



# STILL BLOCKING the

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## About this Report

This report is about Maryland's broken parole system for individuals serving life sentences. It was authored by Walter Lomax, Founder and Director of the Maryland Restorative Justice Initiative, and Sonia Kumar, Staff Attorney for the ACLU of Maryland, as a joint project of both organizations, with tremendous assistance from the people who are profiled and quoted throughout and their loved ones. We also want to acknowledge the many people who are part of this effort but whose stories we could not tell here.

The Maryland Restorative Justice Initiative advocates for and promotes humane and sensible criminal justice and sentencing policies for those incarcerated long-term in Maryland prisons.

The American Civil Liberties Union of Maryland is a private, non-profit organization dedicated to protecting the civil rights and civil liberties of all Marylanders.

Special thanks to the many colleagues who helped assist with the drafting and editing of this report, as well as the Abell Foundation, Fusion Partnerships, the Open Society Institute of Baltimore, BMe, and Research Associates Foundation. Nicole Miles of ndmDESIGNS created graphics and layout.

## METHODOLOGY

Unfortunately, Maryland does not routinely collect or report information about the subjects covered in this report, such as demographic information of those serving life sentences, those who have died in prison, and those who have earned the recommendation for release by the Maryland Parole Commission. In response to a query, the Maryland Parole Commission indicated that it forwarded 79 cases to the Governor between 2006 and the present, and provided the names of 13 who were recommended for either regular or medical parole, but was barred from releasing information about those whose commutation requests were

rejected. Through painstaking work, MRJI has been able to identify and compile information about 63 of the individuals involved in these 79 cases, as well about how our systems operate more generally. Over many months, MRJI and the ACLU compiled the numbers and anecdotes in this report using available records, personal or firsthand knowledge, written communications with lifers themselves, news reports, and reports prepared by other organizations. Wherever possible, we have verified the information in this report against official public records.



# WE BELIEVE THAT THROUGH ACTS OF RESTORATION, REDEMPTION AND RECONCILIATION, WE CAN CREATE LONG-TERM SYSTEMIC CHANGE.

## Real Justice is Restorative and Inspires Hope

The Maryland Restorative Justice Initiative is a grassroots community-based organization advocating for sensible criminal justice reform. Among our members are family members who have lost loved ones to violence, individuals who have committed serious acts of violence, those who are both those things, and everyone in between. We do not take lightly any person's loss or pain.

But, rather than healing or reducing pain, we see that our system is often adding to the pain in our communities — often in ways that are invisible to those who are not part of the communities most affected by crime and our responses to it.

Among our membership are mothers who have been in the horrific position of having lost one son to violence and another to prison for violence. At our town hall meetings, the shared sentiment of every speaker is one of unhealed pain and a lack of hope.

We cannot bring back those who have lost their lives to violence. But we can look for ways to ensure that tragedy is not multiplied. And we can start by re-examining the values and approach of our criminal justice system.

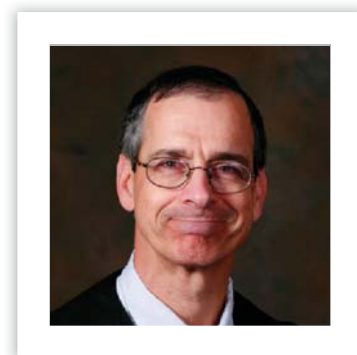
In Maryland, as is the case across the country, we have allowed our criminal justice system to make promises it cannot keep — promises about reducing crime, serving victims, and making us better off. The United States has the largest prison population in the world. Maryland is no exception.

We are only now, as a society, acknowledging that this approach has extraordinary human and financial costs that are passed along inter-generationally. We are starting to confront what it means for children to grow up in communities devastated by mass criminalization and incarceration. And we are beginning to acknowledge that the ills of the criminal justice system are disproportionately borne by people who are the most marginalized in our society. The result is that communities, and the families in them, are brutalized not only by crime, but also by a system that favors punishment over healing and restoration.

In no way is it our intent to minimize or deny the harms associated with serious crime, nor to suggest that individuals should not be held accountable for their actions. But neither should we continue conflating the harshest punishments with justice and confusing excessive sentences with healing. MRJI and our partners advocate for sensible criminal justice policies because we know it will make our communities stronger, not weaker. Our justice system should affirm our humanity, not deny it.

Walter Lomax  
MRJI Founder  
and Director

Sonia Kumar  
MRJI Member and  
ACLU of Maryland  
Staff Attorney



**M**aryland's Courts generally take no position on legislative policies, so I note initially that this foreword is unofficial, does not represent an opinion on behalf of any Maryland court, and represents only the personal opinion of one person, although based on many years of experience in the court system.

Many years ago, the Maryland General Assembly established two categories for life sentences — with the possibility of parole and without the possibility of parole. The law requires that judges imposing the first type of sentence must advise each defendant that he will be eligible for parole “after serving 50% of this sentence” — statutorily deemed as 20 years.

During the past 20 years since 1995, however, each Maryland governor practically has obliterated the distinction between the two types of life sentence. Each Governor has vetoed every Parole Commission decision in favor of eligible life inmates who offered proof of rehabilitation and of no further risk to public safety. While each inmate clearly must be assessed on a case-by-case basis, the collective and uniform denial for all such inmates may be seen as an important public policy issue.

Sonia Kumar, staff attorney with ACLU-Maryland and Walter Lomax, Executive Director of Maryland Restorative Justice Initiative, here have gathered both inmates' personal histories and official statistics to remind us that the actual risk to our communities presented by parole-eligible life

inmates is extremely rare. They also point out that, in 47 of 50 U.S. states, legislatures now have given parole commissions a vote of confidence to make evidence-based decisions and have taken governor's political concerns out of the Parole process.

But the price of keeping over 2,000 life sentenced inmates — nearly 10% of all Maryland prison inmates — is greater than the \$38,000 per person per year or over \$70 million per year collectively. The price also includes the loss of hope for all within our prisons. As David Blumberg, chair of Maryland's Parole Commission, has explained: *“[Parole] is a reward for good behavior and lowers the threat of violence on our prison staff. If you were a lifer and knew you could never get out, you could do what you wanted to. Parole is the primary reason inmates adjust to prison.”*

*“Still Blocking the Exit”* offers a well-documented history of this problem in Maryland's correction system. It invites the public, state legislators and a new Governor to revive, once again, Maryland's parole law and, at least, to give hope to over 2,000 Marylanders now incarcerated with life sentences.

Philip Caroom  
Associate Judge  
Circuit Court of Maryland for  
Anne Arundel County

About 2,100 people are serving parole-eligible life sentences in Maryland, more than 340 of them for crimes committed when they were 17 or younger. These men and women were sentenced with the understanding that if they proved themselves genuinely rehabilitated they would be paroled. But, in fact, they are now more likely to die in prison, often after serving many more decades than anyone expected, than they are to be paroled.

This is because Maryland's system is one of only three in the country where the Governor must approve parole for lifers, a process that has become highly politicized.

The result is that among this group of lifers are individuals who have been rehabilitated, who have done everything asked of them, who have sometimes even earned the forgiveness and support of victims' family members and the Maryland Parole Commission, but who continue to languish in prison, at taxpayers' expense, until they die. They are held in legal limbo, promised by the letter of the law a meaningful opportunity to be paroled upon rehabilitation but denied this chance in reality. No one disagrees that they were involved in serious crimes that warranted serious consequences. But, with the passage of time, repenting, and hard work, they are not the same people they were at the time of their crimes, and incarcerating them after they have been rehabilitated has its own negative consequences.

Recognizing this, efforts have been made for years, through litigation, legislation, and personal persuasion, to try to change Maryland's practices regarding lifers. But lifers' cases continued to languish on Governors' desks. In 2011, legislation was enacted to change that, by modifying the statute to allow the Parole Commission's recommendation to stand unless the Governor

acts within six months to reject it. At the time, many were hopeful that this statutory change would change the practice. Instead, the Governor summarily rejected dozens of cases pending. A token three cases were commuted.

In other words, even after this change to the law, lifers with parole-eligible sentences are treated no differently than those people serving life *without* parole. It is commonly understood that parole is futile for lifers — that they will *never* be released, no matter what.

Except, that is, when lightening strikes, as happened in *Unger v. Maryland*, a 2012 state Court of Appeals case. There, the Court found that, for years in the 1970s, Maryland juries were wrongly instructed on how to assess the guilt of the people before them. Individuals affected by this case are entitled to new trials. Some will be tried again. But some, through a complicated process of vetting and negotiation, and under the supervision of the court system, are obtaining their release. As of the printing of this report, about 75 people (all lifers, because they are the only group likely to be left inside decades later) have successfully returned home as a result of the *Unger* decision. At least 17 of the people released as a result of *Unger* had been recommended for release by the Parole Commission but refused by the Governor in 2012. Furthermore, those who had never even been recommended for release have also made successful transitions home.

But there are equally deserving people inside, held back by politics and a broken law that privileges politics over rehabilitation, fairness or merit, at great human and financial expense. The purpose of this report is to help illuminate the plight of this group of people and to help show that all Marylanders will benefit from a fair parole system for lifers.



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# BACKGROUND:

## MARYLAND'S PAROLE SYSTEM FOR LIFERS

**M**aryland law offers judges the option of sentencing individuals to life with the possibility of parole (“parole-eligible” life sentences), or life without the possibility of parole. The people profiled in this report were all sentenced by judges with the understanding that they would be eligible for parole if they did well in prison. (Another 346 people are serving life without parole).

The Maryland Parole Commission, using the intense and rigorous process shown to the right, evaluates individuals to determine whether they can safely be returned to the community, considering a range of factors including the severity of the offense and proof of rehabilitation. In cases where someone is serving a term of years, the Commission’s decision stands. But, in cases where someone is sentenced to life, the Governor must also agree. Because this process has become so politicized, for the last two decades, all life sentences have essentially become “life without parole,” even when that was not the judge’s intent.

The MPC’s standards are extremely stringent. The commission rarely recommends individuals for release. MRJI is not aware of any case in which a lifer did not have several hearings before being recommended for release. Between 2006 and the present, *only about 71 out of more than 2,100 parole-eligible lifers* successfully made it through this process and were sent on to the Governor’s office.<sup>1</sup>

<sup>1</sup> Five were recommended for parole, and 66 for commutation. Parole is conditional release from confinement, subject to ongoing supervision. Commutation is an act of clemency in which the Governor substitutes a lesser penalty than the penalty imposed by the court. In addition to the above, eight lifers were recommended for medical parole, which is subject to a different process with its own set of criteria.

1

Parole-eligible life sentence

2

Must serve at least 15 years before consideration. Compile written record of offense and institutional history, including victim statements.

3

Parole Commission reviews all available records and notifies victim, if previously requested, of upcoming hearing.

4

Face-to-face interview with two commissioners, who assess statutory factors: remorse, responsibility, behavior behind bars and plan for reentry.

5

If commissioners agree, referred for extensive risk assessment and psychological evaluation at Patuxent Institution.

6

If cleared by Patuxent, the full 10-person commission considers the recommendation.

7

If a majority approves, the paperwork is sent to the Governor.

8

Since passage of legislation in 2011, the Governor must act within 180 days. To date, nearly every request has been rejected.

# TIME

## (1969–PRESENT)

- 1969** Governor Marvin Mandel takes office. Paroles 92 lifers during his two terms.
- 1979** Governor Harry Hughes takes office. Approves parole for 64 lifers during office.
- 1987** Governor Donald Schaefer takes office. During his tenure, paroles 25 lifers.
- 1993** Rodney Stokes, a lifer who is on work release, takes the life of his girlfriend before taking his own life.
- 1995** Governor Parris Glendening takes office. Announces that, even though judges believed lifers would be paroled, “life means life” and he will not parole any Maryland lifers. He has since stated that he regrets his approach.
- In the course of his eight years in office, Glendening rejects every parole request.
- 1999** Maryland Court of Appeals, in *Lomax v. Warden*, holds that Governor’s announcement did not violate the rights of lifers who were being denied parole. Subsequent legal challenges on other grounds also fail.
- 2003** Governor Robert Ehrlich takes office. No lifers are paroled. Five are commuted.
- 2007** Governor Martin O’Malley takes office. Takes no action on pending requests.
- 2011** Confronted with evidence that no lifers are being paroled and that pending requests are held in limbo for years, General Assembly modifies statute to require Governor to act upon Parole Commission recommendation within 180 days. On the day of the hearing, the Governor announces he has rejected seven commutation requests for lifers.
- 2012** Forced by law to act, Governor denies the dozens of pending recommendations. Commutes 3 others.
- 2012** Court of Appeals issues *Unger v. Maryland*, finding that, in the 1970s, Maryland juries were wrongly instructed on how to assess the guilt of the people before them, resulting in the possibility of new trials for more than 200 people still incarcerated.
- 2013** Individuals begin coming home in the wake of *Unger*. About 75 people have come home and are making successful transitions. At least 17 of the people who have come home were previously recommended for release. Dozens of others previously recommended are still incarcerated.



# THE FACTS

## ELDERLY AND AGING POPULATIONS

- The average age of lifers who were recommended for release but are still inside is 60.<sup>2</sup> All but two of these individuals are 50 years or older. The average age of those released as a result of *Unger* is 64 years old.

## LIFERS SENTENCED AS YOUTH: AMONG THE WORST IN THE COUNTRY

- Maryland is among the worst states when it comes to the rate of young people serving life sentences: Maryland leads the nation in the percentage of our lifer population that was 17 or younger at the time of the offense (15%).<sup>3</sup>
- Despite Maryland's relatively small population compared to other states, we have more than 340 juvenile lifers, one of the largest juvenile lifer populations in the country — third after California and Texas.

## RACIAL JUSTICE: WORST IN THE COUNTRY

- Maryland has the highest rate of Black lifers in the country. About 77% of Maryland lifers are Black. Only about 30% of Maryland's population is Black.
- There is also a grave racial disparity among juvenile lifers. Maryland is tied with Alabama in leading the nation in the percentage of our juvenile lifer population that is Black: 84%.

## LOW-RISK GROUPS

- Studies have shown lower recidivism rates for lifers than others. For example, a 2004 analysis by The Sentencing Project found that “individuals released from life sentences were less than one-third as likely to be rearrested within three years as all released persons.”<sup>4</sup> Similarly, a long-term study of paroled lifers in California found that less than 1% were later incarcerated for new felonies.<sup>5</sup>

## EXPENSIVE

- It costs about \$38,383 per year to incarcerate someone in Maryland.<sup>6</sup> The cost to the State in 2012-2014 for incarcerating the 68 people who were recommended for release but denied since 2006 is about \$5.2 million.
- Even after excluding 17 individuals who have obtained release at some point through *Unger*, the cost is about \$3.9 million. By contrast, state officials have indicated that, if lifers recommended for parole were released, no additional resources would be needed to supervise the small number of releasees under community supervision.<sup>7</sup>

<sup>2</sup> This does not include individuals who have since died or who were released as a result of *Unger*.

<sup>3</sup> According to The Sentencing Project's 2009 report, *No Exit: The Expanding Use of Lifer Sentences in America*, Maryland was third highest. However, more recent data compiled by Maryland's Department of Legislative Services shows that the true number of juvenile lifers is much higher than the 279 originally reported: 364, about 340 of whom have parole-eligible sentences. See Fiscal and Policy note for SB 953, 2014. The report's authors recalculated Maryland's rankings with this updated information. All remaining statistics regarding racial composition of Maryland's lifer population and population counts from other states are based on the *No Exit* report.

<sup>4</sup> Ashley Nellis, *Life Goes On: The Historic Rise in Life Sentences in America*, p. 17. The Sentencing Project. 2013.

<sup>5</sup> *Id.*

<sup>6</sup> Vera Institute for Justice, “Price of Prisons,” Maryland factsheet. January 2012. Note: The costs are likely higher, as the costs of incarceration typically increase as prisoners age.

<sup>7</sup> Fiscal and Policy note for SB 953, 2014.

# EXPERTS SAY...

“There is no reason to believe that the Governor... has more expertise in this matter than the members of the Parole Commission have.”

**DR. FRANK DUNBAUGH**

former Deputy Assistant Attorney General for Civil Rights in the U.S. Department of Justice

“[Parole] is a reward for good behavior, lowers the threat of violence on our prison staff. If you were a lifer and knew you could never get out, you could do what you wanted to. Parole is the primary reason inmates adjust to prison.”

**DAVID BLUMBERG**

Chair, Maryland Parole Commission

“It is very, very important that my colleagues understand how important this issue is. They need to rethink their position. When an individual has met all the qualifications for release, they should be let go. The Governor appoints very knowledgeable individuals.”

**SENATOR NATHANIEL McFADDEN**



“It’s unfair to those who enter prison under a certain sentence with the belief that, at some point, they could be considered for parole based on what they do or do not do in prison when in fact this is not occurring.”

**RONALD KNAPP**

former Director of Parole and Probation

“The parole commission is more on top of the issues — mostly, the inmate has to show that he has made every effort for redemption. I’ve been concerned about the sharp line between redemption and punishment. The more we emphasize punishment the greater the obstacles to work their way out of prison.”

**ARNOLD HOPKINS**

former Commissioner of Corrections



“Many of these young people currently incarcerated plea bargained, thinking that paroleable life sentences meant they could be paroled.”

**CLARENCE T. DAVIS**

# THE PEOPLE



Ginger Dukes Beal

**“I would like to make a plea to the legislature and the Governor, people that are parole-eligible, giving them a second chance.”**

On February 11, 2008, I became a victim. My eldest child was murdered. Nothing has been harder than losing my child.

When one of the perpetrators showed me so much compassion and remorse, I could do nothing but forgive. One thing we know, you can't see Jesus with bitterness and hatred. But since this happened, I've been a constant speaker at the prison with lifer women and men so I've come to know a lot of them. And I changed my perspective. ”

*Before passing away in 2013, Ginger (shown at the left) was one of the strongest supporters for a second chance for Maryland lifers. Her generosity of spirit and compassion were inspiring. She is truly missed.*

# PEOPLE WHO HAVE BEEN RECOMMENDED FOR RELEASE BUT WHO ARE STILL INSIDE

In the last eight years, about 80 people were recommended for release by the Maryland Parole Commission. Nearly all of them were denied by the Governor. Nine have passed away. There is no doubt that these men and women made tragic mistakes. But they are not the same people they were when they came to prison.

By all accounts, they have gone as far as they can possibly go in prison to redeem themselves, earning countless certificates of achievement, educational degrees, working in prison industries, mentoring young people, and demonstrating impeccable behavioral records. In many instances, they have earned the respect not only of other prisoners, but also of the correctional officers and wardens who

supervise them. At this point, keeping them behind bars is not only unjust and a waste of human potential, but also a waste of taxpayers' money. In just the last two years, the cost to the state of housing those who were recommended but who are still inside (not those who have passed away or obtained release through *Unger*) is nearly \$4 million.







## Calvin W. Ash, Sr.

Calvin was 21 years old when he was sent to prison in 1972. He has now been incarcerated for more than four decades. He began working on self-improvement immediately, earning his GED in 1973. After that, Calvin enrolled and earned nearly 150 college credit hours, in everything from drug education, to youth counseling, to business administration. Further evidence of Calvin's suitability for release was that he was among the lifers on work release when the program was discontinued in 1993.

By 2004, 32 years after he was sent to prison, Calvin was recommended for release by the Maryland Parole Commission. He still sits inside, however. After lingering on the Governor's desk for years, Calvin's recommendation was denied in 2011. And, even though every assessment indicates that Calvin is suitable for parole, he has not been recommended again since then — as he told Baltimore Sun columnist Dan Rodricks in 2011, "I was told it wouldn't be prudent to try again while O'Malley's governor."

And that is how Maryland taxpayers end up paying at least \$300,000 — about \$30,000 a year for at least ten extra years — to keep incarcerating a man in his 60s. **Calvin continues to add value to those around him, tutoring other inmates and serving as a longstanding facilitator for the Alternatives to Violence project.**



## Charles Chappel

Charles was incarcerated at the age of 21 in 1977. He is now 58. He has taken advantage of the opportunities made available — earning his GED. After graduating from the GED program he was given the opportunity to become a teacher's aide and enjoyed helping others obtain their education. He has more than 60 credits towards a college degree.

By 1992, Charles was recommended for work release in recognition of his excellent progress and the fact that he did not pose a threat to others. The program was abruptly ended and, since then, more than two decades ago, Charles has been waiting for the opportunity to prove he deserves a second chance.

In fact, Charles has long been recognized as a good candidate for parole. In 2005 he was recommended for release by the Maryland Parole Commission. That request was denied in 2011. He remains incarcerated. **He believes everyone can change and that after 37 years inside he continues to pray for forgiveness.** He believes people should not be judged only by what they did decades ago, but also by what they have done since then.



## Frank Early

Frank has spent nearly half a century in prison for a crime that occurred when he was 22 years old, in 1969. **He has accumulated an admirably rich record of achievements inside.** His record speaks for itself, but perhaps nothing speaks as clearly as the timeline he provides outlining his own history:

*I have been recommended by the Maryland Parole Commission for release on parole to every governor since the Hon. Harry Hughes up to the Hon. Martin O'Malley.*

*Each time I was given a set-off[postponement] or a denial because the governor was not signing any releases for lifers.*

*I have also been to the Patuxent Institution for the Risk Assessment Evaluation two times and each time was given a favorable recommendation for release; however[instead of being released] I was given a rehearing parole date because the governor was not signing any releases for lifers.*

Frank is now 67 years old. He was first recommended for parole at least 27 years ago.



## Dorian Maddox

In 1976, Dorian was 20 years old when he went to prison on a plea agreement that everyone, including his lawyer, the judge, and state's attorney, believed would result in his being paroled in 20 years. Today, he has been incarcerated for 38 years — nearly two decades more than agreed, and is currently 58 years old.

Inside prison, he obtained his G.E.D., AA degree, and 90 credits towards a Bachelor's before Pell grants for inmates were discontinued. He has worked continuously while inside and engaged in numerous volunteer programs. He made substantial progress — so much so, that he was put on work release and worked in the community until everyone was pulled back in 1993. For the last 19 years he has worked in the Maryland Correctional Enterprises MeatPlant and is now one of six production floor leaders. He attributes his personal growth to the availability of programs, and especially education and self-help programs both as a participant and volunteer. He writes:

*Today I am a matured man whose life has been changed by a profound sense of personal accountability and responsibility. Over the past 37 years most of my time has been focused on learning to control my behavior and being more receptive to other people's rights. I apologize daily, in prayer, to my victim, her family and my family for my wrongful behavior. I sincerely hope and pray that they have recovered from the pain I caused. **My overall goal in life is to restore the trust, respect and dignity in my life that will impact those around me.***

In the course of the ten parole hearings Dorian has had over the years, he has been recognized as a favorable candidate for parole beginning as early as the early 1990s, but recommendations were delayed by the no-parole policy. The Maryland Parole Commission formally recommended Dorian for release to Governor Erlich nine years ago in 2005. That request was denied and he remains incarcerated.



## John Martin

John was incarcerated in 1980. During his time inside, he has participated in too many educational, personal development and volunteer programs to list. **John says he has kept his focus on education in recognition that it is key to success inside and out.** He has made every effort to stay productive, holding many different jobs over time and developing a strong spiritual and religious identity. In the 34 years John has spent inside Maryland prisons, he has had only one infraction — for possessing cologne.



In recognition of John's excellent record and the belief that he poses no risk to others, the Maryland Parole Commission recommended his release. He was denied and remains incarcerated. Despite this, John says he feels blessed to have the support of his family, friends, and spiritual advisors.



## James Priest

In the more than three decades James has spent incarcerated in Maryland, he has made an effort to educate and improve himself and others. **He earned his Bachelors in Psychology, served as a GED and pre-GED tutor, a facilitator for the Alternatives to Violence Project**, and has helped organize everything from a chess group to youth mentoring programs:

*I was 19 years old when this nightmare occurred. I understand the seriousness of my actions as well as the fact that on that night countless lives were irrevocably changed. It is my prayer that 30 years later the victims have learned to cope with the assault and move past it. I pray they live loving productive lives. It is a daily prayer.*

*The angry, immature, misguided youth who took part in those egregious acts does not exist anymore. He ceased to exist long ago. Little by little with knowledge, introspection and maturity he was erased. A myriad of factors played a part in that: professional counseling, my own B.S. in Psychology, time helped, but maybe most of all my loving family and support system helped me turn into a man. One who is ready to become a contributing, productive member of society. I'm 51 years old now and I believe I have earned a second chance at life. With all my heart I believe it. The parole board also believed I am deserving of a second chance. They recommended me for commutation.*

The Governor denied this request, along with dozens of others, in 2012.



## James Wells

James has come far since being incarcerated 37 years ago. Even though he was 29 when he came to prison in 1977, James earned his eighth grade certificate at 31 inside, his GED the following year, and, eventually, in 1995, his Bachelors in Psychology. He has even written several books intended to benefit others with the lessons he has learned through hard experience. He says:

*All I can tell you is that I am not the same individual I was at the inception of this tragedy. The transition I have made in my life and the metamorphosis that has taken place within me; you cannot see or feel on this paper. The rehabilitative process has already been done; **I am a better man today**. What I need is the opportunity and the chance to interact with people, so they can see that James Wells would be an asset to society as opposed to a liability.*

James was recommended for parole but denied in 2012.



# GROWING OLD, ILL, AND DYING IN PRISON

**M**aryland's practice with respect to lifers means that, in effect, our system does not distinguish between life sentences with or without parole. In our system, every life sentence is a sentence to die in prison. Many lifers believe that they will die in prison no matter how much they have changed or what they do.

*"[We should] keep prisons from becoming geriatric wards. ... In the latter stages of life, they're having a hard time getting out of a chair, let alone doing harm to anyone ... We need a process with an objective decision from a medical point of view, as well as a societal one, rather than a political point of view."*

**—Senate President  
Thomas V. Mike Miller,  
The Baltimore Sun,  
March 13, 2011.**

In fact, many lifers who were promised a meaningful opportunity for release when they were sentenced are now elderly. They often have health problems. For example, among the *Unger* cases, at least two men were brought to court in wheelchairs. One was on a gurney.

The average age of lifers who were recommended for release but are still inside is 60.<sup>8</sup> All but two of these individuals are 50 years or older.

**Charles Ford** was born in 1931. The Governor denied his recommendation for release two years ago. He is now 82 years old.

**Gordon Contee** was born in 1935. He will be 80 years old next spring. He was recommended for release but denied by the Governor.

**John Chesley** will be 78 this November. His recommendation for release was denied two years ago.

**Lee Moore** is 76 years old. He was born in 1938. He was recommended for release but denied by the Governor in 2011.

<sup>8</sup> This does not include individuals who were recommended for medical parole, individuals who have died, or those who were released as a result of *Unger*. The average age of individuals released as a result of *Unger* is 64 years old.



## MEDICAL PAROLE IN MARYLAND

In 2008, the Maryland General Assembly passed a law establishing medical parole for incarcerated individuals who are so incapacitated by a medical condition that they pose no danger to public safety. Medical parole was previously governed by the internal regulations of the Department of Public Safety. Between 2006 and the present, eight lifers were recommended for medical parole by the Maryland Parole Commission. All eight were denied. Six of them have since passed away in prison.

## IN MEMORIAM

At least nine people recommended for release since 2006 have passed away.

**Yusuf Rasheed** (Joseph Westry) died the day he obtained his release through *Unger*, at the age of 72. He had been recommended for parole in 2012.

**Tarif Abdullah** (Gregory Allen Jones) had been recommended for release but denied by the Governor. He has since passed away.

**Gordon Gaskins** was recommended for release but denied by the Governor. He was later recognized as a potential *Unger* release, but passed away before obtaining his freedom.

**Lewis Wade**, who was born in 1927, was 83 years old when the Governor denied his recommendation for release on medical parole. He has since passed away.

**Wallace Creighton**, who was born in 1927, was 83 years old when the Governor denied his recommendation for medical parole. He has since passed away.

**Troy Reid** was denied release on medical parole in 2011. He has since passed away.

**Baysic Gallimore** was 85 years old when the Governor denied his recommendation for release on medical parole. He has since passed away.

**Robert Myers** was five days shy of his 71st birthday when the Governor denied his recommendation for medical parole last year. He has since passed away.

**Clifton Anderson** was recommended for medical parole, but denied in March 2006. He passed away three years later, at the age of 53.

# WOMEN LIFERS IN MARYLAND



**M**aryland has an extremely high rate of women lifers compared to national rates—three times the national rate. About 10% of Maryland’s lifers are women, compared to about 3% nationally.

## Eraina Pretty

**“Governor, I don’t want to die here.”**

Eraina was 18 at the time of her arrest in 1978. She has now spent 36 years in prison. She is 54 years old. At the time of her arrest her lawyer told her she would serve 11 and a half years and then be sent to a pre-release unit. She has served three times that long now.

Nonetheless, during her time, Eraina has taken advantage of educational programs and vocational opportunities, even earning her Bachelors degree in Sociology from Morgan State University. She speaks openly about how transformed she is after years of therapy working through the pain she carried with her from childhood abuse. She speaks openly, too, about being so wracked with guilt for her victims and hopelessness that she asked then-Governor Erlich to put her to death.

**Eraina has been involved in service opportunities, like the Canine Partners Dog Program, training service dogs to help individuals with physical impairments, and an array of jobs, including, her current position as a clerk.**

Recognizing these accomplishments, the Maryland Parole Commission recommended Eraina for release. That recommendation was denied in 2011, three years ago. Eraina has received numerous letters of support since then—including one from a Captain who’s known her for 21 years urging “serious consideration” for her release and describing Eraina as a positive role model for young and first-time offenders — “dependable, reliable, hardworking, conscientious, honest, peace-loving and courteous.” A Letter of Commendation from the prison warden states:

*I commend you for your exemplary behavior and the self-discipline that you exhibit at the Maryland Correctional Institution for Women.*

*I have been working in the field of corrections for over thirty years and I rarely write letters to residents. I am writing you because you demonstrate good behavior. In my opinion you will do well in society when you return.*

*Moreover, I want to thank you for being a positive example for the residents at the facility. You provide living lessons to them each day which helps me to manage a safe facility.*

*In your case I had to write and let you know that I find that you are very respectful and are always helping the facility move and grow in a good manner.*

Eraina remains incarcerated to this day.

## Clara Matthews

Clara is a 71-year-old survivor of domestic violence. She has spent the last two decades inside. The Parole Commission recommended her for release, but she was among those denied by the Governor in 2012. As a result, she remains incarcerated.

During her time inside **Clara has been a model inmate and an incredible source of support and organizing for other women struggling with their incarceration.** She has held various jobs, tutored other women who are incarcerated, and participated successfully in every re-entry program available to her, including religious programs and numerous programs for survivors of domestic violence. Recently she started a program, “Women for Change,” to help women who are incarcerated focus on self-improvement.

Clara says that participating in programs and working have been a source of fulfillment for her and have helped her grow, and that she is ready to return to society to be a tax-paying citizen. She hopes for the day that she will have a second chance.



# GROWING UP LOCKED DOWN

*“Whether viewed as an attempt to express the community’s moral outrage or as an attempt to right the balance for the wrong to the victim, the case for retribution is not as strong with a minor as with an adult.”*

*Roper v. Graham (2005), U.S. Supreme Court case abolishing death penalty for juveniles*



**M**aryland has one of the largest juvenile lifer populations in the country, but it doesn’t have to be that way. Karem Hasan and other *Unger* releasees highlighted in this report who were juveniles at the time of their crimes, are living proof of what juvenile lifers can accomplish when allowed to rejoin society.

Maryland is among the worst states when it comes to the rate of young people serving life sentences:

- **Maryland leads the nation in the percentage of our lifer population whose offenses occurred when they were 17 years or younger (15%).**
- **Maryland has one of the largest populations of juvenile lifers in the country — third after California and Texas.**
- **Maryland is tied with Alabama in leading the nation in the percentage of our juvenile lifer population who is Black; 84% of our juvenile lifer population is Black, while about 30% of Maryland’s population is Black.**

In the last ten years, drawing from brain science showing how the human brain is still developing into early adulthood, the U.S. Supreme Court has issued ruling after ruling limiting the harshest punishments for youth. These rulings recognize that, because of their immaturity, vulnerability and changeability, kids are different from adults and these differences must be considered when it comes to punishment.

**Odell Newton** In 1974, at the age of 16, Odell Newton was sentenced to life in prison for a robbery gone bad. It was his first offense — at the time, Odell was in school and had a job.

**In the 40 years since he was sentenced, Mr. Newton has, by all accounts, been a model inmate.** He has not had a single infraction in 36 years. As early as 1988, in recognition of his excellent record, he was approved for the state’s work-release program and commended by the Parole Commission for his “excellent progress” and full compliance with everything that was asked of him. He continued to work outside the prison without incident until the program was suspended in 1992.

Over the years, he has taken advantage of many of the educational and self-improvement opportunities offered to inmates. And, but for Maryland’s broken parole system that denied a meaningful chance for release to any lifer, Odell could have been contributing outside prison walls decades ago.

Mr. Newton has been recommended for parole on four separate occasions, to three different governors, and been denied each time. He remains incarcerated.

**Calvin McNeill** In 1982, at the age of 17, Calvin McNeill was sentenced to life in prison for his role in a shooting arising during the robbery of a dice game. Calvin is now 50 years old. Over the three-plus decades Calvin has been incarcerated, he received only three infractions. While in prison, **Calvin has engaged in significant self-improvement and has earned the strong support of a number of individuals who have observed his growth.** In July of 2011, Governor O’Malley denied the Parole Commission’s recommendation that Calvin’s sentence be commuted. He has not had a parole hearing since then.

**Gary Lee Miller** Gary was arrested at the age of 16 in 1967 for homicide. Now 61 years old, Gary has spent nearly half a century in prison for a crime that occurred when he was a teenager. Since his incarceration, Gary has taken full advantage of any and all available programming offered by the Department of Public Safety and Correctional Services. He has earned his G.E.D. and also a college degree. He has completed courses in basic and advanced electronics, received certification in the welding program, certification for electrical wiring for residential dwelling, and a Stationary Engineer License for operating steam equipment.

Gary was recommended for the work release program twenty years ago, in 1992, by the parole commission. But, sadly, the program was suspended before he could participate.

Gary’s involvement in self-help programs includes consistent membership and participation in: Jaycees, Seven Steps, Colts Corral, Music/Band and Prisoners Against Teen Tragedies (P.A.T.T.), where he has spoken to hundreds of at-risk teens from Maryland high schools and juvenile offender programs located in Maryland and surrounding states. He also appeared on television’s A&E network in connection with the P.A.T.T. program.

Gary’s last parole hearing was attended by members of the victim’s family, who extended their forgiveness to him. In his file, the parole commission wrote that Gary “has been able to maintain a good adjustment, continues working and keeps a positive attitude. **The victim impact and forgiveness of family are very powerful in helping to attempt partial closure of a tragic and senseless event.**” Gary’s family and friends provide him with love and support in the hopes that he will one day be released so he can continue to counsel teens to avoid the pitfalls that destroyed his life and caused others to lose a loved one.

*The adolescent’s mind works differently from ours. Parents know it. Th[e Supreme] Court has said it. Legislatures all over the world have presumed it for decades or more. And scientific evidence has continued to shed more light on how and why adolescent behavior differs from adult behavior. ... These studies also demonstrate that the brain continues to mature, both structurally and functionally, throughout adolescence in regions of the brain responsible for controlling thoughts, actions, and emotions. Together, these studies indicate that the adolescent period poses vulnerabilities to risk taking behavior but, importantly, that this is a temporary stage.*

*—Statement of the American Medical Association and the American Academy of Child and Adolescent Psychiatry in joint amicus brief in Miller v. Alabama (2012), U.S. Supreme Court case limiting life without parole for juveniles in homicide cases.*



**Alonzo E. Turner-Bey** Alonzo was involved in a homicide when he was 17. That was in 1989. Now, Alonzo has been incarcerated for 25 of his 42 years. Since 1990, Alonzo has been a member of the Moorish Science Temple of America. He has earned his GED and numerous credits toward his college degree. He has amassed a wealth of certificates and recommendations from his involvement in academic and vocational programming. He has more than 20 letters from correctional officers and staff written on his behalf. **One such letter, written by a correctional officer, describes his courageous actions in saving her from a vicious attack.** Alonzo's actions on behalf of that correctional officer exemplify the very best of humanity. They demonstrate that he is now a mature, responsible and courageous person who stood up to protect another human being in her moment of need.

Alonzo's support system of family members and friends visit him and will be able to provide the resources necessary for his successful reentry back into society.

**ToWanda Jones** At the age of 15, ToWanda was sent to prison for her involvement in a homicide. ToWanda has spent 26 of her 41 years behind bars. When she entered prison she was terrified, and was so young that she had to be separated from the other prisoners because of her age. But she immediately began improving herself. **The first change she made was to enroll in the educational program and receive her GED.** ToWanda then proceeded to computer technology and office practice, and then earned her A.A. degree in Business Management. ToWanda attended Essex Community College, Baltimore Community College, and Catonsville Community College, where she obtained her Human Service Certificate in 2000. She also gives back to the community by training seeing-eye dogs for the blind, which she has done since 1999.

She says:

*"I do regret what happened, and am deeply sorry for what I did. I've always taken responsibility for my actions, and never once have I denied my part in the confrontation. If I could change the past, I would.*

*I made a bad decision, which has changed my life. If only, I keep telling myself. I had to learn that violence isn't the answer for any solution. I had to realize that there is a better and more productive way to handle situations without being violent. ...I'm not that 15 year old teenager who enjoyed fighting in the streets, I am now a 39 year old mature adult, moving forward to better myself, as well as my future. ...I'm hoping to one day be given the chance to prove to society that I have changed, and ask that I am allowed a second chance."*

ToWanda's family members and friends, as well as members of the community, continue to support efforts toward her eventual release from prison.

**Shawnte Perry** Shawnte was only 15 years old when, in 1995, she was sent to prison. At this point, she has spent more than half of her life, 19 years, in prison. She is currently 34 years old. Shawnte describes the path she was on as a youngster:

*"I was raised by my mother in a single parent home. I made excellent grades in school and I had dreams for some day becoming a psychiatrist. I was helping to raise my baby brother and take care of my grandmother who had Alzheimer's disease." As a young teen, however,*

*Shawnte says that she started "loving someone who introduced me to the gang life and that's how I even became involved with the crime. I wish that I could take it all back and live the life that I always dreamed of living. I am still very regretful for ever meeting certain people in my life at that time, but I also wish that I was strong enough at the time to have made better judgment calls and decisions in my life. I have suffered and matured*

***since my incarceration, and am very remorseful for the harm I have caused."***

Since her incarceration Shawnte has done many things to strengthen herself and mature. She has participated in many groups, such as Thinking and Deciding for a Change, Communication and Relationships, and P.U.S.H., a group that speaks to youth about straightening up their lives so they do not end up in prison. Shawnte is currently working toward her A.A. degree. She continues to utilize her time to

*"[F]rom a moral standpoint it would be misguided to equate the failings of a minor with those of an adult, for a greater possibility exists that a minor's character deficiencies will be reformed."*

*Graham v. Florida (2010), U.S. Supreme Court case abolishing life without parole for juveniles in non-homicide cases*

improve herself and improve her capacity to help others. She says, “*I now have a true desire to reach out to youths that are heading in the wrong direction. My biggest dream right now is that I will someday be released so that I can do what I can in life to truly make a difference.*”

**Wayne Brewton** Wayne was 17 years old when he was arrested in 1979 in a homicide case. He is now 52 years old, having spent 35 of those 52 years in prison. Wayne earned his GED and accumulated credits toward a college degree. In spite of the change in parole policy Wayne continues to progress. He has developed his skills in upholstery, masonry, and woodshop. He tutors as a teacher’s aide, edited a prison newsletter, and worked on the camera project. **He has been and continues to be involved in a wide range of programming directed towards self-improvement and giving back to the community**, including as membership director of the Jaycees, a member of Lifestyles, a facilitator for the Alternatives to Violence program, and a facilitator of Youth and Gang Emancipation. Wayne also leads a Poetry discussion group. He has the full support of his family members and friends, who visit him regularly and will provide a support system when he is released.

**William A. Gardner** William was arrested in 1968 at the age of 16 in a homicide case. Now 61 years old, William has spent nearly three-quarters of his life — 46 years — in prison. He has been infraction-free for more than 27 years. **Two different Wardens recommended his release.** He was in the work-release and family leave programs until they were discontinued in 1995. While in the program he met his wife and fathered three sons, now 24, 27, and 30, who all continue to visit and support his release.

William earned his GED, and obtained college credits before that program was discontinued. He has become skilled at Auto Mechanics, Meat Cutting, Welding, Masonry, Fork Lift Operation, and Carpentry. For the last fifteen years, he has

worked in the Graphics Art Shop for Maryland Correctional Enterprise. He participates in self-help programs and also gives back to the community: he is a mentor for a group called M.E.N. FOR L.I.F.E., is a board member of A.M.E., and was the chairman of the Inmate Advisory Council for 15 years.

**Douglas Wiley** Douglas went to prison 35 years ago for an offense that occurred when he was 17. He does not make excuses for the crime in which he was involved, nor minimize the harm experienced by the victims involved. But he has demonstrated that, now, 35 years later, he is not the impulsive, thrill-seeking teenager he was then, having earned a bachelor’s degree and served as a tutor and administrative clerk for other inmates for 15 years. He also served in leadership roles in a range of constructive activities inside — such as the Christian Council, which helped intervene with individuals who were not adjusting to life inside, the Veterans Group for incarcerated veterans, and the first Maryland prison chapter of the NAACP. Twenty-five years into his prison term, the Maryland Parole Commission began to move his case, recommending him for release. Governor Robert Ehrlich denied his request, and in 2007, the Commission forwarded his file to Annapolis again, this time to Governor O’Malley with a recommendation for commutation. The case stalled for four years, when the Governor rejected the Parole Commission’s recommendation along with dozens of other pending recommendations.

Douglas says that he has a strong family support system — born to two loving parents who migrated to Baltimore in search of opportunity after spending their youth as sharecroppers on tobacco plantations in North Carolina. They are still together after 58 years, and his siblings and religious community provide additional support. **He remains hopeful that one day he will have the opportunity to demonstrate success outside prison walls.**

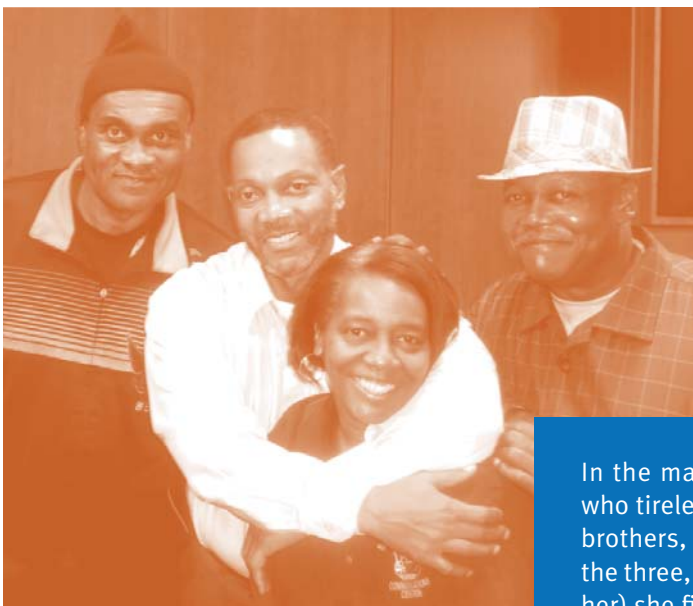
*“[T]he distinctive attributes of youth diminish the penological justifications for imposing the harshest sentences on juvenile offenders, even when they commit terrible crimes.”*

*Miller v. Florida (2012), U.S. Supreme Court abolishing mandatory life without parole for juveniles and requiring sentencing to consider the unique characteristics of youth*

# PEOPLE WHO HAVE COME HOME

It has been nearly two years since people started coming home as a result of the *Unger* case. About 75 people have been released, including 17 who had been recommended for release by the parole commission but denied by the Governor. This group is living proof that lifers can be welcomed back into the community with great success.

In no small part, their success is due to the support they give each other, as well as the support of family members who love them — sisters, mothers, brothers, and kids, and also as a team social workers and case managers who are helping with housing, jobs, medical care, and more.



In the many years we worked with Cookie Washington, who tirelessly advocated for a second chance for her three brothers, she never smiled. With the release of the last of the three, her younger brother Robert (shown here hugging her) she finally started smiling again.





## Kareem Hasan

Kareem Hasan (born Karl Brown) was 17 when he went to prison in 1976. He was incarcerated for 37 years. Now 55 years old, Kareem is working at a wastewater treatment plant, living with his fiancée, and making remarkable progress in his reentry back into society.

Before his release as a result of the *Unger* case, Kareem had accumulated a wealth of certificates for his ongoing involvement in positive projects while inside. He admits that, when he first entered the Maryland penitentiary he was not a model prisoner. He was still angry at society. But it was the possibility of release that motivated him to turn his behavior and life around; a friend of his brother showed Kareem that if he did not change his behavior he would spend the rest of his life in prison.

Kareem set upon a quest to not only face and accept responsibility for his actions, but to better himself in all ways possible. And his record truly bears out that Kareem fulfilled that promise: In 1979, he completed a Basic Electronics Course, joined the Jaycees, and completed an individual development course (AACC). By 1985, Kareem had earned his GED, and by 1989, he had earned a place on the National Dean's List at Coppin State College. Also in 1989 he completed a course in Continuing Education and Workforce Development (AACC). Kareem was 12 credits away from receiving his Bachelor of Science in Sociology when the Pell Grants were discontinued.

**He participated in a variety of self-help programs and gives back to the community through programs like Scared Straight, Project Turnaround, Project Choice Counsel, and Alternatives to Violence,** among many others.

During the nearly 40 years he spent inside, Kareem was recommended for parole at least twice, but denied. When he was released, it was the first time that his mother saw all seven of her children together in 37 years. Kareem is grateful that she saw him come out of prison, get a job, a driver's permit, and do other positive things before she passed away seven months after his release.



## Etta Myers

Etta was sent to prison in her early 20s and built a strong record of success inside, including through excellence in vocational programs. At one point, like a number of other lifers, she was on work release, working in the community and paying taxes, before Governor Schaefer shut down the program. After that, the Maryland Parole Commission twice recommended her for parole, but she was kept in prison by Maryland's lifer policy. She spent 36 years inside and is now 61 years old. "I was afraid I was going to die in prison," she recently told a reporter for the Wall Street Journal.

Now, Etta is living in her own apartment, **hoping to contribute to the community around her.** Her successful transition back into society could have come years ago, but for Maryland's broken parole system.





**Glenn Watkins**

Glenn was 19 when he went to prison. Even though Glenn was previously recommended for release by the Maryland Parole Commission, he spent 40 years inside before being released the day after Christmas in 2012 as a result of *Unger*. Now, Glenn lives with his fiancée, and, when he's home from Towson University, his son. Glenn says that their relationships are growing and strengthening day by day.

Since returning home, Glenn has been employed at a fast food restaurant — and promoted several times as a result of his work ethic, although he hopes to soon find a better-paying job with benefits. He recently obtained his driver's license and believes that it will facilitate him finding a better job with opportunities for advancement. Upon release, Glenn was placed on supervised probation for three years with the understanding that it would be reconsidered after the satisfactory completion of one year. Earlier this year, he met that milestone. He says, "After 42 years, I was finally completely severed from the Maryland Criminal Justice System... **Be assured that I plan to stay free and never return to prison.**"

The average age of those who have come home  
is **64 years**. Many believe that, but for this  
case, they would have died in prison.



**Karriem Saleem  
El-Amin**

Karriem was only 18 years old when he went to prison. He spent more than four decades inside. He was recommended for release by the Parole Commission, but denied by the Governor.

Karriem's younger brother Kevin was only 15 when his big brother went to prison. Like so many other family members who have welcomed loved ones returning home, he was overwhelmed with emotion upon his brother's release.

Now 61, Karriem has been in the community for more than a year. He is working and living with his new wife. He wants the victims of his crime and others to be able to find peace. "**I want them to know I'm not that guy that I was,**" he told the AP when he was released.

*"If these people posed a danger, it would be worth the money to keep them locked up. But the records of the people released after Unger demonstrate that this is not the case. In fact, many of the people released had been recommended for parole and would have been released years ago if not for the dramatic change in parole policy that occurred in 1995."*

*—Mike Milleman, Becky Feldman and Brian Saccenti, counsel for many Unger releasees, in The Washington Post, August 22, 2014*



## Hercules Williams

People who have been released have spent, on average, about **four decades in prison.** But at the time their cases were decided, the uniform understanding across Maryland was that they would have the opportunity for release, with good behavior, in about 15–20 years.

## David Belton

David was 27 when he went to prison. He is now 70 years old, having spent 40 of those years inside before obtaining his release through the *Unger* case in 2013. He was recently profiled by The Washington Post:

*During four decades of incarceration, Belton transformed himself into a model inmate. He earned two degrees and became the director of a youth-mentoring program. He rose before the sun each morning for prayer, followed by 100 push-ups and 100 sit-ups—a habit he keeps today.*

***Guards, administrators and other inmates agreed that if anyone should be released from the medium-security prison in Hagerstown, it was “Mr. Dave.”***

*‘He is a positive role model, an infraction-free inmate, and a good human being,’ Maryland Department of Public Safety and Correctional Services spokesman*

Hercules was released in 2013. He is now 70 years old. A 2010 article by Baltimore Sun columnist Dan Rodricks describes Hercules’ story:

*Mr. Williams has been in prison since November 1972.*

*He has always claimed innocence. Many years after the trial, one of his co-conspirators came out and said Hercules Williams had had nothing to do with the Alston murder, but judges who heard Mr. Williams’ appeals were not persuaded to alter his sentence.*

*Hercules Williams is now 67 years old...Everything indicates that Mr. Williams has progressed as a human being while in prison. He’s received all kinds of letters of commendation and certificates.*

*He was cited for rendering first aid to a correctional officer who was stabbed by another inmate at the old Maryland Penitentiary in 1978.*

*He was on work-release on the Eastern Shore for a time in the 1990s and earned an employee-of-the-month award from a chicken processor. But the governor at the time, Parris Glendening, ended work-release for anyone sentenced to life, so Mr. Williams went back inside.*

*He earned a bachelor’s degree from Coppin State University and was in the midst of studies toward a master’s degree when Congress, informed by conservative talk-show hosts that a tiny percentage of the federal budget was going to college grants for inmates, withdrew the funding that had made Mr. Williams’ education possible.*

*There have been several different chairmen of the Maryland Parole Commission during his time inside the walls, and the parole commission has recommended that Mr. Williams be released at least three times.*

In 2012, Hercules was, again, among those rejected for release by the Governor. But he obtained his release thanks to *Unger*. **Now, he has completed the Life Skills program and is living with a sister, enjoying long-overdue time with his nieces, nephews and other family members.**

*When I first began working on Unger cases and shared with people the work we were doing, they would inevitably ask “What will they do now?” It seemed impossible for people to successfully return home after a lifetime of incarceration. Almost two years later, we have seen this group accomplish the impossible.*

Joanie Shreve, LGSW,  
Office of the Public  
Defender



*The men and one woman have overwhelmingly been successful in their transitions. There are many challenges returning to a society that has changed so dramatically over the last thirty or forty years. Yet again and again these challenges are met head on and overcome.*

*—Elizabeth Smith, Licensed Social Worker who has been working with individuals returning home as a result of Unger for nearly two years.*

*Mark A. Vernarelli said in a 2012 letter supporting Belton's parole. 'I hope and pray that he will one day soon be able to leave prison to become a successful taxpaying citizen again.'*

*Three times, the parole board backed Belton's early release, but each time, the governor's office shut him down.*

*'I have a lot of regrets for taking a human life,' Belton said, silver whiskers woven through his thin mustache. 'But I can't change what happened. I have to live with it.'*

The year since David's release has confirmed the wisdom of those who kept urging his release. He is adjusting to a changed world after so many years in prison, but he is doing it well. He lives with his daughter, works full-time, and is making plans for the coming years.

**In addition to the above profiles, MRJI has compiled information about—and wants to acknowledge—the success of others released between May 2013 and July 2014.**



**Idris Alaoma** (left) is 68 years old. He spent more than four decades incarcerated, having gone to prison when he was 26. A year after being released, Idris is living with his new wife and getting to know his family again. He is making a successful transition back into society.

**Frankie Askins** was only 19 when he was incarcerated and is now 63 years old. The Governor rejected the Parole Commission's recommendation for his release in 2012. Now, Frank has adjusted to being a free person again. He is living with one of his brothers and looking for employment.

**Marcello Chambers** was 18 when incarcerated. He is now 55 years old. He is living with family members and looking for employment.

**David James Cockey** is 70 years old. He spent most of the last half-century incarcerated, having gone to prison when he was 22. David now has his own apartment, and is adjusting to living in free society.

**Marshall "Eddie" Conway** had been incarcerated since 1970. He spent nearly 44 years in Maryland prisons. He obtained his release earlier this year as a result of the *Unger* case. Since coming home, Eddie has continued his activism on behalf of incarcerated people.



**Clarence Cowan** (left) was denied parole in 2012. But thanks to the *Unger* decision, he is now living in his own apartment, working part-time and making a successful transition back into society.

**Ernest Dubois** is 75 years old. He spent 42 years in prison. Now, Ernest is living with one of his sisters and spending time with his children, grandchildren, and great-grandchildren.

**James Featherstone** was 16 years old when he went to prison. He is now 51 years old. He is working, living in a transition home, and has completed MRJI's Life Skills program.

**Craig Fellows** is now 63 years old. He spent 44 years in prison after being incarcerated at 19. Craig is living with family members, and adjusting to society.

**Clarence Ford-Bey** is 62 years old and spent 42 of those years incarcerated.

**Eugene Frye** recently completed the Life Skills program offered by MRJI. Eugene, who was incarcerated at the age of 19, is now 58 years old. He is living with his fiancée, looking for employment, and adjusting to living in free society.

**James Gilmore** is living in a nursing home, and is extremely ill. The Governor rejected the Parole Commission's recommendation for his release in 2012.

**Bryant Lee Goodman** was 19 years old when he was incarcerated. He is now 61 years old. He is living with one of his sisters, working, and rebuilding a relationship with his son and daughter-in-law.

**James Grayson** is 67 years old. James was recommended for release by the Parole Commission but denied by the Governor in 2012. James was 17 when he went to prison half a century ago. He spent nearly half a century inside. He is now living with his new wife, and making remarkable progress adjusting back into society. "I trust in God, and he's first in my life," Grayson told The Baltimore Sun when he was released. "He opened the door for me."

**Seymour Hall**, who was released earlier this year, is 83 years old. He is living with one of his daughters, and making a successful transition back into society.

**Gregory Harris-Bey** is 62 years old. He has been incarcerated since he was 18. He is living with family members, employed, and making a successful transition back into society.

**John Wesley Henderson** was 23 when he was incarcerated. He is now 57 years old. John is living with his fiancée, looking for employment, and making a successful transition back into society.

**Clifton Hinds-Bey** is 67 years old and went to prison when he was 28. He was denied release by the Governor in 2012. Now a free man, Clifton is living with his wife, working part time, and adjusting to living in free society.

**Francis Jones** is 69 years old. He was 33 when he went to prison 36 years ago. He lives with family members, and is working with the University of Maryland Social Work Department's case managers in making his adjustment back into society.



**Jeffrey Kersey** (left) is 62 years old. He spent nearly four decades of his life inside after going to prison at the age of 23. He has a job, an apartment and just bought a car. Jeffrey completed the life skills program. He uses his own life experiences to guide his work as

a case manager and mediator at Community Alternative Mediation (CALM).

**Julius Lowery** was 23 when he went to prison. He is now 60 years old. The Governor rejected the recommendation for his release in 2012. Julius is living with family members, seeking employment, and adjusting to living in free society.

**Eric Donnell Lynch** was only 18 when he went to prison. He spent 42 years inside and is now 60 years old. He was recommended for release by the Parole Commission, but denied by the Governor. Now home as a result of *Unger*, Eric is living with family, working and adjusting to living in free society.

**Robert Martin** was only 15 years old when he was sent to prison in 1976 for a homicide resulting from a desperate teenage attempt to protect his baby sister and grandmother from an abusive family member. He was not released until 2013, after spending nearly four decades in prison. When he was inside, Robert took

advantage of every program available to him. He developed an impeccable record. Now in his 50s, Robert is working, living in a supportive transition community, and making a successful return to society.

**Zachary McCallister** was only 17 when he was incarcerated 38 years ago. He is now 55 years old. Zachary is living with his wife, working, and, until recently, was taking care of his elderly father, who just passed away. He is making remarkable progress in adjusting back into society.

**Stanley Mitchell** was 25 years old when incarcerated, and is now 60 years old. He is living with family members, enjoying his children and grand children, and living a successful life adjusting back into society.

**Calvin Montgomery** was 28 when he was incarcerated. He served 37 years in prison, and is now 65 years old. He has his own apartment, and is making a successful transition back into society.



**Milton More** (left) is 76 years old. He spent four decades incarcerated. He has his own apartment and recently completed MRJI's life skills program. Milton is making a successful transition back into society.

**James Newkirk** is 60 years old, having spent the last 40 years in prison. He is living with family and adjusting to his new life.



**Liston Noble** (left) is 64 years old. He was among those rejected for release by the Governor in 2012. He spent 37 years in prison. He is now living with his wife, working, and adjusting to the changes in society.

**Michael Person** is 62 years old. He went to prison at the age of 22. He is renting a room and working with the VA to secure benefits from his military service.

**Morris Quickly** is 62 years old. He was 19 when he went to prison, and spent more than four decades incarcerated. He is living with family members and working part-time.

**Yusef Rasheed** (Joseph Westry) was denied parole in 2012. He died the day of his release at the age of 72.

**Alonzo Reese** is 62 years old, having spent most of the last four decades inside. He is living with family members and adjusting to living in free society.

**James Richardson** is 69 years old. He spent 45 years — nearly half a century — inside. He is now living in his own apartment and adjusting to having his freedom again.

**Clayborn Roberts** is 72 years old. He spent nearly all of the last four decades in prison. He is living with one of his sisters and making a successful transition back into society.

**Salim Sadiki** is 68 years old and recently completed the Life Skills program. Even though he spent the last 37 years incarcerated, Salim is now living with his wife and has made a remarkable transition back into society.

**Randolph Sears** is 72 years old. He spent the last four decades in prison. He is living with family members.

**Donald Shakir** was 20 years old when incarcerated. He is now 61 years old. Donald is living with friends, working, and making substantial progress adjusting back into society. He recently completed the Life Skills program.

**Elmer Skaggs** is 68 years old. He spent nearly 40 years in prison. Now, Elmer is living in his own apartment, and adjusting to living in free society.

**Tony Smith** is 55 years old. He went to prison when he was 17. Tony has completed the Life Skills program and is now living with his wife.

**John Taylor** is 62 years old. He was 24 when he went to prison. He recently completed the Life Skills program. He is living with family members, recovering from foot surgery, rebuilding a relationship with his son and daughter, and bonding with his grandchildren and great grandchildren.

**Ralph Timmons** is 55 years old. He went to prison when he was 19 and spent 36 years incarcerated. He is living with his wife, seeking employment, and adjusting to the changes in society.

**William Sylvester Smith** is 72 years old and spent the last 37 years incarcerated. He is living with family members, and making a successful adjustment back into society.

**Jerome Washington** was only 20 years old when incarcerated. He is now 57 years old. He was turned down for release by the Governor in 2012. Jerome is living with family members, and making a successful transition back into society.

**Robert Washington** was only 17 when he went to prison. He is now 57 years old, having spent most of the last 40 years incarcerated. He is living with family members, working, and making a remarkable adjustment back into society.

**William Henry Washington** is 62 years old. He was 25 when incarcerated. William is living with family members, working, and adjusting to living in free society.

*“Everyone has the same common goal: ensure that each one released receives everything needed to be successful during and after their transition back to the community. We stand in full support of this initiative that’s literally changing the lives of each and every client.”*

*Lori James-Townes, MSW, LCSW-C, Director of Social Work, Office of the Public Defender*

# WHAT YOU CAN DO

1. Join the movement to establish sensible criminal justice policies in Maryland, beginning with restoring parole decisions to the parole commission instead of the Governor.
2. Research and learn about how Maryland communities are affected by the disproportionate incarceration of people of color.
3. Share this information with your family members, friends, and network.
4. Make phone calls, send emails, write letters, and, when possible, visit with anyone you believe may be able to support this issue, including public officials.





## TALK ABOUT IT

1. Due to Maryland's broken parole system, taxpayers have spent millions of dollars incarcerating people who could safely be released, most of whom are Black.
2. Maryland is one of only three states that require gubernatorial approval to grant parole to a lifer. This requirement wrongly politicizes the process.
3. Since 1995, no lifer has been paroled in Maryland, even though more than two thousand people are serving parole-eligible sentences and several dozen have been recommended for release by the Maryland Parole Commission after extensive vetting and review.
4. The average age of individuals who have been recommended for release but are still inside is 60 years old.
5. These people were sentenced with the understanding that they would have a meaningful opportunity for release if they were rehabilitated. Many were expected to serve less than 20 years, and have now served twice that much time.
6. Studies show that people serving life sentences have lower recidivism rates than those convicted of less serious crimes. The success of those released due to the *Unger* case demonstrates that lifers can return home without compromising public safety.
7. The parole decision should rest with the parole commissioners who have expertise and a thorough process.
8. Without a change, Maryland will continue to spend millions to incarcerate an elderly and aging lifer population who could live safely in the community, simply because of politics.



