



# DROP LWOP! NEWS CLEMENCY NOW!

Greetings!

We are writing to you from the Drop LWOP (Life Without the Possibility of Parole) Coalition. Our mission is to end Life Without Parole sentencing in California. Our goal is to afford relief to those currently serving this sentence, no matter the conviction, through legislative change, commutations, pardons, resentencing, and public awareness about the injustice of the LWOP sentence.

The movement to end the LWOP sentence started with people inside California's prisons. Inside organizers built increasingly strong connections with each other and advocates outside, creating strong personal and working relationships. Several years ago, through these connections, a group of advocates started a storytelling project called '*A Living Chance*' with women serving LWOP sentences. This project eventually led to the formation of the Drop LWOP Coalition.

The coalition is relatively young and still growing. Individual volunteers are a huge part of the coalition. Volunteers include family members, friends, formerly incarcerated individuals and those currently incarcerated and other advocates. We work closely with a number of core organizations and over 200 additional organizations supporting this work. Recently, we've been framing our efforts in 4 main areas: Legislation, Commutations, Resentencing and Influencing DAs. We have four workgroups that prioritize these efforts, including: Legislation; Media & Communications; In-Reach; and Outreach.

We are reaching in to introduce ourselves to you, provide information about who we are and what we do. We are writing to all 5,000+ individuals currently serving LWOP. We hope you will know that there are organizers fighting with you. At this time, we don't have the ability to communicate with each of you individually, although someday soon our coalition hopes to get to know each one of you! In the meantime, please make sure that any family members or friends get involved in the work by joining our coalition at [www.droplwop.com/ways-to-help/](http://www.droplwop.com/ways-to-help/). This is the best way for your loved ones to stay updated on relevant changes to LWOP policy and the movement to abolish this sentence once and for all. If you are a part of an LWOP group at your institution, please fill out the form included in this packet and mail it back to us, so we can stay in touch and do this work together.

In Solidarity,  
The Drop LWOP Coalition



## We'd like to share some of the many successes of the Coalition!

Because of the coalition, organizations and people who have historically focused exclusively on the death penalty have expanded their scope to include fighting LWOP. Our coalition itself has grown – we have expanded how many loved ones of people serving LWOP are active in the coalition. Due to the coalition's efforts, an increased number of journalists and news outlets now understand and have expressed that LWOP is like the death penalty and must be reconsidered.

On the Media front, we have:

- Generated media on the issue of LWOP in outlets like *The Nation*, *The Guardian*, *Truthout* and the *LA Times*.
- Started a series called LWOP Freedom Stories which will soon launch publicly, telling the stories of coalition members who have come home from an LWOP sentence.
- Inaugurated this newsletter created by and for the 5,000+ people with LWOP sentences in California.
- Premiered a new documentary film - *Life Without Parole: Special Circumstances & the Other Death Penalty* to educate the public on LWOP.

On the Legislative front, we have:

- Had 3 bills relating to LWOP in the legislature - for all the challenges and complications, this is huge!
- Engaged in advocacy with the Committee on the Revision of the Penal Code (led by badass, directly impacted people inside & out) resulting in their recommendation for a BPH review process for people serving LWOP.
- Co-sponsored legislation to reform the unjust felony murder special circumstances law and restore judicial discretion in LWOP sentencing.
- Co-sponsored lobby days in Sacramento to educate legislators about Life Without Parole - **the other death penalty**.
- Advocated in courts for resentencing of people with LWOP sentences based on changes to the law.
- Supported pardons for immigrants whose LWOP sentences have been commuted and are facing deportation.



## How to Get Involved

Your loved ones can get more involved with the Coalition by participating in our monthly statewide meeting and workgroup meetings. More information can be found on the 'Get Involved' section of our website at [www.droplwop.com](http://www.droplwop.com). Joining a workgroup and volunteering to help with specific activities is a great way to support efforts to end LWOP. Many different skills are needed and welcome - there are many ways to help!

- **Workgroup Meetings-** Workgroups meet once or twice a month to focus on different working areas. Here is a breakdown of the workgroups:
  - **In-reach** - This committee seeks to keep those on the inside informed and empowered to fight LWOP.
    - Contacts: [kellysav2018@gmail.com](mailto:kellysav2018@gmail.com)
    - Meeting time: 4th Wednesday of the month @ 7-8pm
  - **Legislative Work Group** - This committee focuses on legislation that can reduce and ultimately end LWOP.
    - Contact: [dtrautfield@gmail.com](mailto:dtrautfield@gmail.com)
    - Meeting time: 4th Monday of the month @ 6-7:30pm
  - **Media and Communications** - This work group develops messaging related to our efforts to end LWOP and also creates talking points, videos, social media posts, press releases, and letters to the editor.
    - Contacts: [courtney@womenprisoners.org](mailto:courtney@womenprisoners.org) and [diana@womenprisoners.org](mailto:diana@womenprisoners.org)
    - Meeting time: 4th Tuesday of the month @ 5-6:30pm
  - **Outreach** - This group works to keep organizations and individuals informed about Drop LWOP campaign actions via emails, calls and presentations/events.
    - Contact: [droplwopoutreach@gmail.com](mailto:droplwopoutreach@gmail.com)
    - Meeting time: 2nd and 4th Mondays of the month @ 5-6pm



## LWOP Group Survey

Because we have limited capacity to send email updates to each person individually, we are hoping to work with a limited number of designated representatives at each institution. These are individuals willing to serve as a point person for all those with LWOP in their institution.

If there is a LWOP group at your institution, please work as a group to identify an initial point person and fill in the form below for your entire group. We will try to regularly communicate important legislative and organizing updates to your group via the point person. If there isn't a formal LWOP group at your institution and you're interested in organizing one, please fill in as much information as you can below. Please mail this form back to us at:

**Drop LWOP Coalition  
P.O. Box 308  
Apple Valley Ca 92307**

1. Does your institution have an LWOP group? (Yes/No) \_\_\_\_\_
  
2. If so, is your group a formal group with a staff sponsor? Or is it a more informal group?
  
3. How many people are in the group?
  
4. Who is the Staff Sponsor of the group (if applicable)?
  
5. When does the group meet?
  
6. What is the **name** of the individual who will serve as the point person for your group?
  
7. What is the **CDC number** of the point person?
  
8. What is the **housing information** of the point person?

We are growing our network of outside advocates and volunteers and we will try our best to get back to you as soon as we can. Thank you for your patience!

## **SB 94 (Cortese): Pre-1990 LWOP and Death Penalty Judicial Review**

The Drop LWOP Coalition is advocating for Senate Bill 94 (SB 94, Senator Dave Cortese) for the 2023 legislative session. If passed, this bill would allow for persons who have served at least 25 years under LWOP or the death penalty *and* for offenses committed before June 5, 1990, to petition the court for judicial review.

The resentencing hearing would permit mitigating factors to be considered that are widely recognized today but were not two decades ago. Factors such as intimate partner violence, childhood trauma, neglect, or trauma related to military service, youth (under age 26), mental illness, and rehabilitative achievements, to name a few.

As a valued member of our community, we ask that you invite your family and friends to write a letter supporting SB 94. Support letters should be received as soon as possible. Because support letters are public record, please *do not include* information about your own case or any details regarding your conviction in the support letter. All letters should be mailed to:

**Senator Dave Cortese  
1021 N Street, Suite 6640  
Sacramento, CA 95814**

A template with suggested points for your letter and a FACTSHEET about SB 94 is attached.

Thank you,

*The Co-sponsors of SB 94: Felony Murder Elimination Project, Ella Baker Center for Human Rights, Families United to End LWOP (FUEL), California Coalition for Women Prisoners, Sister Warriors Freedom Coalition, Californians United for a Responsible Budget (CURB), Anti-Recidivism Coalition (ARC), Center for Employment Opportunities, and FAMM, Drop LWOP Coalition*



**Aug. 2023: Former LWOPS at Sacramento Rally**



## SENATE BILL 94 FACTSHEET: JUDICIAL REVIEW OF OLD SENTENCES SUMMARY

This bill would provide for judicial review for individuals serving life without parole or sentenced to death for offenses committed before June 5, 1990, and who have served at least 20 years of their sentence. Courts will review evidence of mitigating factors or reduced risk of violence consistent with changes in California law enacted in intervening years. In these cases, judges will have the discretion to leave the sentence unchanged or to resentence the person to a lesser sentence.

### BACKGROUND

In the last ten years, the Legislature has enacted several reforms to restore judicial discretion and to allow judges to consider mitigating factors at sentencing, including whether the person to be sentenced was the victim of intimate partner violence, or human trafficking (AB 124, 2021); experienced childhood trauma (AB 124, 2021); was under the age of 26 at the time of the offense (SB 260, SB 261, AB 124); was a veteran and the actions related to trauma experienced in the military (AB 2098, AB 865, SB 1209); suffered from cognitive impairment, intellectual disability, or mental illness (SB 215, AB 2512); and whether there was racial bias in the proceedings (AB 2542, AB 256). As a result of these changes, many individuals who received extreme sentences decades ago would not be sentenced the same way today. Individuals serving life without parole (LWOP) and sentenced to death are locked into sentences that are not consistent with contemporary sentencing practices established by the California Legislature.

Although these individuals currently have no path to parole, many have exhibited decades of exemplary behavior, participated in extensive positive programming, have come to understand the contributing factors which led to their incarceration, and have devoted themselves to becoming positive members of society. The majority of people serving a life without parole sentence are classified as low

risk according to California Department of Corrections and Rehabilitation (CDCR)'s own California

Static Risk Assessment tool - 88% of people serving life without parole have been assessed with the lowest risk score on that scale. Research also conclusively demonstrates that there is little risk for elderly individuals to re-offend or recidivate upon release. For individuals previously sentenced to life without parole who were granted a commutation and released, the recidivism rate is zero percent.

### THIS BILL

This bill will allow a person to petition for judicial review if their offense occurred before June 5, 1990, if they have served a minimum of 20 years, and they have been convicted of a special circumstance enumerated in Penal Code 190.2. If a person qualifies, the court may modify the petitioner's sentence and apply changes in law that reduce sentences or provide for judicial discretion, unless the court finds that the petitioner is currently an unreasonable risk to public safety. The bill provides that proof of mitigating factors would provide great weight to resentencing. This bill simply creates a process for the review of cases that have not been looked at in decades. In these cases, judges will have the opportunity to utilize their discretion.

**FOR MORE INFORMATION:** Hla Elkhatib, Office of Senator Cortese (916) 651-4519, [Hla.Elkhatib@sen.ca.gov](mailto:Hla.Elkhatib@sen.ca.gov)

## SAMPLE LETTER OF SUPPORT FOR SB 94

Your Name  
Address

Date:

To: Senator Dave Cortese  
1021 N. Street, Suite 6640  
Sacramento, CA 95814

RE: Senate Bill 94, Senator Cortese

Dear Senator Cortese:

I am writing in strong support of SB 94. This important bill would allow judges to review life without parole (LWOP) and death penalty sentences for persons who have been incarcerated for at least 20 years and were sentenced for offenses with “special circumstances” committed before June 5, 1990, the date of a ballot measure that took discretion away from judges.

*[ADD your reasons for your support for SB 94 here. You may choose to include information about what you have accomplished since incarceration or why you need to be home (health, safety, etc.). Please do not include any information about the case itself or any details regarding the conviction in the support letter. Support letters are public record and it could potentially have negative consequences.]*

*You may also provide your own reasons for why people sentenced to LWOP or the death penalty whose offenses were more than thirty years ago, and who have served at least 20 years in prison, should be granted review. Some examples of possible reasons for support:*

- *“I don’t believe in sentences that disallow any review”*
- *“people of color are disproportionately sentenced to the death penalty and LWOP ”*
- *“evidence-based practices demonstrate that anyone can change given the tools and opportunity to do so”*
- *“CDCR’s own records indicate that people serving these extreme sentences are the most well behaved within the entire system.”]*

This bill does not guarantee resentencing or release. Any individual who is granted resentencing by a judge will then need to go before the parole board, who will make the determination about their suitability for release. This bill allows courts to consider old cases in light of changes in law, thereby applying the law more fairly. This will mean that individuals that deserve a second chance won’t have to die behind bars. For these reasons, I strongly support SB 94 (Cortese).

Thank you for considering this letter of support.

*Sign AND Print your name*



**DropLWOP NEWS May 2023**

**Network on Women in Prison  
California Coalition for  
Women Prisoners  
4400 Market St.  
Oakland, CA 94608**

**Address Service Requested**

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**COMMUTE ALL 5200+ PEOPLE SERVING LWOP**



**GIVE EVERYONE A CHANCE FOR BPH REVIEW**