward with the referendum we would still continue with our usual anti-death penalty activities like conferences, speaking tours, rallies and even vigils, but these activities will be used to build support for the referendum. Just

to get a referendum on the ballot, we are going to need 1/3 of the voters in 44 of Ohio's 88 counties to sign one of our petitions, which is a monumental task, then it will be an uphill battle from there. But, with close to two hundred people on death row from all over the state, with their supporters and a host of anti-death penalty organizations, this is something that can be done!

In Struggle and Solidarity!

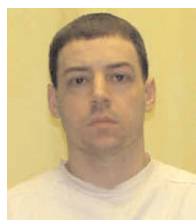
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Kunta Kenyatta and Laurie Hoover are board members of CURE-Ohio and have recently joined the Prisonersolidarity.org editorial team. They would appreciate receiving your comments, in letters written to the above address.

Support Education And Not Death Row

By James Conway,
Prisonersolidarity.org
April 14, 2007

I received the flyer you sent me concerning the proposed referendum to end the death penalty in Ohio. I'm sure I speak for everyone on death row when I say we appreciate everything that everyone does for us in all the anti-death penalty activist groups. The thought that all these different people who have never met me are out there pulling for me is very comfort-



ing. I agree, though, that it would probably be more productive if everyone pulled in the same direction. The referendum you suggested sounds like a step in the right direction to me, and I am writing you to make a suggestion that I believe would improve the chances of the referendum passing. I'm sure you would agree that failure of such a referendum would deal an almost fatal blow to the struggle to end the death penalty in Ohio, at least for the immediate

future. In my imagination I can see the headline, "The People of Ohio have Spoken."

The idea I have is somewhat based on a referendum I saw advertised during the last election. The referendum was set up to try and dedicate a larger percentage of the lottery money to the public schools by removing some of the power of the legislature to do other things with the money. My suggestion involves reallocating the tax dollars spent on the death penalty directly to fund a

EDUCATION, NOT DEATH ROW, continued from p. 9

scholarship program for low income Ohioans, which would do more to reduce the crime rate than the death penalty has ever done. Ending the death penalty would instantly free up a significant amount of public funds.

The Ohio public defenders office has a death penalty section as does the attorney general's office. The individual counties get money also.

Scholarships for Low-Income Ohioans

I know it will be impossible to find all the resources the death penalty consumes each year, but I bet a diligent person (or group of people) could show that a few million in government funds would be freed up every year if the death penalty were ended. This money could be taken directly from its purpose in carrying out the death penalty and used to create a scholarship program for low income Ohioans. I've read that estimates are in the range of \$1 million to \$2 million total to execute a single inmate over the course of the entire appellate process, and that figure was above and beyond what it costs to house the inmate for the 20 years the process takes.

That was also said to be a very conservative estimate. Those figures may be way off, but for argument's sake, let's just say that the state spends \$5 million a year directly on the death penalty that would be freed up if the death penalty were ended. The average degree program being under \$50,000, that means every year 100 low income Ohioans could receive a full ride to a four-year degree program. Essentially: the referendum shouldn't be against the death penalty, it would be for education.

Admittedly, I know little about origin: referendums or about the breakdown of how tax dollars are dedicat-

ed to the death penalty. But I do know that a death penalty case is inordinately expensive. Death penalty defendants receive two lawyers who get \$25,000 each: and an aggravated murder defendant receives a single lawyer who gets about \$10,000. On direct appeal, death sentenced inmates receive two lawyers again, while all others receive one. Two lawyers are also assigned to do post-conviction appeals at the same time, and no lawyers are required to be assigned to persons not sentenced to death.

That 540,000 at trial and the three extra lawyers employed for about 3 years (just on state appeals) translates into a lot of moneys, and that is only a small fraction of what is actually spent. Death penalty trials are



twice as long as normal trials, and for every lawyer representing the defendant/prisoner there is an adversary representing the state on the other side.

Perfect Timing for Education, Prison Reforms

This is also the perfect time to present such a referendum. News story after news story talks about how the United States is fallen behind in education, we now have less engineers, scientists and generally less college graduates than many developing countries. Besides that, one of the main purposes of Governor Strickland's proposed budget was to try and keep college tuition from

increases at all this year and only 3% next year to try and increase the number of people who can afford to go to college.

In short, I think there will be strong opposition to a referendum to end the death penalty in Ohio. But if the choice is between the death penalty and 50 or 100 college scholarships every year I think there will be significantly less opposition even from those like Governor Strickland who purport to be for the death penalty. Let's face facts, there are quite a few people that will support the death penalty on moral grounds regardless of how immoral we believe it is.

With a referendum such as the one I propose they will lose whatever moral footing they have. As

Governor Strickland himself said in the State of the State address, Ohioans have to make some tough choices and some sacrifices so that Ohio can be at the economic forefront of the country, as it has been for the last 100 years. Let's make the death penalty one of those sacrifices.

I hope this idea is of some use to you. I wish I could do more to try and implement something like this because I think it could really make the difference, but I could not even begin to know where to start.

I hope that you do you.

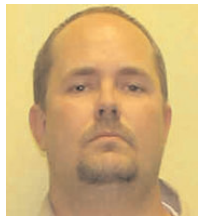
Sincerely,

James Conway

James Conway, # 457-203
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Youngstown, OH 44505-4635

The following link offers tips for writing to prisoners:
<http://prisonersolidarity.org/TipsForWritingPrisoners.htm>

Ohio State Penitentiary Sanitation Crisis



This is an Update on Robert Reed's Winter 2007 Newsletter report titled, "Mold, Staph Infections and Broken

Utilities at the Ohio State Penitentiary."

Dear Prisonersolidarity,

I would first like to thank you for your help and the media attention through your website and newsletter.

It has helped to get a few of the minor conditions taken care of. We got the holes in the wall in the laundry room covered and a new water fountain on the west dorm.



The Ohio State Penitentiary is the state's only supermax prison. It's home to Ohio's death row.

The Eighth

Amendment to the Constitution mandates that prison officials maintain humane conditions of confinement and take reasonable measures to guarantee the safety of inmates. I and other offenders here at OSP have been trying to get these conditions fixed for over 17 months.

I have followed and exhausted the inmate grievance procedure to no avail. None of the main problems have been fixed. The failure of OSP officials and the central office to take action and fix these conditions represents a deliberate indifference towards us offenders, and the conditions we face on a day-to-day basis.

On Jan. 25, 2007, OSP officials ordered offenders to clean non-stop for hours, for the direct and malicious purpose of covering up the inhumane conditions of our restrooms and ventilation from the inspector. During the inspection, the

immediate staff tried to fool the inspector so that we offenders would have to continue suffering with these poor conditions. Because of the staff cover-up, we will have to continue enduring the broken toilets that leak profusely, the urinals that overflow on to our feet, and the lack of ventilation that results in fumes and condensation that are unbearable at times.

I saw the inspector come in around 10:25 AM on 1-25-07. I tried to talk to her in the restroom but the door

was closed on me, so I caught up to her when she was inspecting the west dorm water fountain. I talked with her for about 7 minutes. I informed her that in planning for her arrival, offenders were told to remove plastic trash bags from three of the urinals and four of the toilets, and that the offenders had been cleaning for two days straight, and non-stop on that day. I told her that we needed her help and that they were covering up a lot.

I would like to request that another inspection be done as soon as possible, of the unannounced kind. Please bring cameras and test kits. Also please take the time to speak with the offenders here. Please try all of the utilities so that you can see that they don't work and/or are broken so badly they don't work properly.

Here is another list of what needs to be inspected:

Toilets, urinals, ventilation, heat in the west dorm and blower; the roof leaks in at least 6 places, including living areas and common areas; another sink fell off the wall on 1-26-07 (it almost hit the inmate's foot); an inmate just fell through a broken chair and was taken to medical; chairs, tables, and east dorm fountain; have a medical inspector walk through to check for staph outbreaks; test for mold on the showers, ceilings, and walls.

It's cold on the west side once again, and there is a lot of condensation leaking down the walls into wall plugs, on the inner outside walls.

I would like to add that we are offenders who have committed crimes and we are

"No part of our sentence includes enduring inhumane conditions. We need your help!"

Robert Reed, Ohio State Penitentiary Prisoner

being punished by way of court-imposed sentence. No part of our sentence includes enduring inhumane conditions, in which we can catch diseases and transfer them back home to our families and society. We need your help to have someone do a full-blown inspection. Even on our grievance process here seems to be breached and corrupt at some points in time. I hope we can receive more help.

In God's speed, we thank you.

Respectfully,

Robert Reed

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Youngstown OH 44505

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This quarterly newsletter is freely available to download from our website, at www.prisonersolidarity.org.

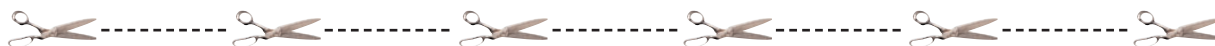
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