

# DROP LWOP! NEWS

## CLEMENCY NOW!

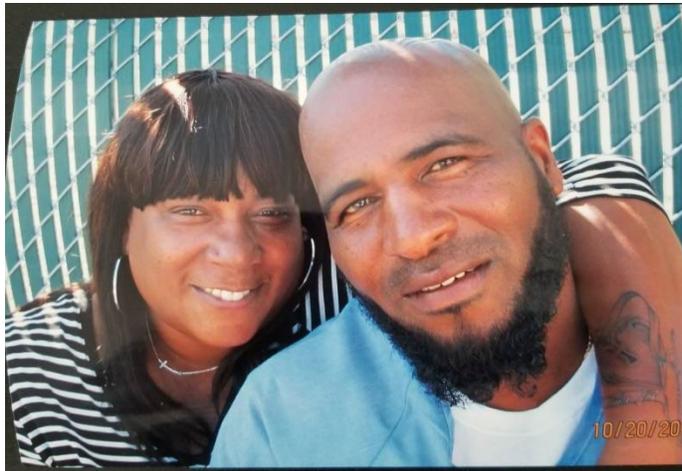
### SPOTLIGHT: Sharing Our Victories

*Have a story to share that will inspire other people serving LWOP? Send us your stories! We want to share the knowledge, experience and victories that keep us hoping and working for an end to LWOP, the Death Penalty and ALL extreme sentencing. Yeah, we'll take those defeats, too, since we know we learn from what 'not to do' as well.*

### John E. Johnson and Latashia Burleson-Johnson

John is sharing a story of hope and change. After serving 32 and a half years of a LWOP sentence, John was resentenced to 25 to life and will be going to BPH in October 2022. In 2018, Governor Brown approved John's commutation application, but the CA Supreme Court reversed the Governor's approval. He applied for commutation two more times and was finally resentenced in December 2021 through a restorative justice process with the family members of his crime victim.

John says, "We gotta have hope. Even if we have a life crime and a LWOP sentence, that does not define us. We have to hope and believe in the goodness inside of each of us and be the best person you can be. People look at us—us LWOPs-- because we are doing good things and it encourages them to do positive things too. When I was at Sierra Conservation Camp, we LWOP got together and started doing really positive things.



LWOPs are kind of like the models for other people to look up to and follow because we just want to be better, even without any release date. Recovery and rehabilitation are a process and you have to take your time and believe in the process. Being surrounded by good people who believe in you makes a big difference.

There is no end to a LWOP sentence. No one can do 25 or 30 years in here and not be changed and become a better person. So, no, I do not think that LWOP is a useful or fair sentence."

Latashia added, "We can't procrastinate because we don't know what is coming- who will be the next governor. We have to get those applications in and do all our other work."

## LWOP SURVIVORS GO TO WASHINGTON, D.C.



*In June 2022 a delegation of LWOP survivors and other formerly incarcerated people headed to Washington, DC. Their goal was to meet with Congressional delegations- members of both the US Senate and the House of Representatives—to educate them about the injustice and cruelty of LWOP and other extreme sentences, particularly with their impact on youth and survivors of intimate partner violence (IPV) and human trafficking and to encourage them to support proposed laws to especially protect our young people and IPV and trafficking survivors entrapped in the federal criminal system. Drop LWOP caught up with Steve Green and Kelly Savage who were part of this delegation.*

Organized by the National LWOP Leadership Council (NLC), a project of Human Rights Watch (HRW), 12 people formerly sentenced to LWOP and now commuted and home, joined with members of the Anti-Recidivist Coalition – about 30 people in all-- for this trip. The NLC builds the strength and leadership of former LWOPS to advance the work to abolish LWOP throughout the United States.

The 3 proposed federal legislation are:

**HR 2834 (Cardenas):** This bill addresses what happens when a young person is first arrested. It requires parents to be notified when a child is arrested and requires that a child consult with legal counsel before they can waive their Constitutional Rights and be subject to interrogation.

**HR 2908 (Bass)-** This bill establishes a minimum age of 12 for criminal culpability for children; increases the minimum age for a child to be tried as an adult from 13 to 16; eliminates the felony murder rule for children; prohibits the placement of children in adult jails or prisons; requires data collection on youth who come into the federal criminal justice system; and other provisions.

**HR 2858 (Westerman)** would **retroactively end life and de facto life without parole** by giving individuals convicted of crimes as children the ability to petition a judge for sentencing review and modification after serving 20 years; give judges the ability to depart from mandatory minimums when sentencing children (up to 35% away from the minimum); and protect child sex crime victims from harsh sentencing when they commit acts of violence against their abusers (the so-called “Sara’s law” named in recognition of Californian Sara Kruzan, a trafficking survivor who was sentenced to LWOP for defending herself against her abuser and trafficker at age 17, had her sentence commuted by Gov. Schwarzenegger in 2011, and was finally paroled in 2013).

We asked Steve if he felt their goals were accomplished. Steve said, “The White House is not used to dealing with formerly incarcerated people. They didn’t understand that sharing our experiences can be very traumatic and they weren’t ready to hear them in a safe and private audience. But many Congressional aides we got to meet with were able to hear our message.” Steve was on a team that met with Republicans as well as with CA Sen. Diana Feinstein.

We then asked Kelly Why it was important that women former lwops were on this trip. Kelly replied, “t is really important to show a different aspect of imprisonment and the cost of LWOP for women. Elected officials need to understand what is happening in women’s prisons, the reality of how the majority of women serving LWOP are IPV survivors, how different the conditions are in women’s prisons, and the different responsibility for and impact on family members left behind when women are incarcerated.”

*For more information about the work of the NLC, please contact Steve: [Steven.Green3404@gmail.com](mailto:Steven.Green3404@gmail.com) OR Kelly: [kellysav2018@gmail.com](mailto:kellysav2018@gmail.com)*

## Legislative Updates:

- **What’s Happening with SB 300**

SB 300, the Sentencing Reform Act of 2021, would restore judicial discretion for special circumstances enhancements that mandate LWOP, and reform the unjust felony murder law to insure that neither the death penalty nor LWOP can be imposed on those who did not cause nor intend to cause a death during the commission of a crime. On August 12, 2022, SB 300 made it out of the Appropriations Cmte., and so can move to the Assembly floor for a vote.

Some other important criminal justice bills also made it out of committees and can move forward to a vote:

*AB-256 The Racial Justice Act for All*

*AB-2195 The Safe Alternative Drug Plan*

*AB-2632 Mandela Act on Solitary Confinement*

*AB-2167 Alternatives to Incarceration*

*SB-1106 The Fresh Start Act*

- **Update on *People v. Strong* from Dortell Williams**

*On August 8, 2022, the CA Supreme Court ruled positively in the *People v. Strong* case. Previously, many people serving LWOP sentences who tried to gain resentencing relief through the courts using SB 1437 were summarily denied.*

As Dortell writes, “LWOP aiders and abettors have been waiting on the *Strong* case. It won today [August 8]! For LWOP aiders & abettors who have been found guilty of a felony- murder special circumstance finding made before *People v. Banks* (2015) 61 Cal.4th 788 AND *People v. Clark* (2016) 63 Cal. 4th 522, are not precluded from making a *prima facie* showing of eligibility for relief under Penal Code section 1172.6.

*For more information about *People v. Strong*, please write to us:*

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OR

FUEL: [fuelendlwop@gmail.com](mailto:fuelendlwop@gmail.com); and FUEL, 6109 S. Western Avenue, #206, Los Angeles, CA 90047



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