

W O R D S U N C A G E D



Monthly Newsletter

September 2019

Voices from "A" Yard

"Convicts Reaching Out To People"

By Jerimichael Cooley, V-90510

Convicts Reaching Out to People (CROP) is a youth mentoring program, which uses cognitive behavioral therapy. The purpose of the program is to share our stories with at-risk youth and help encourage better decision-making. Our program emphasizes past mistakes and how those bad decisions led to our incarceration. CROP, in turn, helps the youth learn how they can avoid making the same decisions and then helps them by positive affirmation of what they can become if they only make the right decisions. We help teach youth that they are not alone in their experiences or pressures and help provide them with the skills to positively resolve difficult life decisions. We give our messages then convey to the youth how we would have done it differently. The positive affirmations, experience, and our compassion for the youth are central themes of the experience.

The program is intense. The training is both physically and mentally exhausting and takes its toll on each member. The members are all directed to write out their life story through a thirteen-question format. This format is geared to elicit the most personal information of past traumas. Where did you go wrong? Was it family or friends? What was your catalyst or wrong decision that put you on this path to prison? This is very emotional and opens old traumas for members so they can not only share their truths but also heal old wounds. Then the members are required to memorize their life testimony. After this testimony is mastered and goes through the process of critique, then the member is allowed the privilege to share their testimony with the youth. All of those who have been involved with the program have exclaimed that this is by far the most sincere program that they have ever witnessed.

Words Uncaged at LIT LIT

By Lizette Toribio

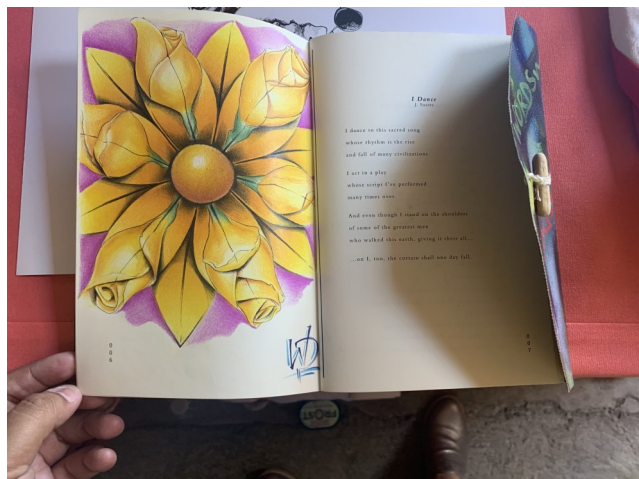
Just as the summer heat was starting to get HOT in Los Angeles, so was Words Uncaged getting ready for The Little Literary Fair. The two-day book fair took place at Hauser Wirth Gallery in the Los Angeles Arts District over the weekend of July 20th and 21st. A quick search for the event page on Hauser Wirth's website reads, "LIT LIT brings together the eclectic contemporary in publishing, creating a unique opportunity for independent publishers to offer a range of books, while sharing their mission," and Words Uncaged was right at the center of it.

When Dr. Roy first informed some organizing team members were participating in LIT LIT,



we knew we wanted to do something special. Jose (a graduate students whose works you might've read in the previous newsletters) came up with the idea for us to self-publish a Zine that would allows us to showcase more of the work from the Words Uncaged crew in

Lancaster. Dr. Roy pushed the idea further and added that perhaps some of the guys inside Lancaster could illustrate on blank pages within the zine to create one-of-a-kind books. What manifested were beautiful books, hand-bound in Lancaster prison, filled with poetry, stories, and art illustrations that continue to carry the stories of Words Uncaged to people's homes. The books were amazing, and despite a small print run, every single book was purchased.



I was at the Words Uncaged booth on Saturday and Sunday, and watched people pick up the books and rub each cover, flip through the pages inside, share with their friends. I shared with people that each book was one-of-a-kind and observed their expressions of fascination and appreciation. Watched as Tobias, Jeff, and Dr. Roy were asked to sign copies of *Disconnected/Reconnected: Writing from Lancaster Prison*. I watched Charlie explain, to a man who was skeptical about our program, how our program helped him while in Lancaster and how it's helping him now that he's out. I listened as Tobias shared stories of PostFiction's work as visitors looked through prints of his Sticky Mouse piece. I hugged and shook the hands of people thanking us for the work we are doing—the work you are doing.

LIT LIT was a success! Every copy of the zine was sold. Our mission was shared with people who had never heard of Words Uncaged. After Dr. Roy and Tobias participated in the Activism In Words panel, people were interested in learning more about what Words Uncaged is and does.

Eric Genuis, Contemporary Classical

By Robert Mosley

“If you want to know the mentality of a nation, let me hear their music (Confucius).”
“If you want to govern a nation, govern their music (Plato).”

These quotes were revealed to an audience of approximately 120 inmates of CSP-LAC on June 24, 2019, by Mr. Eric Genuis. Mr. Genuis, a former physics instructor now turned professional pianist and composer arrived at CSP-Lac Facility-A to provide the inmate population with an opportunity to hear music other than the contemporary genre of hip-hop. Genuis' performance uses a Roland EP-80 Keyboard, and he is accompanied by two other musicians— Valerie, an exceptional violinist and April, a superb vocalist. Genuis expressed his intent to contribute to the extensive library of music and instant downloading by instilling hope, joy and encouragement to listeners, through his classical music performances. He began this journey, of musical performances, over 30 years ago. Mr. Genuis performs in many system impacted environments throughout the world and continues to have success evoking the hidden, but appreciative, empathy and compassion of listeners. After the performance of each piece, Genuis takes time to answer questions from the audience. When asked of whom he enjoys listening? Eric Genuis' expresses his greater pleasure comes from Rhamanoff. However, he now prefers staying focused, listening and writing his own compositions. He did mention he would enjoy having a “rapper” perform with him and his music, and encourages anyone with the talent to present their ideas to him. However, this type of collaboration is not at the top of Mr. Genuis' desires at this moment in time. Mr. Genuis' focus is the classical pieces such as those he presented at this recital.

Mr. Genuis performed four original contemporary classical pieces. The first featured Genuis and Valerie, the violinist. The

name escapes memory. However, the effect is permanent. The piece evoked much empathy from the audience. It appeared many listeners were drawn to tears, because of the empathetic emotional evocations of the music. The second, entitled “Promise” featured Genuis, this time accompanied by the violinist Valerie, and the vocalist April. “Promise” was inspired by the personal events of Genuis’ life involving his children’s demise. Genuis’ third composition, entitled “Redemption” or “The Dance of Two Themes”, highlights two melodic themes that intertwine as the violinist and the vocalist interact, with the keyboard as the fulcrum. In this composition we hear practically operatic sounds from April, and complex violin arpeggios from Valerie, all accompanied by Genuis on piano. The fourth composition, entitled “Here I Am” was inspired by his adopted daughter’s exhibition of empathy for a listener moved to tears at a previous performance of Genuis’. While the performers walked past the crying listener, the daughter stopped and climbed upon the lap of the tearful listener, embraced and cried with her – expressing empathy not shown by the adults. Thus Genuis was moved to generate the composition “Here I Am”.

At the conclusion of Eric Genuis’ performance, he left us a piece of his wisdom to accompany the exposure of his classical expressions: “There are many people in the free world that are more imprisoned than you inmates. Those persons’ prisons are their minds (Genuis, June 24, 2019).”

Indeed, upon reflection, it is the compassion of many of us today that helps us to overcome the challenges in our lives and continue to progress along the stream of life. We sincerely appreciate the invitation of Mr. Genuis to partake and enjoy his original compositions prior to their release. We look forward to hearing more of his compositions in the future, and thank him for coming to CSP-LAC to perform for us.

Words Uncaged At Skylight Books

By Jose Manuel Cubias

I hosted a Words Uncaged reading at Skylight Books on Sunday July 14th featuring formerly incarcerated authors Tobias Tubbs, George Sanchez, and Johana Diaz. The authors read from Words Uncaged’s *Disconnected/Reconnected: Writing from Lancaster Prison* and their own publications. I opened up the event with a quick history of Words Uncaged and soon introduced the first reader, Johana Diaz.



Johana is a poet who spent most of her teenage life in and out of the juvenile (in) justice system. She was released for the last time in December 2017. She wrote a book of poetry, *Break Free* (2018), depicting her life experience before, during, and after her incarceration. Johana gave a powerful reading of a couple of her published poems and debuted a poem she wrote specifically for the event. I then awkwardly took the podium again and stalled for a few seconds because our second reader, George Sanchez, was running late.

George, an Angeleno from the Pico Union district, is the author of two books of poetry,

Aztec Slave and *Words from the Deep Core of my Brown Corazon*. Both published during his incarceration. George was incarcerated at the age of twelve and served a juvenile life sentence. Released last November at the age of 18, George is currently working on a new book of poetry, *Bumping Slow Oldies with Sad Eyes*, and a single man play. His unique story is part of an upcoming documentary directed by Danny Dwyer. George's poetry is also featured in *Words Uncaged's* second journal,



Disconnected:Reconnected (2018). George has been featured in our previous newsletters. He read a new poem.

Tobias Tubbs was next. After 28 years in prison, Tubbs, sentenced to life in prison without parole, was released October 2018 when Former Governor Jerry Brown commuted his sentence. His work with *Words Uncaged* continuously tackles prison prevention, re-entry and transitioning by implementing programs and art galleries that engage the philosophy of narrative therapy. Tobias read an excerpt from his piece in *Human* (2017). Overall, the event was a success. Our journals now live on *Skylight Book's* shelves.

Expressions Uncaged: Spiritual Advisors Inside the Execution Chamber

By Brian Ortiz

In the United States, the death penalty remains a split issue for a country that questions the ethics of capital punishment, the legality of the act, and whether it is a form of cruel and unusual punishment. Nonetheless, capital punishment remains constitutionally protected and execution chambers can be found across the country. Through various appeals and countless delays, it is not unusual for death row inmates to await over a decade before their execution. In the case of Domineque Ray, he had been imprisoned in Alabama for nearly 20 years before he was finally executed. The execution of Ray was controversial, not for the judgement itself but for the unique circumstances surrounding his impending death. Days before he was set to be executed, Ray requested a stay of his execution and for accommodations to have his spiritual advisor, of his choosing, to be inside the execution chamber at the time of his death - the Alabama state denied his requests (*Ray v. Dunn*, 2019). Ray filed an emergency petition claiming his freedom of religion was being violated, the Circuit Court of Appeals agreed in favor of Ray's petition, but the Supreme Court ultimately disagreed, solely based on a technicality issue. The majority argued that Ray waited too late to seek relief; an opinion that is surprising, if not disappointing. Hours after the Supreme Court decision, Ray was executed. The decision to execute Ray without the presence of his spiritual advisor was erroneous, a decision that violated his religious expression and undoubtedly went against the principles of the First Amendment. The Supreme Court relied on a precedent case about the nature of last-minute applications, but mistakenly applied those terms on a case that was uniquely different in circumstance. For a Christian nation with strong Christian values, the history and tradition of equal treatment for religious expression has hardly ever been straightforward. In Ray's case, he presented a well-founded argument that should've ruled in his favor, but instead his execution showed how the complexity in maintaining a principle of neutrality, when it comes to religion expression, remains obscure in the United States.

The case of Domineque Ray begins in the state of Alabama at Holman Correctional Facility where Ray argued that his execution should be

stayed because the prison wouldn't allow him to have his Muslim spiritual advisor present inside the execution chamber (Liptak, 2019). Curiously enough, the prison would allow a Christian chaplain to be present, even though Ray had no desire to have him inside the death chamber. The contradiction of the State's position was problematic, why would the prison allow the presence of a Christian chaplain but not a Muslim Imam? Ray filed a lawsuit claiming that his First Amendment rights had been violated under the Establishment Clause. The Establishment Clause under the First Amendment protects against any religious bias on the state or federal level. It prohibits the government from making any law establishing an official religion and it also prohibits any government actions that unduly favors one religion over another (Lempert, 2019).

Although inmates have their rights severely limited in prison, the courts have ruled that prisoners retain some First Amendment rights regarding religious expressions. In *Cooper v. Pate*, the Supreme Court ruled that inmates have standing to sue in federal court if they feel their basic civil liberties have been violated (1963). The petitioner in *Cooper*, argued that as a practicing Muslim, the prison authorities were denying his permission to obtain a Muslim publication, while other inmates were allowed to have their religious Christian texts (*Cooper v. Pate*, 1963). The courts ruled in favor of the petitioner and against the prison authorities because they were showing a preference for one religion over another. Significantly, this decision was important, it made the case clear that every inmates' religious expression, when it poses no risk to maintaining security inside the prison, must be treated equally. In *Cruz v. Beto*, the Supreme Court reinforced the Constitutional rights of prisoners when they ruled in favor of another inmate's claim (1972). The petitioner claimed that prison officials had discriminately punished him when he began sharing his religious beliefs to fellow inmates. In an 8-1 decision, the courts said that inmates would be given the right to "a reasonable opportunity to pursue their faith comparable to the opportunities afforded fellow prisoners who adhere to conventional religious precepts" (*Cruz v. Beto*, 1972). On January 23, 2019, Ray was first made aware of the prison's policy regarding execution proceedings (Ali, 2019). He requested the presence of his Imam and the exclusion of the Christian chaplain to be

inside the execution chamber, both requests were denied. On that same day, he requested a copy of the prison's policy that dictated the arrangements, this request was also denied. The timing of these events is important. The state argued that Ray should've known about the execution proceedings because he was on death row for a long period of time, yet they provided no evidence in court to support that Ray had prior knowledge before he made these requests in January (*Ray v. Dunn*, 2019). Was Ray supposed to have prior knowledge based on assumptions? What assumption or common knowledge would have led Ray to question a policy that he had no prior knowledge of? Furthermore, it was determined that Alabama's policy lists the people who may be present at an execution, and it includes "the spiritual advisor of the condemned." The policy does not specify which specific religious advisor of the inmate is allowed, nor does it clearly state whether that person would be allowed inside the execution chamber or in the viewing room. What is interesting is that Alabama's policy arrangements do mandate that a Christian chaplain be inside the death chamber. The State's chaplain had witnessed every execution at the prison and would either kneel before the inmate to say some last prayers or would stand against the wall if the inmate did not want to hear any last prayers. The chaplain had received the proper training about the protocols of execution arrangements and due to his experience, was deemed properly qualified to be inside the execution chamber. But the ambiguous language of Alabama's policy is a subtle, yet apparent religious denomination preference of one religion over another. There was no indication by the State that it had properly trained other spiritual advisors to be inside the chambers, nor that they had any interest to do so. As the appellate courts stated, "It looks substantially likely to us that Alabama has run afoul of the Establishment Clause of the First Amendment" (*Ray v. Dunn*, 2019).

The Circuit Court of Appeals added that "The claim presented by Domineque Ray touches at the heart of the Establishment Clause. Indeed, we can think of no principle more elemental to the Establishment Clause than that the states and the federal government shall not favor one religious denomination over another" (*Ray v. Dunn*, 2019). One of the reasons the state argued against Ray's request is they said it would pose as risk during the execution proceedings, a risk because the Imam would not have the proper training about execution

arrangements. At the very least, there doesn't seem to be much training required to respectfully ask a spiritual advisor to stand against the wall inside the execution chamber at the time of death. Granted, the state needs to uphold a significant interest in maintaining security at a time of such delicate procedures, but it shouldn't be difficult or time-consuming to train a spiritual advisor on these proceedings; if they can train a Christian chaplain and allow them inside the chambers, they should be able to train any religious advisors without discretion.

However, the Supreme Court majority ultimately looked at Ray's case through a conservative lens, they viewed his emergency petition as a type of last-minute hurrah to further delay his own execution, but this doesn't appear to be the case at all. In its decision to vacate the stay of execution, the Supreme Court cited as its precedent the case of *Gomez v. Us. District Court for Northern Dist. Of Cal.*, which held that "A court may consider the last-minute nature of an application to stay execution in deciding whether to grant equitable relief" (1992). The key word here is "may," the precedent case doesn't state specifically that courts *must* consider the last-minute nature of an application. In *Gomez*, the courts had apparently become frustrated with repeated applications to postpone the inmate's execution due to the method of the execution (cyanide gas), but unlike Ray, the inmate in *Gomez* was aware of the circumstances surrounding his execution well over a decade before his scheduled date (*Gomez v. United States Dist. Court for Northern Dist. Of Cal.*, 1992). Considering the unique circumstances of Ray's case, there isn't any indication that Ray wanted to stay his execution because he didn't want to accept his judgement - Ray was pleading for his First Amendment right to free exercise of religion.

Continued in October Newsletter

Brooklyn Prison Without Power

By Carolina Chavez

During the last week of January and the first of February, men at the Metropolitan Detention Center in Brooklyn endured a polar vortex without any heating. Relatives of those incarcerated inside the detention center protested outside the facility. Videos show crowds gathering outside the facility as those inside the detention center banged on walls. For days, relatives were not allowed to see their loved

ones inside the facility. As temperatures in the facility fell, the incarcerated were denied access to heat, hot meals, and hot water for showering, as well as any light inside their cells.

The Washington Post wrote this in an article about the event: "Those with connections to inmates described deteriorating conditions inside the jail," with inmates "stuck inside dark, freezing cells, getting sick and frantic." When the Federal Bureau of Prison was questioned on this regard, they denied that conditions had escalated to such an extent.

https://www.washingtonpost.com/nation/2019/02/03/protesters-swarm-dark-freezing-brooklyn-jail-that-endured-polar-vortex-with-no-heat/?utm_term=.ac3d5e8c4721

GEORGINA'S LEGISLATIVE COLUMN

Senate Bill 10- Cash Bail

Senate Bill 10 was targeted at the bail bonds industry for adding percentages and fees that made it nearly impossible for people to pay for their release pending trial. Originally, the first draft of Senate Bill 10 took away the bail bonds company and replaced it with making bail to the State of California. That clause has since been replaced with a no bail stance-period.

Effective October 1, 2019, California will become the first state in the country to completely get rid of cash bail for the accused who are currently sitting in jail and awaiting trial. Senate Bill 10 allows for those accused of misdemeanors to go through a pre-trial risk assessment agency, and to be free pending trial. On the other hand, those accused of violent felonies will not be allowed to make bail and will remain in custody pending trial.

This is impactful because when the accused get taken into custody, their lives can change in a variety of different ways. Those that are parents, lose their ability to parent their children or lose their job because they are incarcerated. Senate Bill 10 could potentially make a difference in the lives of those that come into the criminal justice system by allowing them freedom to continue on with their lives, while fighting their cases-something they would not have been able to do from inside a county jail.

P o e t r y
U n c a g e d



(Excerpts from the LIT LIT Words Uncaged Zine)

On The Pier

By Robert Mosley

We all stand, naked and supported, on the pier of this reality, above the dark waters of life.
The pier is burning up.
Some of us can swim, some cannot.
Some of those, able, may try to tell those that cannot, how to swim. They may offer to help others to float and survive when they jump into the water.
Some are trying to figure how to take the pier apart and use it to float in the waters.
The pier is still burning, diminishing with each moment.
Soon, we all will have to abandon this pier of reality and proceed in the waters of life.
Sink, swim, or burn and die, the choice will be forced, with maybe no second chances.
What will be your choice?

painful

By Dortell Williams

painful to the
Interior senses, a
feeling of self
enclosure inside
many ragged
fences...

Make sure to check out www.wordsuncaged.com/new-submissions.html for more work from Robert Mosley, Dortell Williams, and many others. These men are currently in Lancaster State Prison. We are grateful for their contribution.



SO ON WE BREATHE: PHOTOS FROM AN INCARCERATED LIFE

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Editors and Contributors: Lizette Toribio is currently earning her master's degree at CSULA. She has been involved with Words Uncaged for the past three years. **Caroline Chavez** is an undergrad student earning her degree at CSULA. Chavez' father, Milton Chavez, is currently serving a sentence at the Federal Correctional Institution of Victorville. **Jose Manuel Cubias** is a graduate student at CSULA and secret poet. **Jermichael Cooley, Robert Mosley and Dortell Williams,** thanks for the contributions this months. **Georgina** is a native of California, She attended Brentwood Science Magnet Elementary, Paul Revere Middle School, Palisades Charter High School, Los Angeles Pierce College, Los Angeles Mission College, and is currently finishing up her Bachelor's degree in Criminal Justice at California State University, Los Angeles. **Brian Ortiz** is a full-time undergraduate student at Cal State LA (last semester), pursuing an English degree, and also a full-time employee as a paralegal at Hildebrand, McLeod & Nelson LLP that represents injured plaintiffs in civil litigation.

Special Thanks to Bidhan Roy and Ray Adornetto and our board members.

Make sure to check out the radio show **Think Outside the Cage.** Words Uncaged hosts the radio show on the 2nd Saturday of the month. Also listen to **Sentences Podcast** for content related to Words Uncaged. Find it on iTunes or SoundCloud.

Don't forget to follow us on Instagram for update on upcoming events @wordsuncaged

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