

Nebraska Criminal Justice Review

Vol. 17 No. 2
June, 2016

A quarterly publication of Holy Family Church, Omaha, Nebraska, since 2000.

Vote to Retain

By Marylyn Felion, Omaha
Volunteer Coordinator for
Retain a Just Nebraska

In December 1997, I accompanied Robert Williams to his death in Nebraska's electric chair. On the night before he died, Robert prayed and prayed that his death would be the last state ordered killing in Nebraska. In May of 2015, it appeared that this prayer would be answered when the Nebraska Unicameral voted to replace the death penalty with mandatory life imprisonment without parole. And when, with 16 Republicans, 13 Democrats and 1 Independent, the Unicameral overrode the governor's veto of LB 268, the demise of the death penalty in Nebraska seemed secure.

But others had different ideas. A campaign was launched and enough valid signatures were gathered to put the issue on the ballot in this year's general election in November.

But why did the Nebraska legislators vote to eliminate the death penalty in the first place, considering that many good people firmly believe that justice demands a life for a life? It was not for lack of trying that there have been no further executions since Robert's in 1997. Nebraska governors and attorney generals were working to bring other inmates to the death chamber. The Nebraska Unicameral had successfully replaced the electric chair with lethal injection when the electric chair had been declared cruel and unusual punishment. The State Supreme court had set execution dates. Yet, in spite of all attempts, there were no further executions, because,

New rules and regulations for restrictive housing (segregation, etc.): Has anything changed?

By John Krejci, based on an interview with James Davis,
Ombudsman's Office

The good news is that the Restrictive Housing Work Group, mandated by the Legislature in 2015, met regularly over the past year. It was chaired by Director Frakes and composed of Department of Corrections staff, mental health persons, the Ombudsman's office, and members of the community. I attended several of the meetings. The new Rules and Regulations were dutifully sent to the Attorney General for legal scrutiny. They will be sent to the Secretary of State and the Governor for

our legislators learned after years of studying the issue and learning the facts and trying to "fix it," they realized that this system is broken beyond repair.

The long and complicated death process costs tax payers more than life without parole. The process is long in order to make sure innocent people are not put to death. And in the meantime, this uncertain process causes additional harm to the families of murder victims. Even many Nebraskans who support the death penalty now agree it is broken beyond repair, and bringing it back solves nothing.

On November 8, 2016, Nebraska voters will decide whether or not to retain L.B. 268, the bill which eliminated the death penalty. The ballot language reads:

The purpose of Legislative Bill 268, passed by the First Session of the 104th Nebraska Legislature in 2015, is to eliminate the death penalty and change the maximum penalty for the crime of murder in the first degree to life imprisonment. Shall Legislative Bill 268 be repealed?

The choice of response will be **RETAIN** or **REPEAL**. In order to keep Nebraska death penalty free, we must mark **RETAIN!** We will then **Retain a Just Nebraska**, a state with no death penalty.

For more information or to sign up for updates about this effort, please visit us at www.retainajustnebraska.com

final approval in the near future. In addition, a draft of the Administrative Regulations was sent to Work Group members for discussion at the next meeting. A note of clarification: The Rules and Regulations are equivalent to law. The Administrative Regulations are for each institution and can be amended by the Department. So the process is moving along as scheduled.

The product

What has changed? According to James Davis, who regularly works inside our prisons with inmates, "Not much!" Administrative Custody, one of the many forms of Restrictive Housing, can be used for almost anything. Length of time on restriction can still be quite long. Recall
(Continued on page 2)

Rules (continued from page one)

that the stated goal of the Department is to lessen numbers and time in segregation and eventually to eliminate segregation! Thirdly, the new regulations still allow someone to “jam from the hole,” (to be released directly from segregation, as was Nikko Jenkins.)

The process

Davis also commented on the process followed to create the new regulations. The Work Group met, was presented with drafts, developed internally by the Department. Many on the committee were department employees. There were also representatives from the community; some were not well versed in restrictive housing policies. It might have been well to speed their learning curve with outside input and examples of what other states are doing in the national movement to limit segregation. Some employees might have been hesitant to criticize the documents due to the fact that Director Frakes was chairing the discussions. Perhaps a different chair would have been preferable.

The final process issue is that the policies were developed, not by the committee or a subcommittee, but behind closed doors within the department. Some members of the Work Group, relying on their limited knowledge, access and experience, were not in a position to have major input into the process and hence the final product.

The future

I personally have serious questions about the feasibility of efficient and fair-handed implementation of both the Rules and Regulations and the Administrative Regulations. The Administrative Regulations’ draft runs 22 pages, is quite complex and attempts to deal with every situation at many levels. I question how Wardens, their designee, shift supervisors, housing unit staff, Unit Administrators, let alone the inmate, could be knowledgeable and able to implement the complex set of procedures, meetings, approvals, appeals, and sanctions -- to mention a few! Under “restrictive housing,” is immediate segregation, long term restrictive housing, restrictive housing, mission specific restrictive housing, several types of mentally ill housing, protective custody, protective management, and solitary confinement (which the Department of Correctional Services does not use.). James Davis concurred that the generality of the promulgated Rules and Regulations and the complexity of the Administrative Regulations are both complex and vague enough as to allow so much flexibility that the status quo will not change much.

Ombudsman Davis was unambiguous that the Legislature needs to look again at Restrictive Housing. There are still no caps on length of stay in segregation. Nebraska needs to look more closely at other states, those which are participating in the national movement to limit isolation and segregation. The Legislature should ask the Department if these new policies actually made any real changes.

This is an ongoing process and as the learning curve of everyone progresses, better policies can be put into place. One hopes that amid the many problems and issues faced in the reform of corrections, restrictive housing does get proper scrutiny and substantive reform.

Comments by Ombudsman Marshal Lux, from his testimony before the LR 34 Committee on June 16th

The truth is that there are a few positives in the proposed regulations, including: (1.) they require the Department to use a “risk assessment” instrument; (2.) they require individualized planning and targeted programming for inmates in segregation; (3.) they provide for discharge planning to get inmates out of segregation before they are discharged back into society; and (4.) they contemplate the creation of “mission specific housing” for inmates with special needs (rather than putting them in segregation).

HOWEVER, in my opinion there are fatal flaws in the DCS regulations as they have been written, namely (1.) the criteria that establish the standards for deciding which inmates may be placed in segregation are extremely broad, to the point that just about any inmate can be placed in seg, for any reason. (In other words, there is no barrier to arbitrary decisions); and (2.) there is no Due Process to require notice of allegations, fact-finding, and evidence gathering that would allow the inmate to challenge the factual basis of placement in seg through a hearing process.

Because of these glaring gaps in what the Department has placed in their regulations, I have suggested that the LR 34 Committee recommend that the Legislature enact into law the standards on this subject that have been approved and published by the American Bar Association. The ABA standards have strict criteria, and provisions for Due Process, and I believe that is where this should go now.

Protecting Repeal of the Death Penalty in Nebraska

Last May, after years of hard efforts from organizations like Nebraskans for Alternatives to the Death Penalty and Nebraska Catholics, the Unicameral voted to repeal the state’s death penalty statute. This vote represented an important step to a more restorative justice system and the protection of the dignity of the human person.

Unfortunately, this victory is under threat. Opponents of repeal have put the death penalty to a referendum to appear on the ballot this November. Voters will have to decide whether to retain repeal of the death penalty or bring back the use of the death penalty. Returning to the death penalty would be a step backwards. Help continue the march of progress to a more restorative justice system and vote to retain repeal this November. Want to get more involved? Contact me-gan@catholicsmboilizing.org.

Sweeping reform of Nebraska's Civil forfeiture laws

Adapted from a 4-16-16 Lincoln Journal Star article and the Institute for Justice, by Joanna Lindberg

According to the Libertarian Institute for Justice, *civil forfeiture is one of the most serious assaults on due process and private property rights in America today.*

LB 1106 sponsored by State Senator Tommy Garrett of Bellevue was approved by the Nebraska Legislature to remedy problematic civil forfeiture laws. It will insure that only convicted criminals and not innocent Nebraskans will lose their property. A November 2015 report "Policing for Profit" found that between 2000 and 2013, the Justice Department paid local and state agencies in Nebraska more than \$48.3 million in equitable-sharing proceeds. In 2013, out of all properties seized for equitable sharing in Nebraska, 78% were valued at under \$25,000.

The bill will ensure that the mere fact of possession of large amounts of currency or property, no matter how valuable, will no longer be sufficient to prove the property was connected to any criminal activity. LB 1106 establishes that forfeiture is not a separate criminal proceeding, which will result in defendants being subject to double jeopardy. Instead the bill provides for a process by which after the property owner is convicted of a crime, the state may seek to forfeit any money or property so long as the state can prove the money or property was involved in the criminal activity by clear and convincing evidence. The bill provides for a means for innocent property owners to intervene to reclaim their property.

The bill requires reporting of seized items for which forfeiture is sought and all seized cash, firearms, real estate, currency, etc. The bill expands forfeiture to allow its use in child pornography and illegal gambling cases. The bill requires a criminal conviction before forfeiture can occur. Detailed reports will be provided to the state auditor on assets seized. Reports must include date of the seizure, type and description of property seized, its value, the street name and traffic direction if the seizure was part of a vehicle stop, the suspected crime, the suspect's race and whether the property was returned, sold, destroyed or kept by law enforcement

Council of State Government's Justice Center assessment of Nebraska's prisons

By John Krejci

Despite the many problems and issues facing the Department of Corrections, the research of the Justice Center found a number of things that are going well in Nebraska. The programs offered are of high quality. The licensed professionals who deliver the programs are well qualified. More programs have been offered in the past year.

However, there is still an inadequate number of programs offered, inmates are on long waiting lists, often do not complete their required programming and, when parole eligible, parole is delayed or they choose to "jam" their sentences. Almost a third still are jamming their sentences. Programs are not offered at all institutions. They are not begun early enough in inmates' sentences. They are often delivered only once a

week, and programs are given sequentially rather than two at the same time. There seems to be space limitations for offering an adequate number of programs. Director Frakes is aware of this and has increased programming and promises more increases in the future.

The assessment recommends that the Department offer more programs, begin them earlier, deliver them more intensely, deliver multiple programs to inmates at a time, focus on criminal thinking programs, single out high risk inmates for programming. Use more trained paraprofessionals rather than relying so heavily on licensed professionals. Deliver more programs in community and in evening hours and on weekends. Improve evaluation and data collection and monitor program facilitators not to deviate from program guidelines.

More data about Nebraska corrections is available online at the CSG Justice Center's website (<https://csgjusticecenter.org>). One hopes the recommendations will be followed and the reform process will continue. "Many miles to travel before we sleep."

Thank you to all who have contributed financially to support this publication. Your help is very much appreciated.

Editor

**Mr. Smith Goes to Prison, by Jeff Smith. St. Martin's Press, NY, 2015. 272 pp.
Book review by Mel Beckman**

The "Mr. Smith" in this story is a former Missouri state legislator and university professor, Jeff Smith, who, in 2009, was convicted of a "white collar" crime and was sent to Federal prison in Manchester, Kentucky. Initially offering to do some teaching during his lock-up, he was assigned instead to the prison warehouse dock, unloading supplies.

Smith, a prisoner with a non-typical background, tells his personal story of serving about eight months at Manchester and then a shorter time at a halfway house. Nick-named "Senator" by the other prisoners he writes about his goal of survival in the early weeks and later, establishing a working relationship with correctional officers and other prisoners. In the meantime, he made observations of people and events and sent out his notes for safekeeping. Throughout the book Smith reflects on his experiences and comments on them in the context of the wider framework of mass incarceration in the U.S. One advance reviewer wrote that this book "joins Michelle Alexander's *The New Jim Crow*, as essential reading on America's greatest failure, our prison system."

Persons serving time in prison will find this an interesting and humorous book, a source for some new prison slang words, and possibly a true-to-life description of their own experience behind the walls. Family members will find it interesting too, but at times, depressing. Reform-minded policy makers will find support for their convictions and some new insights for criminal justice reform and legislation.

NEWS and MISCELLANEOUS

By Mel Beckman, Editor, NCJR

“I want you voting, getting a job, paying taxes”

With these words, Virginia Governor Terry McAuliffe signed an executive order approving voting rights for 206,000 formerly incarcerated persons. The Equal Justice Institute, in an April 22, 2016 article about the Governor’s action, pointed out that Virginia’s disenfranchising people with felony convictions dates back to the Civil War, but in 1902 those restrictions were expanded and poll taxes and literacy tests were introduced.

The Governor’s office said, “If we are going to build a stronger and more equal Virginia, we must break down barriers to participation in civic life for people who return to society seeking a second chance. We must welcome them back and offer the opportunity to build a better life by taking an active role in our democracy. I believe it is time to cast off Virginia’s troubling history of injustice and embrace an honest, clean process for restoring the rights of these men and women.”

Age 18 as a “magic” age—topic of discussion at re-sentencing

According to a May 24th article by Todd Cooper in the *Omaha World Herald*, a discussion arose in court, recently, about brain science, the age of 18 and why only lifers under that age should have the opportunity to get out of prison. According to the article, Judge Mark Ashford, presiding at the re-sentencing of Johnny Ray, questioned why age 18 is a magic age. Assuming that brain science is right, then age 18 is arbitrary, he said. “It concerns me when we have an age of 18.” (Ashford was referring to the brain science which proposes that the brain continues to develop until the early 20’s, perhaps as late as age 25). He said that he thinks it’s “something the criminal justice system has to address.”

Douglas County Public Defender, representing Johnny Ray, said he believes that the U.S. Supreme Court eventually will address it.

This publication, too, has asked, in light of brain maturation until age 25, does it really make good criminal justice sense to impose a *final* sentence like life in prison on young adults in the immediately post-juvenile age range of 18-25? (*NCJR, Dec. 2015*). Why not provide judges with a range of sentencing options in order to allow for the possibility of reform in young adults whose brains may not have been fully mature at the time of their crimes?

April disturbance at the Sarpy County Jail

According to a report in the May 1st *Omaha World Herald*, four inmates barricaded themselves in a 17 person housing unit at the Sarpy County Jail and caused considerable water damage by breaking sprinkler heads. Besides damaging the unit, the water seeped

down to the first floor, where it damaged the Public Defender’s office, the jail kitchen and the hallways. The four were arrested and the inmates in the unit were transferred to the Douglas County Jail.

Women at York prison to help Lincoln Kids Against Hunger with meal packaging

In a February pilot project, 21 women at the Nebraska Correctional Center for women volunteered and enthusiastically packaged over 5,000 meals in conjunction with Lincoln Kids Against Hunger. A more ambitious project is now planned—packaging 150,000 meals with the help of all the women at the facility.

The meals are made available to local families who are in need of assistance and to families within the U.S. who have been affected by a disaster. They are also shipped worldwide to areas where children are truly at risk of losing their lives due to a lack of food.

The event at York will occur on November 5th if enough money is raised. \$37,200 is needed to purchase the ingredients to pack 150,000 meals. To contribute, go to: <https://www.gofundme.com/mwyq9enw>.

A distasteful strategy

Spokespersons for the anti-death penalty group, *Retain a Just Nebraska*, have lately seen a need to assure the public that persons with life sentences *will, in fact, die in prison*. The reason—because some proponents of the death penalty say you *can’t be sure* lifers will die in prison. Thus, life without parole could be seen by voters as an inadequate substitute for the death penalty and they might then be less likely to vote in favor of sustaining the Legislature’s abolition of capital punishment.

An editorial by the Editorial Board of the Lincoln *Journal Star* (5-24-16) called this “a proactive step” on the part of those who want to keep the death penalty off the books in Nebraska. The editorial urged readers to not be misled “by the exaggerations and fear-mongering of death penalty supporters.” According to the editorial, “Nebraskans can be assured that a life sentence in Nebraska means that the convict will die in prison.”

To this Editor, writing subjectively now, the strategy is distasteful and disheartening because it accentuates what many (including me) see as an awful and unacceptable implicit bargain—that to save the lives of a dozen persons condemned to death by execution, it is tolerable to agree to “death by prison” for the over 250 current Nebraska lifers and all future first-degree-convicted murderers in the state.

In my opinion, both sentences should be opposed and an authentically human alternative sentencing scheme for murder should be asked of the Legislature.

Advocates and legislators who have worked hard to eliminate the death penalty must be applauded. Still, they would do well to keep in mind the advice offered by Pope Francis in his 2015 address to Congress: “**a just and necessary punishment must never exclude the dimension of hope and the goal of rehabilitation.**”

Training for crime victim helpers

The Nebraska Crime Victim Assistance Academy (NEVAA) provides foundation-level training for all individuals who serve crime victims in Nebraska. We strive to provide a comprehensive academically-based, fundamental educational experience for victim service providers and allied professionals. Our goal is that all crime victims in Nebraska are served by professionals who understand their increasingly complex needs, and who can engage in coordinated and multidisciplinary approaches to serve those needs. The curriculum includes topics such as communication skills, cultural competency, self-care for helping professionals, boundaries and advocacy ethics, technology facilitated crimes, domestic violence, stalking, crimes against children, elder abuse and financial fraud.

NEVAA is a certificate program recognized by the National Advocate Credentialing program. Participants are also eligible for 40 hours of continuing law enforcement units or 40 continuing education units for many of the disciplines involved in the academy. Those interested may also take NEVAA for 3 undergraduate course credits through Creighton University or the University of Nebraska at Kearney with proper registration and completion of the Academy and any additional course requirements.

The Nebraska Victim Assistance Academy will be held July 25-29, 2016 at Creighton University and is currently accepting applications. Further information including application information can be found at www.NebraskaNEVAA.org.

Children facing charges deserve a lawyer

Voices for Children in Nebraska recently published an issue brief contending that children across the state are too often not getting access to an attorney when they face charges in court, a right guaranteed by statute.

The brief, *Juvenile Injustice: Access to Counsel across Nebraska*, is four pages in length and illustrates the percentage of youth who received counsel when charged in court in each of the 12 judicial districts in the state. The percentages ranged from 36% in District 1 to 94% in District 4, while statewide showing that only six out of ten youth received access to counsel. Voices cites those percentages as taken from a 2015 statistical report of the Administrative Office of the Courts and Probation.

Why don't more young people have lawyers when they are in court? Voices claim the answer is simple—because they are allowed to waive their right to counsel after they have been informed of their right to it, and the portion of the hearing in which it is waived can be perfunctory and rushed, so that children and their parents do not fully understand the import of waiving counsel.

Voices recommends that lawyers be appointed early in the proceedings so children and their parents can get sound legal advice before the first court appearance and can come into court better informed. Voices writes that practices which encourage children to waive their constitutional right to an attorney without full understanding are unlawful and should be eradicated. Court officials should avoid inadvertently pressuring youth into pleading.

Letters brighten a prisoner's day

For a number of years, a group of people have been cooperating to brighten prisoner's days by writing to them. Acting in conjunction with CrossOver Prison Ministries, the group, called "CrossOver Correspondents," makes a difference in prisoners' lives by bringing comfort and hope, by providing encouragement and new insights, by connecting men and women in prison to the real world.

The number of men and women in prison who would like to receive letters is always greater than the number of person willing to write them. For more information about volunteering with CrossOver Correspondents, write to: CrossOver Prison Ministries, P.O. Box 3791, Omaha, NE 68103.

Not enough media access to prisons?

News reporter, Joanne Young, has claimed that, "With each revision of the Department of Correctional Services' media policy, ...access has diminished, especially in the past 18 months, under a new governor and a new department director." And further, "media access to inmates and to prisons in this state is not what it used to be." (Lincoln *Journal Star*, June 5, 2016)

Ms. Young lists some of the important questions for which the public need answers. Are the inmates getting adequate health care? Do they have access to training for jobs? What is the influence of gang activity behind the walls? Can the inmates keep in touch with their children and learn how to be better parents? "Reporters ask questions to enlighten readers on what's going on while the state has those inmates locked up," she wrote.

According to Ms. Young, the Department's most recent media access policy allow the media only the same access as the general public would have. No notebooks, pens or pencils, recorders or cameras.

In a subsequent letter to the Editor of the *Journal Star*, John Krejci of Lincoln wrote, "JoAnne Young's article raises a red flag for inmates, their families, and the public. It is understandable that bureaucracies under siege, in this case the Department of Corrections, want to limit access. However, it is in the public interest to know how overcrowding impacts the day to day life of inmates.

Krejci said it was troubling to him that, "until this report I had no idea that the press was being further restricted. Perhaps it is time for the Ombudsman's office, the ACLU, Families and Friends of Inmates and other interested groups and parties to seek some transparency. Or is this a job for the new Inspector General for Prisons, mandated by the Legislature?"

The EZ Big Book of Alcoholics Anonymous

Same message, simple language. The original Big Book of AA, written by Bill Wilson in 1939 has helped many people. This EZ Big Book of AA is a much needed modern, reader-friendly version of the original.

The original Big Book makes some assumptions that are no longer applicable to today's world. This new version has much shorter, simpler sentences with much easier vocabulary. Many can find the original text quite difficult to read.

This version is also very inclusive. It has non-sexist language. Spiritual references are written for readers of all faiths, including agnostics. It is written by an anonymous member of AA who is a retired science writer and who has many years of sobriety. It may not be endorsed by the national AA Council, but many recovering alcoholics consider it to be an amazing, well-done revision. Available from Amazon.

Editor's Note: The above information was provided by Jane Gehringer

LETTERS

Tha Problem

Tha problem... SEPARATED from tha EDUCATED... so ELEVATION
is subtle
Cultural REGULATIONS, ghettos is RESERVATIONS... but I guess that's
part of tha puzzle
See... tha overall CONGLOMERATE is COMMON SENSE... but tha
sense aint so common
'Cause now-a-days n****s is HEARTLESS, pursuin' tha DARKNESS...
for tha purpose of shinin'
Grindin' like BRAKES, slidin' like SNAKES... for tha love of tha grass
Like we don't REALIZE, we can't hide from that DIVINE EYE... not even
when we put on that mask
So SUPERFICIAL, like, Iraq MISSILES... but we stuck on tha surface
From, EXODUS to LEVITICUS, if we'd just PICK IT UP... then maybe we
could decipher tha verses
Our status CRITICAL, broken INDIVIDUALS... so we're broke as a
WHOLE
Shit PITIFUL!... why must it take a bullet young brotha to open yo
SOUL?
See... PROGRESS, is supposed to be a PERPETUAL PROCESS
But it's MY GUESS that section 8 housing and PROJECTS, got us
missin' tha CONCEPT
As CONVICTS we CON CHICKS to take DICK, and... carry POUNDS
Mann... why is it that instead of building' our women UP, we be breakin' 'em
DOWN??
And then we wonder why our SEEDS is TAINTED
Their only dreams consist of MICROPHONES, TURF FIELDS, or...
wooden floors where a logo of a TEAM is PAINTED
Subconscious aspirations... whites own tha teams, we just do tha RUNNIN'
and HOPPIN'
Just like they tha ones who own tha COUNTRY... they just used tha
n****s to PICK THA COTTON
Exploited by tha EXPLOITERS... but it's WILLINGLY NOW
It didn't phase me when I was oblivious to it, but man... tha shit KILLIN'
ME NOW! Question... how does ACCOUNTABILITY SOUND??
Look... as tha FOUNDATION of the NATION... we've been glued to tha
BOTTOM
Tho COMPLACENT we've lost PATIENCE... but before we can determine
tha SOLUTION, we must first determine tha problem
Tha problem... is MASSIVE, OMNIPRESENT... but I can show you a
link
All you gotta do is twist tha doorknob, walk in tha bathroom, and look
above tha sink... THA PROBLEM!

Rah-Rah Montana, aka Ray Shawn Abram 78145
Tecumseh State Correctional Institution

Mondo's good works and influence

I was an inmate at the Nebraska State Penitentiary for over four years. I knew Wopositwe Eyen Mondo we Langa well

I am disappointed in society and the *Omaha World Herald* for continually preaching about "prison reform," but the one man who actually epitomized that very statement is villainized even into death. I repeatedly attempted to get the OWH Public Pulse to print something positive about Mondo's good works, but their response was extremely uncooperative.

Mondo encouraged non-violence, respect, and loyalty with everyone he met. The level of respect, admiration, and devotion all the inmates at the Penitentiary had for Mondo is not something that is seen very often. In addition, many prison officials and various members of society proved their respect and loyalty to Mondo through their many decades of helping him and standing by him steadfastly through all his struggles.

Mondo's influence transcended race, ethnicity, gang affiliation and totem pole status. He always had a kind word for everyone and he went out of his way to set aside time to help out anyone who asked him for help.

Mondo served in virtually every single prison club in some fashion or other. I was a member of the Mexican Awareness Through Association Club (M.A.T.A) and Mondo was always willing to lend a helping hand and to show support for our club, as well as the many other projects he dedicated his time to. Mondo never did anything halfway. He always gave it his all.

Mondo is the perfect example of what society should expect ANY released inmate to emulate.

The one saying of Mondo's I will always carry with me is this..."You are looking mightily like yourself today Alejandro." It always brought a smile and good cheer to my day.

You will be sorely missed Wopashitwe Eyen Mondo we Langa!!
Rest in peace!!

Alejandro Quevedo
Lincoln, Nebraska

Opportunity denied

I am a female inmate with a life sentence. My sentence began 32 years ago. How are women supposed to move forward? I do not receive write-ups. I mentor the youth, participate in programs, am a member of the inmate council, but cannot progress any further in my job. Our facility has only a clinic, so I am denied the opportunity to earn a Certified Nursing Assistant license. Only one lifer is allowed to participate in college courses, so I am basically being warehoused. Why? Let's open the lines of communication, please.

Loray Smith 92511
Nebraska Correctional Center for Women

Keeping it positive

Even though prison can be a difficult place with changes and regulations, I would like the public to know that there is also good. May I share something that Tecumseh has allowed for us?

I like listening to music and find that good music certainly helps pass the time. At the beginning of this year, Tecumseh State Correctional Institution finally approved the use of MP4 music players, with hundreds of music selections to choose from; soul to rap, pop to rock, and Native American Indian pow-wow music. I personally like that.

I can send out messages and receive them from my loved-ones. I appreciate the chance to kick back and enjoy a nice tune. It's the small things that count in here, and for them I am thankful.

Anthony Longsoldier 74541
Tecumseh State Correctional Institution

I'm human too...treat me as such!

Having already suffered the indignity of having to prove myself a man while in prison, I find myself now having to suffer the indignity of needing to prove myself human, in treatment many times making an attempt to prove this to the "powers that be" and always falling short. Then, having to be put down and lied to by those whom I'm supposed to trust to guide me in a safe direction.

Please, understand that I've done badly. I've affected lives around me negatively, but prison ended four years ago. How many times must I be told to grin and bear it, to bury my head, before that light is gone? I'm human too, trust me as such!

Jeremy Neff
Lincoln Regional Center

RECOLLECTIONS AND REFLECTIONS OF BEING YOUR MOTHER**A mother's birthday letter to her son in prison at Tecumseh (by Shawn Fitzgerald)**

There is a lot to love about having a grown son. I no longer have to endure: calls from school, sleepovers, Halloween costumes, pasta with meat sauce (three times a week), wildly unpleasant arguments, or pretending to read while listening for your footsteps into the house in the wee hours, driving you everywhere, then driving yourself everywhere, phone calls after midnight, long periods of not knowing where you were or if you were safe. I could go on and on.

But at the very top of the list, the thing I love most about having a grown son is that you are so clearly becoming who you are and I am finally able to stand back and watch that happen. For years I imagined it was my job to mold your life. Now I know how wrong I was. You, my son are who you have always been, a small three-dimensional person I was just too busy, and too worried, to fully comprehend.

When I was pregnant with you, I went for an ultrasound. After a few minutes, the radiologist said, "Is he always like this?" "Like what?" I asked. "I can't get a picture of him because he won't stop moving."

You walked when you were just eight months old, and I spent hours racing after you. Your unrelenting restlessness got you into small scrapes, and great adventures along with deep trouble that caused me years of sleepless nights. I worried that you couldn't sit still, wouldn't listen, didn't pay attention. That is the same young man that has celebrated birthdays while incarcerated. In so many ways, you are now what you were destined to be when you arrived.

"Your children are not your children." wrote Kahlil Gibran. *"They are the sons and daughters of Life's longing for itself."*

Despite those nine long months of pregnancy, despite the labor, the surgery, the 3 a.m. feedings and endless pacing and back patting and rocking and bleary-voiced singing, despite the brown eyes from your father and the strong hands from my father, the notion that my son belongs to me is dangerously benighted. Your father and I may have been your path into this world, but once you were here, you made your own path and became your own person, shaped by the force of life's longing to be exactly what it is and not what we would make it. And now, all these years later, I am finally getting to see, really see, the form that longing takes in you.

On the other hand, the crucial corollary to this insight that our children become who they always were. The simple truth is that they will always, at some point, surprise us.

In looking back – I'm sorry I didn't spend more time just looking, watching to see what you would do when I wasn't pushing you toward the front door to go to school, or pushing you away from the television. There was a lot in the way – school, sports, activities and everyday life – as well as my own strident fears about what you needed to do and master and the schedule on which you needed to achieve it in order to be fine, in order to be safe. When all along, on some level, what I needed to do was stand still and discover what form your life yearned to take. My fear got in the way. Had I seen you more clearly – would I have worried less?

(Continued on page 8)

NEBRASKA CRIMINAL JUSTICE REVIEW

Published by the Education and Advocacy Committee, Holy Family Catholic Church 1715 Izard Street, Omaha NE 68102. Views expressed in the *Nebraska Criminal Justice Review* do not necessarily represent the views of Holy Family Church, the members of our Advisory Committee, or anyone who contributes financially to the newsletter.

Editor: Mel Beckman, 402-558-2085.

E-mail: melbeckman@cox.net

Website: www.holyfamilyomaha.org. See current and past issues of the NCJR, under "Publications".

Mission: To improve public understanding of the criminal justice system in Nebraska and the needs of offenders and victims. To improve communication between those who administer and staff the criminal justice system, those who make plans and laws for it, those who are personally affected by it, and the community which pays for it and should be involved with it.

Deadline for Submission of Material: The first day of the month of publication. Published in March, June, September, and December.

Copying/Credit: Copying of all or part of this publication is permitted. Please give proper credit.

MY CONTRIBUTION to support the NCJR \$ _____

Name _____

Address _____

City _____ State _____ Zip Code _____

Note: The NCJR is a free publication. However contributions to Holy Family Church to help support it are needed and welcomed. Contributions are tax-deductible. Make checks payable to Holy Family Church, and mail to: NCJR, c/o Holy Family Church, 1715 Izard Street, Omaha, NE 68102.

**Nebraska Criminal
Justice Review**
Holy Family Church
1715 Izard Street
Omaha, NE 68102

Return service requested

Volume 17, No. 2
June, 2016

Nonprofit Org
US Postage
Paid
Permit No. 296

Recollections and reflections (Continued from page 7)

In the end, I have to admit that there is one thing I do *not* like about having a grown son. You are gone, and although you may come back and bring your friends and ideas and movies, and music and books, mostly the house is very quiet, the dog is a little older and sadder, and there is a space in my heart that was once so filled that I didn't know it was there until it, too, emptied out and got very quiet and a little older and sadder.

Now that I have had a chance to see you more clearly, I would like to see you much more often. *Our children are not our children*, says Gibran. And what better proof is there than the fact that they grow up and go away? I'm not saying I blew it. Life's longing for itself has found an exquisite form in you, my son. Through grace and good fortune and, surely, to some degree, through my efforts to love and provide for you, you have become a man. But if such a thing were possible, I would linger at the dining room table longer, less worried about day to day life, and how intense was my struggle to raise you. I must be content with glimpses of my grown son, with rich conversations about expatriates and human rights and his love of dogs.

For life goes not backward, Gibran warns us, *nor tarries with yesterday*.

For all of your tomorrows, I wish you adventure and fulfillment.

Family and Friends of Inmates—Omaha

FFI meets are on the fourth Saturday of each month except December, 9:30 to 11:30 a.m., at First Christian Church, 6630 Dodge Street. Share with others who have loved ones in prison or jail and advocate for changes needed in the correctional system. For more information: 402-558-2085.

Family and Friends of Inmates—Lincoln

Meetings are held on the 3rd Saturday, from 9:30 to 11:30 a.m., at Our Saviour's Lutheran Church, 120 S. 40th St. in Lincoln. Email: infob2h@windstream.net. Phone: 402-420-5696

Have you noticed a change??

If this issue of the Nebraska Criminal Justice Review seems to be shorter, that's because it is only eight pages instead of the usual twelve. Expect us to be back in September with the regular twelve pages of news and opinion. The deadline to send material for that issue will be September 1st. Please use the *NCJR* to share your news and express your views. Planning for the September issue will be in August. Call 402-558-2085 for the date, time and place of the meeting and/or to share your suggestions for content of the newsletter..

Mel Beckman, Editor

Nebraska prisons

Community Corrections Center, Lincoln
P.O. Box 22200
Lincoln, NE 68542

Community Corrections Center, Omaha
2320 Avenue J
Omaha, NE 68110

Diagnostic and Evaluation Center
P.O. Box 22800
Lincoln, NE 68542

Lincoln Correctional Center
P.O. Box 22800
Lincoln, NE 68542

Nebraska Correctional Center for Women
1107 Recharge Rd
York, NE 68467

Nebraska Correctional Youth Facility
2610 North 20th Street East
Omaha, NE 68110

Nebraska State Penitentiary
P.O. Box 2500
Lincoln, NE 68542

Omaha Correctional Center
P.O. Box 11099
Omaha, NE 68111

Tecumseh State Correctional Institution
P.O. Box 900
Tecumseh, NE 68450

Work Ethic Camp
2309 North Highway 83
McCook, Nebraska 69001

Mondo's good works and influence

I was an inmate at the Nebraska State Penitentiary for over four years. I knew Woposhitwe Eyen Mondo we Langa well

I am disappointed in society and the ***Omaha World Herald*** for continually preaching about "prison reform," but the one man who actually epitomized that very statement is villainized even into death. I repeatedly attempted to get the OWH Public Pulse to print something positive about Mondo's good works, but their response was extremely uncooperative.

Mondo encouraged non-violence, respect, and loyalty with everyone he met. The level of respect, admiration, and devotion all the inmates at the Penitentiary had for Mondo is not something that is seen very often. In addition, many prison officials and various members of society proved their respect and loyalty to Mondo through their many decades of helping him and standing by him steadfastly through all his struggles.

Mondo's influence transcended race, ethnicity, gang affiliation and totem pole status. He always had a kind word for everyone and he went out of his way to set aside time to help out anyone who asked him for help.

Mondo served in virtually every single prison club in some fashion or other. I was a member of the Mexican Awareness Through Association Club (M.A.T.A) and Mondo was always willing to lend a helping hand and to show support for our club, as well as the many other projects he dedicated his time to. Mondo never did anything halfway. He always gave it his all.

Mondo is the perfect example of what society should expect ANY released inmate to emulate.

The one saying of Mondo's I will always carry with me is this..."You are looking mightily like yourself today Alejandro." It always brought a smile and good cheer to my day.

You will be sorely missed Wopashitwe Eyen Mondo we Langa!! Rest in peace!!

**Alejandro Quevedo
Lincoln, Nebraska**

Keeping it positive

Even though prison can be a difficult place with changes and regulations, I would like the public to know that there is also good. May I share something that Tecumseh has allowed for us?

I like listening to music and find that good music certainly helps pass the time. At the beginning of this year, Tecumseh State Correctional Institution finally approved the use of MP4 music players, with hundreds of music selections to choose from; soul to rap, pop to rock, and Native American Indian pow-wow music. I personally like that.

I can send out messages and receive them from my loved-ones. I appreciate the chance to kick back and enjoy a nice tune. It's the small things that count in here, and for them I am thankful.

Anthony Longsoldier 74541
Tecumseh State Correctional Institution

The Problem

Tha problem... SEPARATED from tha EDUCATED... so ELEVATION
 is subtle
 Cultural REGULATIONS, ghettos is RESERVATIONS... but I guess that's
 part of tha puzzle
 See... tha overall CONGLOMERATE is COMMON SENSE... but tha
 sense aint so common
 'Cause now-a-days n****s is HEARTLESS, pursuin' tha DARKNESS...
 for tha purpose of shinin'
 Grindin' like BRAKES, slidin' like SNAKES... for tha love of tha grass
 Like we don't REALIZE, we can't hide from that DIVINE EYE... not even
 when we put on that mask
 So SUPERFICIAL, like, Iraq MISSILES... but we stuck on tha surface
 From, EXODUS to LEVITICUS, if we'd just PICK IT UP... then maybe we
 could decipher tha verses
 Our status CRITICAL, broken INDIVIDUALS... so we're broke as a
 WHOLE
 Shit PITIFUL!... why must it take a bullet young brotha to open yo
 SOUL?
 See... PROGRESS, is supposed to be a PERPETUAL PROCESS
 But it's MY GUESS that section 8 housing and PROJECTS, got us
 missin' tha CONCEPT
 As CONVICTS we CON CHICKS to take DICK, and... carry POUNDS
 Mann... why is it that instead of building' our women UP, we be breakin' 'em
 DOWN??
 And then we wonder why our SEEDS is TAINTED
 Their only dreams consist of MICROPHONES, TURF FIELDS, or...
 wooden floors where a logo of a TEAM is PAINTED
 Subconscious aspirations... whites own tha teams, we just do tha RUNNIN'
 and HOPPIN'
 Just like they tha ones who own tha COUNTRY... they just used tha
 n****s to PICK THA COTTON
 Exploited by tha EXPLOITERS... but it's WILLINGLY NOW
 It didn't phase me when I was oblivious to it, but man... tha shit KILLIN'
 ME NOW! Question... how does ACCOUNTABILITY SOUND??
 Look... as tha FOUNDATION of the NATION... we've been glued to tha
 BOTTOM
 Tho COMPLACENT we've lost PATIENCE... but before we can determine
 tha SOLUTION, we must first determine tha problem
 Tha problem... is MASSIVE, OMNIPRESENT... but I can show you a
 link
 All you gotta do is twist tha doorknob, walk in tha bathroom, and look
 above tha sink... THA PROBLEM!

Rah-Rah Montana, aka Ray Shawn Abram 78145
 Tecumseh State Correctional Institution

