



Citizens United for Rehabilitation of Errants



Federal Prison Chapter

*A National Effort to Reduce Crime
Through Federal Criminal Justice Reform*

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FedCURE Newsletter – March 2006

FedCURE (<http://www.FedCURE.org>) is the world's leading advocate for America's, ever growing, federal inmate population. Collectively, five of FedCURE's 14 board members have over 50 years of in prison experience--behind the fence--as former federal inmates. Each holding J.D.'s, two holding LL.M's and two holding Ph.D's.

<http://www.fedcure.org/aboutus.shtml>. Our lifetime members include the best criminal attorneys in the United States. FedCURE is a non-profit organization and the Federal Chapter of Citizens United for Rehabilitation of Errants (CURE), founded over 45 years ago.

(<http://www.curenational.org>)

FedCURE has made important progress and inroads in its efforts to reform the federal criminal justice system in the United States. FedCURE's leadership has been able to forge and establish strong working relationships within the United States government and has gained unprecedented access to the government's elected and appointed officials to discuss, make suggestions and present important reform issues.

"Martha Stewart's incarceration has made her the diva of federal criminal justice reform in the United States." [http://www.telegraph.co.uk/news/main.ihtml:sessionid=B1R1ZUZUUCJDOFIOMFCNAGAVCBOYJVC](http://www.telegraph.co.uk/news/main.ihtml:sessionid=B1R1ZUZUUCJDOFIOMFCNAGAVCBOYJVC?xml=/news/2005/03/06/wmart06.xml)

[?xml=/news/2005/03/06/wmart06.xml](http://www.telegraph.co.uk/news/main.ihtml:sessionid=B1R1ZUZUUCJDOFIOMFCNAGAVCBOYJVC?xml=/news/2005/03/06/wmart06.xml). Mrs. Stewart wrote from prison in a December 2004 letter posted on her Web site, "I beseech you all to think about these [inmates] - to encourage the American people to ask for reforms, both in sentencing guidelines, in length of incarceration for nonviolent first-time offenders, and for those involved in drug-taking." The synergies behind that have yet to unfold and Ms. Stewart has yet to step up to the plate.

However, we can state with confidence that the federal criminal justice system in the United States is undoubtedly broken and in need of reform; and that after all of the discussion about what's wrong with the

system and what can be done to fix it comes to rest, in the end, it always comes down to one issue: Reduce federal prison sentences. In today's political environment, however, there is only one possible hope that would best accomplish this reform: Enact federal legislation to revive our former system of parole for federal prisoners; and to provide new re-entry opportunities for people being released from prison.

To that end, FedCURE is feverishly advocating for the passage of H.R. 3072 - a bill to Revive the System of Parole for Federal Prisoners.

FedCURE authored this legislation. The Honorable U.S.

Representative, Danny K. Davis (D) of Illinois, introduced the bill, in the 109th Congress, on 27 June 2005. H.R. 3027 is the former H.R. 5296 and its successor H.R. 4036, as amended by FedCURE. H.R. 3072 has only 11 cosponsors to date and that was hard work. *Cosponsor*

Update: <http://thomas.loc.gov/cgi-bin/bdquery/z?d109:HR03072:@@P>. We are in drastic need of a shot of adrenalin to kick off a massive public awareness campaign to get the public to support this legislation.

Over eighty-five (85%) percent of the almost 190,000 people in federal prison are serving non-paroleable sentences for nonviolent offenses, most of which are for controlled substance violations. Thousands of people in prison are serving life sentences for nonviolent offenses without the possibility of parole. This is an atrocity, as the majority of these people are first time offenders.

Background

Parole of federal offenders began after enactment of legislation on June 25, 1910. Under the Comprehensive Crime Control Act of 1984, the United States Parole Commission retained jurisdiction over defendants who committed their offenses prior to November 1, 1987. At the same time, the Act provided for the abolition of the Parole Commission on November 1, 1992. The phase out of the Commission has been extended by statute several times. On September 29, 2005 Senate Bill 1368 - A bill to extend the existence of the Parole Commission, and for other purposes, became Public Law No: 109-76. The Commission having taken over supervision of all DC offenders (approximately 10,000) in addition to the remaining 4,000 Old Law offenders. Presently, the Commission has over 100 employees and a budget of over \$10 million.

When the U. S. Sentencing Guidelines were imposed for federal defendants whose criminal activities took place subsequent to November 1, 1987, parole was eliminated. Early release was limited to approximately 47 days of good time each year and the sentences themselves were increased appreciably. The majority of federal inmates are non-violent low-level drug offenders with very long sentences. Moreover, the majority of this segment of the federal inmate population is being incarcerated for the first time. Thousands of people in prison are serving life sentences for non-violent offenses without the possibility of parole. The vast majority of these people are also first time offenders. This is an atrocity.

Ninety-seven per cent (97%) of all federal inmates are eventually released. 45,000 federal inmates were released last year in the United States. Presently, there are almost 190,000 federal detainees. By midyear at 2004, the Federal Bureau of Prisons is operating in excess of 40% over capacity <http://www.ojp.usdoj.gov/bjs/pub/ascii/pjim04.txt>. The cost to house these inmates increase exponentially as they age. Total cost to U. S. taxpayers for federal incarceration is upwards of \$7.25 billion yearly. Re-entry of mostly indigent elderly inmates is significantly affecting state budgets. After many years of incarceration, inmates tend to lose all support. Their wives and children abandon them. They lose their ability to find and keep a job because they are banned from most jobs requiring a license and have received no alternative training in prison. There is no money allotted to the federal prison system for rehabilitation programs.

Impact of New Legislation

Reinstitution of the old parole and good time laws would reduce the inmate population considerably. Those statutes, with minor changes, would reward those inmates who have shown positive institutional behavior with earlier release. Although early release would not be guaranteed, it would allow a second chance to those that prove they deserve that chance. Supervision of all offenders would revert once again to an existing agency with the expertise to determine the appropriate time for return to the community without endangering the public safety.

It has been determined that this plan of parole and increased good time will save U. S. taxpayers upwards of \$3.5 billion per year by taking mainly non-violent first-offenders out of the prison system earlier and

enabling them to become part of the productive mainstream of American life. For additional information, please see FedCURE Talking Points at: <http://www.fedcure.org/documents/07032005-FedCURE-TalkingPoints-ReviveSystemOfParoleForFederalPrisoners-FINAL-30-FC-sig.pdf>.

H.R. 3072's predecessor H.R. 4036, was originally introduced to the 108th Congress on 25 March 2004, by U.S. Rep. Danny K. Davis (D) of Illinois. FedCURE established a two-phase campaign and had been advocating heavily in favor of this legislation. Phase I consisted of public awareness and fundraising. The bill died in committee with the outgoing of the 108th Congress. However, during the June 2004 FedCURE convention, in Washington, DC, FedCURE's Executive Committee, Rep. Danny K. Davis and his point persons on legislative affairs, made amendments to H.R. 4036 and the bill was sent back to the legislative counsel for rewrite.

Subsequently, FedCURE made further amendments during the months of January and February; and finalized the amendment process in March 2005. FedCURE is very pleased with the new bill. Hence, H.R. 3072 was introduced, in the 109th Congress, by Rep. Danny K. Davis (D) on 27 June 2005. For details and full text please see:

<http://www.fedcure.org/information/FedCURENews.shtml>.

The bill will apply to everyone presently in the system whether they are parole eligible or ineligible, old law or new law, violent or non-violent. *"SEC. 7. RETROSPECTIVE AND PROSPECTIVE APPLICATION. This Act and the amendments made by this Act apply to prisoners whose convictions occur before, on, or after the date of the enactment of this Act." Id.*

H.R. 3072 includes a second segment that incorporates the old good time statutes for statutory good time (former Title 18 U.S.C Chapters 309, 311) plus a new portion that will add extra good time days for what we are calling "superior program achievement." This means that everyone will be eligible for extra good time whether they excel in reading or not, so long as they do something to deserve it. Additionally, a compassionate release provision has been added that would grant release at age 65 after serving 25 years incarceration without institutional violent and non-aggressive conduct.

On 28 October 2005, FedCURE hosted a legislative staff luncheon and seminar, to about a hundred attendees, on H.R. 3072 - A Bill to Revive the System of Parole for Federal Prisoners, at the Rayburn Building,

Room #2105, Washington, D.C. FedCURE is planning a much larger legislative luncheon and seminar, for May of 2006, in conjunction with the American Bar Association (ABA). The U.S. Department of Justice is preparing a report that will detail the benefits, cost savings and impact of this legislation, which FedCURE will publish and present at the seminar.

28 October 2005 Seminar Attendees

FedCURE:

Kenny H. Linn, J.D., LL.M, Chairman, Fred Mosely, J.D., LL.M., Board Member, Jay Hurst, Esq., FedCURE's Of Counsel and Chief of Legislative Affairs, Charles Sullivan, Chairman, National CURE and John Flahive, Director of the WeBelieveGroup.

Congressional Offices (Twenty):

Congressman Danny K. Davis, C.W. Bill Young, Louis Gutierrez, Nancy Pelosi (Deniss Rodriguez), John Conyers (Matt Thome and Kevin Keller), Albert Wynn (Christopher Wilson and Thomas Stoeiff), Gawn Moore (Reisha Phills, Earl Blumenavre (Michael Shapiro), Solomon P. Ortiz (Shaquane Johnson), Eddie Bernice Johnson (Rod Hall and Lisa Haver), Tom Lantos (Monica Baumann), Tom Allen (Megan Shannon-Winterson), , Sam Farr (Karen Stevell), Bobby Scott (Jamilo Taylor), Donald M. Payne (Nicechi Mbau), Diane E. Watson (Shaun Garrison), Barbara Lee (Jamila Thompson), Chris Smith (David Kil), Elijah Cummings (Timberely Nos) and Tom Davis (Debara Hayman).

Organizations:

Pauline Sullivan - D.C. CURE, June Browning - ICCA, Elizabeth Alexander - ACLU/National Prison Project, Marc Mauer and Kara Gotsch - The Sentencing Project, Marc Sherman - Federal Judiciary Center, Julie Stewart - FAMM, Abeo Anderson - ICCA, Dick Bush - National CURE, Michael Israel, Criminal Justice Washington Letter, Bill Piper, Director of the Drug Policy Alliance and Joe Weeden, American Corrections Association.

Summary of the Seminar

FedCURE's Chairman, Kenny Linn, gave the lead presentation, followed by FedCURE board member, Fred Mosely, FedCURE's Chief of Legislative Affairs, Jay Hurst, Esq, Charlie Sullivan of National CURE, John Flahive, Director, WeBelieveGroup and the Honorable Danny K. Davis.

The seminar lasted about two hours. FedCURE explained the history of the bill, the changes we made to the original bill, why the bill was necessary, how best to get the bill passed and took questions from the audience. FedCURE stressed an opinion that it was necessary to put all

of the various positive criminal justice bills together in a comprehensive package backed by as many legislators as possible and presented as a criminal justice reform measure. This means that the legislators themselves need to get on the same page. Some of the major organizations present were Julie Stewart from FAMM, Marc Mauer from Sentencing Project, Bill Piper from Drug Policy Alliance, and Mark Sherman, from the Federal Judiciary Center, who trains all of the Probation Officers. The Federal Bureau of Prisons and the United States Parole Commission were represented anonymously.

The seminar went extremely well. FedCURE thanks all those who participated and attended this most important function.

One month earlier, on September 23, 2005 FedCURE Chairman, Kenny Linn, J.D., LL.M., was privileged to take part in an *Issues Forum put on by the Congressional Black Caucus* in Washington DC.

Rev. Jesse Jackson was the panel's keynote speaker on the subject of criminal justice reform and the room was full for his presentation. Rep. John Conyers and Rep. Bobby Scott hosted the panel and made the introductions. FedCURE's participation was focused on reinstatement of parole and increased good time for federal inmates in general and the passage of Rep. Danny Davis' HR 3072 in particular. We stressed that our numbers show we could save the country \$3.5 billion per year if the old parole guidelines were put back in place. FedCURE hopes to spur the caucus into amalgamating a number of individual bills, *post*, dealing with criminal justice into one package of bills that all seek a comprehensive reform of what many of us see as a criminal justice system that has gone awry. We will be trying to get all of the sponsors of these bills together to further our goals.

FedCURE is now in Phase II of the campaign: FedCURE has mounted a full scale campaign with a call to action to the community urging them to contact congressional members to support this legislation. We are requesting our membership and friends to help build our contact database. The more names and e-mail addresses the larger the contact database and the more potential for support. This is a community effort. We need funds to do this work.

For the past eight months, our supporters have been contacting the members of the U.S. House Judiciary Committee to strongly urge them to support H.R. 3072. In their messages, they request that the

Committee inform them of their decision. The Committee has not replied. However, it has been reported to FedCURE that the Committee Chairman, Rep. Sesenbrenner (R.WI) has said that he will never let the bill get out of committee. This is disheartening. We need your help to overcome this opposition.

Additionally, FedCURE is working on the following bills currently pending in the 109th Congress: H.R. 256, H.R. 662, H.R. 663 and H.R. 1704.

H.R. 256

Title: To amend title 18, United States Code, to provide an alternate release date for certain nonviolent offenders, and for other purposes. Sponsor: Rep Jackson-Lee, Sheila [TX-18] (introduced 1/6/2005) Cosponsors (None). Action: 1/6/2005 Referred to House committee. Status: Referred to the House Committee on the Judiciary. Latest Major Action: 3/2/2005 Referred to House subcommittee. Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

H.R.662

Title: To permit expungement of records of certain nonviolent criminal offenses. Sponsor: [Rep Rangel, Charles B.](#) [NY-15] (introduced 2/8/2005) [Cosponsors](#) (25) Latest Major Action: 3/2/2005 Referred to House subcommittee. Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

H.R.663

Title: To secure the Federal voting rights of certain qualified ex-offenders who have served their sentences. Sponsor: [Rep Rangel, Charles B.](#) [NY-15] (introduced 2/8/2005) [Cosponsors](#) (10) Related Bills: [H.R.4762](#) Latest Major Action: 3/2/2005 Referred to House subcommittee. Status: Referred to the Subcommittee on the onstitution.

H.R.1704

Title: To reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes. Sponsor: [Rep Portman, Rob](#) [OH-2] (introduced 4/19/2005) [Cosponsors](#) (102) Related Bills: [S.1934](#) Latest Major Action: 2/15/2006 House committee/subcommittee actions. Status: Forwarded by Subcommittee to Full Committee by Voice Vote.

Bills that died in Committee of the 108th Congress are being reorganized by their sponsors and will be supported by FedCURE when they are reintroduced:

H.R. 3575. (Now H.R. 256) A bill to provide an alternate release date for certain nonviolent federal offenders. Status 12/10/03: Referred to Subcommittee.

This is a simple bill, but it does nothing for nonviolent offenders serving life sentences. FedCURE seeks to amend this bill to include all nonviolent federal offenders. See: <http://www.fedcure.org/information/HR3575.shtml>.

H.R. 4676. (Now 1704) Second Chance Act of 2004: Community Safety Through Recidivism Prevention. A bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes. Sponsor: Rep Portman, Rob [OH-2] (introduced /23/2004) Cosponsors (18) Latest Major Action: 7/15/2004 Referred to House subcommittee. Status: Referred to the Subcommittee on Select Education.

H.R. 5103. Title: To repeal mandatory minimum sentencing for certain Federal crimes and restore justice and fairness to Federal sentencing practices. Sponsor: Rep Waters, Maxine [CA-35] (introduced 9/15/2004) Cosponsors (None) Latest Major Action: 9/15/2004 Referred to House committee. Status: Referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Thank you for taking the time to read this information. It is important to understand that, before H.R. 3072 (or any other new bill) becomes law, it must go through a 13 step process, which can be expeditious or painstakingly laborious. A bill can die anywhere in the process for a host of reasons. To be sure, FedCURE means to see this legislation become law and is in the fight for the long haul. We don't like asking and we don't like bugging you, but we cannot finance this project ourselves. Please, we implore you to consider supporting FedCURE and its initiatives.

Any and all major developments will be published to our web site and posted on our free FedCURE-org Yahoo discussion group. Subscribe by

e-mail to: FedCURE-org-subscribe@yahoogroups.com. There, you can interact with over fifteen hundred and fifty subscribers, or just read the posts.

FedCURE does not send copies of legislation and newsletters via snail mail. The newsletters and FedCURE News Updates, as well as other information, can be downloaded and printed at:

<http://www.fedcure.org/newsletter.shtml>. Also please visit our pages at:

<http://www.fedcure.org/information.shtml> and <http://www.fedcure.org/actionalert.shtml>.

FedCURE has been approved, by the BOP, to send newsletters and news updates to the inmate law libraries at each federal institution for posting to the inmate population.

In closing: Are you using the Govern Mail program?

If you are not a user of the free Govern Mail program, you are not up-to-date on your lobbying technology. With this program you can become your own e-lobbyist. GovernMail links you to government officials and government information from around the world. You can view representative home pages or email Senate and House members from GovernMail's complete listings. Please go to: <http://www.governmail.com>, scroll to bottom of page, for a free download of this valuable resource. Or use the link below:

Download GovernMail 1.22 (0.9 MB):

Download Sites:

US - All gvml122.exe

After downloading gvml122.exe, double-click on the file's icon to begin installation.

Minimum Requirements:

- Internet Explorer 3.0 or higher
- 486 Processor / 16MB RAM
- SVGA video card (16 bit or higher resolution recommended)

Also, snail mail labels for the House of Representatives, in word.doc format, are available here: <http://clerk.house.gov/members/index.php>.

Please urge others to do the same and to support FedCURE; and also to send us e-mail addresses for our contact database to: FedCURE@FedCURE.org or sign up at: <http://groups.yahoo.com/group/FedCURE-org/database?method=reportRows&tbl=3> .

Kindly distribute and post widely.

We are looking forward to your support and having you as a member.

Sincerely:

Mark A. Varca, J.D., CIO
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USA

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Urgent Action Alert
FEDERAL PAROLE BILL
H.R. 3072 - "A bill to revive the system of parole for Federal prisoners."
[Please click here to go to Alert]

<http://www.fedcure.org/alerts/07April2004UrgentActionAlertFundraising.shtml>

Please Donate and Join Now: <http://www.fedcure.org/join.shtml>

Subscribe to our free discussion group e-mail: FedCURE-org-subscribe@yahoogroups.com

*Serving Federal Prisoners and Their Families
Working to Reinstate Parole and to Increase Good Time Allowances*

"Using Technology To Bring About Federal Criminal Justice Reform"™
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**Citizens United for
Rehabilitation of Errants**



Federal CURE

Federal Prison Chapter Serving
Federal Inmates and Their Families

Please Make Checks Payable To:

FedCURE

P.O. Box 15667
Plantation, Florida 33318-5667

E-mail: Membership@FedCURE.org

Application for Membership

Federal CURE is a national issue chapter of **Citizens United for the Rehabilitation of Errants**. Our purposes are to achieve a reduction in crime through federal criminal justice reform and to promote humane treatment for those incarcerated in the Federal Bureau of Prisons while providing support for their families. We are working to reinstate federal parole and to increase good time allowances.

Membership in Federal CURE automatically makes you a member of National CURE. All memberships except LIFE are annual.

Please print all information clearly

Name:		Inmate Number:	
Organization Name:		E-Mail Address:	
Address 1:			
Address 2:			
City / State / Zip:			
Phone / Fax:		Fax:	
<i>Type of Membership: (✓ one below and include that amount with application)</i>			
<input type="checkbox"/> Prisoner \$5 <input type="checkbox"/> Individual \$20 <input type="checkbox"/> Family \$25 <input type="checkbox"/> Life \$100			
Tax Deductible Contribution - <input type="checkbox"/> \$200 <input type="checkbox"/> \$500 <input type="checkbox"/> \$1,000 <input type="checkbox"/> \$5,000			
Pay by Credit Card: <input type="checkbox"/> Pay by Check: <input type="checkbox"/> Pay by Cash: <input type="checkbox"/> Pay online w/Pay Pal: <input type="checkbox"/>			
Name on Card:		Zip Code:	
Card No.:		Expires:	
Amount:	\$		
Signature:			

Volunteerism is what makes us work !

Are you interested in volunteering to help?

Please let us know what your abilities are and when you are available to help us.

Comments: _____

OFFICE USE ONLY		Note:
Active:		
Period:		

www.FedCURE.org

FC/MF/NL: 03032006