

EFFECTIVE COMMUNICATION FOR COMMUTATIONS: A TEACHER'S GUIDE

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Objectives

- To build transferable research and rhetorical skills that will bolster other strategies demonstrating suitability for release.
- To understand principles of a strong application.
- To learn simple insight-building models.
- To apply principles of this course to answering the questions on commutation application.

Purpose

Introduction

This guide is based on research I conducted while filing my successful application, advice from attorneys and social justice advocates, and lessons I've learned helping people prepare applications for commutation. Commutations are rarely granted, but this guide is designed to spread the information that will not only maximize applicants' chances of success but will introduce applicants to tools and strategies that will help with other methods of returning home. For example, understanding the difference between **substantive** and **procedural justice** will help applicants answer questions more effectively, but this understanding will also help incarcerated community organizers develop strategies to change the criminal justice policies that keep them in prison. Likewise, understanding what attorney Keith Wattley calls the **arc of transformation** will help applicants answer question #4, but it will also help applicants earn a suitability finding when they go to the parole board. Finally, this curriculum addresses general strategies for filing commutation applications; however, the focus of this course is on requests for commutations for good conduct. Applicants interested in commutations for innocence, unusual term of sentence, or other grounds will find help in other resources like **California Coalition for Women Prisoners Commutation Application Guide**.

Principles of Strong Applications

Substantive vs. Procedural Justice

KEY POINT

- Principles of procedural justice define what applicants need to include in their commutation answers.

To maximize an application's impact, it's important to understand the difference between **substantive** and **procedural justice**. The distinction isn't important to understand the basic method for filing commutations. The official procedure is straight forward: fill out the application and send it to the governor's office. The distinction is important because our criminal justice system is deeply rooted in procedural justice, which means attorneys (the reviewers of applications) and governors are accustomed to thinking and processing information in these terms. Understanding this section will make applicants stronger because applicants will be speaking reviewers' language.

The exact definitions of substantive and procedural justice aren't necessary to understand how to maximize an application's impact. Here, substantive justice simply means *whatever happens that violates principles of justice*. It's the spirit of the law. When I think of substantive justice, I think of Moses sitting on a rock deciding, hearing disputes and deciding what's fair.

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Some would consider this a common sense kind of justice that seeks to distinguish moral rights and wrongs. **THIS IS NOT THE WAY OUR CRIMINAL JUSTICE SYSTEM WORKS**, and understanding that empowers applicants to be clear about what to write about and how to write about it. For example, I know plenty of people who serving obscene amounts of time. That's unjust. But that sense of injustice isn't necessarily a good cause to get a commutation in our procedure based system.

If substantive justice is the spirit of the law, procedural justice is the letter of the law. It's the way in which people describe these happenings, or in the case of commutations, *the way applicant makes the case for what applicant wants to happen*. For example, imagine a hearing arguments between two parties where one stole a \$20,000 painting from the other. One party accuses the other of grand theft. He tells the judge, "This guy stole my painting. have him on video, and I can tell you this isn't his first time. He's always stealing things from me. He carries a gun sometimes too, that makes him a danger to our community. He belongs in jail. I rest my case." The judge would find the defendant *not guilty*. The reason: procedural justice says that the elements that must be argued and proven in a grand theft case is that "personal property taken is of a value exceeding nine hundred fifty dollars" (CA PC Section 487 (a)). In this case, the person who stole the painting is substantively guilty because even though the person stole painting something worth, but because the person's accuser didn't allege and prove what's called the correct cause of action, the judge is supposed to find the person accused *not guilty*. The owner of the painting made the mistake of focusing on a bunch of stuff that very well may have been true, but they were details that didn't empower the judge to act. With procedural justice, people must supply the details that empower the judge (or the governor) to act and not get distracted by anything else – even legitimate outrage. This may be an oversimplification of substantive and procedural justice – I am not, afterall, an attorney – but the distinction pushed me to locate the procedures/laws that told me what I needed to include in my commutation.

Accountable Language

KEY POINTS

- Accountable people don't necessarily use accountable language.
- Accountable language tells governor that applicant has changed.

Accountable people don't necessarily use accountable language because the latter, like all language, must be learned. Filing a commutation without learning accountable language reduces an applicant's chances because effective applications demonstrate that applicants aren't the people they used to be and that applicants won't embarrass the governor if he grants them clemency. Accountable people generally satisfy this standard, but the problem is applicants can't show up with their applications. Only their language shows up. When that language is unaccountable, it declares to the reader that applicant hasn't changed and might embarrass the governor – even if these assumptions are wrong! Why is this? The following exercise attempts to demonstrate the answer.

Signifier Exercise

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In this exercise, applicants read a short scenario and then answers a question. There are three rules to this exercise: applicants can't ask any questions after they read scenario, applicants may only give one answer, and applicants answers cannot be "I don't know." If applicants don't know, they are encouraged to offer their best guess.

Scenario: Imagine you're in the free world. You're waiting at bus stop. Somebody walks by you at 8am in a nice, sharp suit.

Question: Where is the person in the suit going?

Answer: _____.

Applicants' answers may vary, but most people would say the person in the suit is either going to work or going to a job interview. They know this because a suit is a signifier in American culture for a person who works in an office, just as the word "suit" on this page is a signifier for the actual item worn. In the same way, accountable language is a signifier for a person who has changed his or her life, and unaccountable language is for many people in the governor's office a signifier of a person who hasn't changed their life. Even if the person actually has changed his or her life.

Signifier: symbol, sign, or image (as a word) that represents an underlying concept or meaning.

Merriam Webster's Collegiate Dictionary

Accountable language is just that, a language which means people must learn and practice it. What follows are basic principles of accountability to help people who are new to accountable language.

Principles of Accountability

1. **Specificity:** Use exact details (names and dates). Don't use euphemisms like "I ended his life" or "I showed her my gun, and she gave me her purse." Instead, be direct: "I murdered him" or "I robbed her at gun point." Details aren't just details. It's often thought that a lack of details means a person is still struggling with shame and so avoids thinking about the crime. The problem with this is that if a person can't face what he or she did squarely, then that person can't have possibly gained sufficient insight into the crime not to repeat it. Worse, than a lack of insight, avoiding the details can be interpreted as callousness, i.e., applicant doesn't remember because applicant doesn't care. Whether wrong or right, avoiding details, especially the ugly ones, is a signifier of, at best, shame and, at worst, unaccountability and remorselessness. So don't to be more direct and more specific.
2. **Agency:** Applicants should take responsibility for everything that they reasonably can. People commonly say "I caught my case" or "he made me mad." Such statements are bad signifiers

CAUTION: Exact details can also be used to be unaccountable. For instance, a person might say, "I showed her a gun, but I didn't point it at her." A good accountability coach would respond, "Do you think it mattered to her that you didn't point the gun at her?" Not pointing the gun is a difference that only matters to the person who committed the crime, and focusing on this kind of difference is often interpreted by people in criminal justice field as *trying to minimize the harm applicant has caused*. Such a perception is fatal to any application.

because they indicate that someone else is responsible for applicants' actions. For instance, if applicant caught a case, that means someone threw it at them. Someone may have thrown it at applicant, but accountability means keeping the focus on the applicant's contribution to the problem, i.e., committing the crime. Applicants who want practice with this idea should practice the Agency Exercise.

Three Stories Exercise

This exercise begins with three possible ways to describe a single event. Each event is rated "Good," "Bad," or "O.K." to describe the narrator's level of accountability. Applicants should read stories, do activities, and discuss results in class.

Three Stories

Story #1: The Day I Murdered Mr. John Doe

On December 15, 2000, I argued with Mr. John Doe over a dice game. He wouldn't give me the money I'd won, so I got a gun to get my money back. Mr. Doe then threatened me in front of witnesses and said, "You should never pull a gun on someone and not use it." Mr. Doe was a known gangster. I was afraid that he was planning to kill me, so I shot him.

Rating: BAD.

Activity: Read over this example and underline all the sentences where the narrator blames someone else for what he **decided** to do.

What follows is a breakdown of three unaccountable statements:

- 1) **He wouldn't give me the money I'd won, so I got a gun to get my money back.** This statement signals that Mr. Doe's action is the reason narrator got a gun. If applicants think Doe's action is the reason narrator went and got a gun, have them consider this. The narrator decided to take his money back with a gun, but he could've just as well decided to walk away. And if he had decided to walk away, would applicants think Doe's action was the cause of narrator walking away? Or would they say something in the narrator, something in his mind or heart, caused him to walk away? Reviewers of applicants' commutations will apply the same logic to the above statement.
- 2) **Mr. Doe threatened me ... I was afraid.** Here the narrator blames Mr. Doe for the narrator's fear and then blames his fear for shooting Mr. Doe. Note how the casual observer might say that the narrator seems to blame everyone and everything but himself for the decision only he made.
- 3) **I shot him.** This is a euphemism. The narrator did not shoot Mr. Doe; he murdered him. Big difference.

Story #2: The Day I Murdered Mr. John Doe

On December 15, 2000, I argued with Mr. John Doe over a dice game. The argument culminated with me retrieving a gun and robbing Mr. John Doe while other participants in the dice game watched. Mr. Doe said, "Never pull a gun on someone without using it." I got mad and shot him three times whereupon he fell to the ground and died.

Rating: O.K. What follows is a breakdown of some of Story #2's weak points.

- 1) Story #2 avoids blaming, but notice it doesn't actually take responsibility for murdering Mr. John Doe. Narrator says he got mad, which is legitimate, but it's unclear whether narrator takes responsibility for that anger or whether he believes Mr. Doe got him angry.

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- 2) I ... **shot him three times whereupon he fell to the ground and died.** This is wordy, a very subtle form of minimizing the impact of the narrated action. One way of understanding this is noting that eight words (**whereupon he fell to the ground and died**) is a lot to describe a pretty simple, if ugly, act: **murder**. The academic explanation is that wordiness decreases the impact of any idea described, so reviewers can easily mistake an applicant's wordiness for unaccountability. Applicants should write directly and simply, take time to revise their writing multiple times, and protect themselves from wordiness.

Activity: Read the final sentence of Story #2, and rewrite it. Using the facts provided, describe in simple, direct terms what happened. Applicants should share their versions with someone for feedback.

Story #3: The Day I Murdered Mr. John Doe

On December 15, 2000, I argued with Mr. John Doe over a dice game. The argument culminated with me retrieving a gun and robbing Mr. John Doe. Mr. Doe was understandably angry, and so as I left, he quoted a "street adage" about never pulling a gun on someone without using it. Guided by distorted views of masculinity, I took Mr. Doe's words as a challenge, and because onlookers heard him challenge me when I felt like I should be the person who had the power because I had the gun, I felt embarrassed. To distance myself from the feeling of embarrassment, I worked myself into a rage, convinced myself that Mr. Doe had threatened me, and I murdered Mr. Doe.

Rating: GOOD. In Story #3, the narrator is honest about feeling things that clearly guided his actions, but he is also taking responsibility for his feelings. They are not things caused by other people or events; he owns that he creates the narratives of *threat* and *embarrassment*, not Mr. Doe.

Activity: Read Story #3 and underline at least three ways the narrator takes responsibility for his feelings or actions.

Homework: Recall a time when you lost your temper and did something you regret. Describe the event in ten sentences or less. Then rewrite it using more accountable language. Using more accountable language as you rewrite it doesn't mean you didn't use accountable language in your first draft. It's instead an exercise to help you improve your mastery of accountable language. Bring both drafts to your next class.

Insight

KEY POINTS

- Understand Arc of Transformation.
- Identifying triggers and coping strategies assures reviewers that applicants won't continue harming society.

Anyone can figure out the right language and say that they've changed. Reviewers can't be expected to take applicants word on the matter; the applicants job is to give reviewers a clear view of how applicants have changed. In order to provide that picture, applicants need to know why they used to do the destructive things they used to do, what changed that they started doing pro-social things instead, and who applicants are today. Attorney Keith Wattley of Uncommon Law calls explaining this process

revealing one's "arc of transformation." Before applicants answer questions for a commutation, they should figure out their arc of transformation. What follows are exercises to help do that.

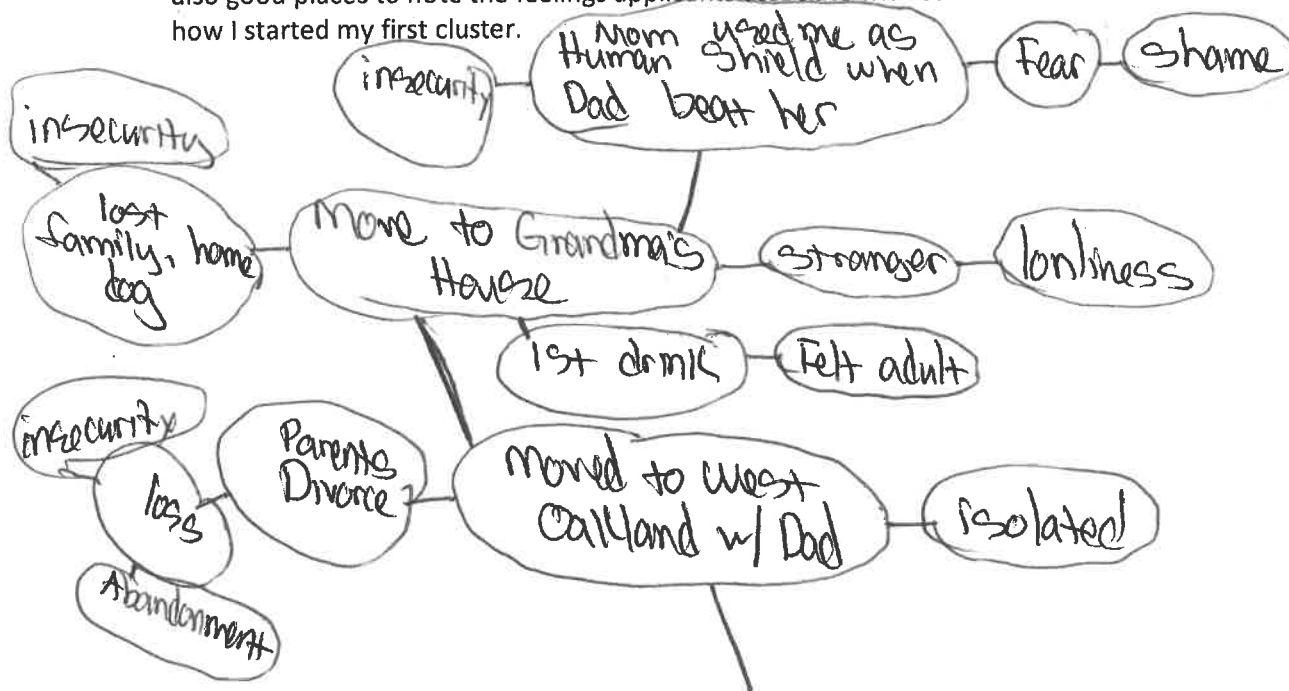
Why Applicants Did Destructive Things?

A common saying in restorative justice circles is "hurt people hurt people, and healed people heal people." This means that people cause suffering in the world because they are suffering and don't have the tools to deal with that suffering. The first step, then, in understanding why applicants did destructive things is applicants understanding the destructive things done to them. Writing what's called a Timeline is the traditional way of getting this understanding.

Timeline Exercise (Optional Homework)

The goal of a timeline is for applicants to write down every major event in their lives (good or bad), but applicants could just as well write down the top five major events or the five major times someone hurt the applicant. The point to remember, however, is that the more events applicants examine, the more insight they'll develop. The more insight they develop, the more convincing they will be as a suitable candidate for commutation. Writing timelines and translating them into insight is overwhelming for beginners. Below are two activities to make the process more manageable.

Cluster Activity: Get about 10 pieces of paper. Start at the top of page one and write down the first major life event. Circle it. Anywhere beneath this circle write down the next event. Circle it, and draw a line between the circles. Continue this process, moving vertically on each page. Think of this process of naming an event, circling it, and drawing lines between circles as vertically clustering. Applicants can cluster horizontally, side to side on the paper, too. When clustering horizontally, applicants can name events that aren't as big as the major ones but that feel important to applicants. Horizontal clusters are also good places to note the feelings applicants associate with connected events. Below is an example of how I started my first cluster.



When I was [age] old, [describe event] _____
 _____ happened. When this happened, I felt [describe emotions felt] . Because
 I felt like this, I started thinking _____ [describe thoughts] _____. Because
 I thought this, I began to _____ [describe behavior] _____.

When I was four years old, my mother used me as a human shield to try to stop my father from beating her. When she used me as a human shield, I felt afraid and confused. Because I felt afraid, I thought I was weak. Because I was confused by my mom hurting me and my dad hurting her, I thought it was okay to hurt other people to have what I need. Because I thought I was weak and I thought it was okay to hurt people to have what I need, I started committing violence against people to get what I wanted.

When I felt fear, I felt ashamed and became angry. Because I thought it was okay to hurt people to have what I need, I would attack the target of my anger to feel strong.

Once applicants feel they understand why they did destructive things, they should write a summary of who they used to be when they were committing crimes and why they used to be that way. This is the first part of their arc of transformation: i.e., who they were.

If applicants are filing for commutation, clearly they've learned some prosocial behavior. Once applicants study their timelines to understand the root causes of their criminal behavior (also called causative factors), they have to start thinking about the root causes of their current prosocial behavior. Using the tools they gained through the timeline activities, they should create a special timeline for their time in prison and examine all the moments that taught them to think and act differently. I, for example, could start with learning to write novels. Writing stories from other people's perspectives taught me empathy. Empathy made me think about the crimes I committed and feel remorse. Remorse made me

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commit not to hurt people anymore. Someone else might start with the victim's awareness class that taught them the impact of their crimes on their communities. Someone else might start with connecting to a spiritual path like Islam. Wherever applicants begin, they should write down and analyze every event that changed their behavior for the better, even negative experiences like time in solitary confinement. It's okay if applicants' turn-around moments include just being tired of fucking up.

Once applicants feel they understand why they stopped doing destructive things, they should write a summary of how that happened. This second summary is the second part of their arc of transformation: i.e., how they changed who they were.

Who Is Applicant Today?

Once applicants understand and describe how they changed their lives, they have to describe who they are today. This is applicants' time to shine. They've done the work, and they should be proud of the person they've become, the good they're creating in the world. Applicants should write a summary of this person and include an account of how they cope with their triggers. Reviewers need to understand how applicants overcome their challenges. This may seem like a daunting task, but as attorney Keith Wattley notes, if a person is no longer committing crimes, clearly the person is doing something different, doing something right. The applicants job is to spend time thinking about what they've been doing right that keeps them from resorting to destructive solutions. These are applicants' coping skills. Adapting the exercise that Adnan Khan taught me, I might say the following:

Before, when I felt fear, I felt ashamed and became angry. Because I thought it was okay to hurt people to have what I need, I would attack the target of my anger to feel strong. Now, when I feel angry, I know it's not okay to hurt people to have what I need. Instead of attacking the target of my anger, I relax my face and count my breaths, a meditation technique I learned. Then I remind myself that nobody can make me angry; I feel angry because of something I feel about myself that it's my responsibility to own.

This summary, including triggers and coping skills, is the third part of applicants' arc of transformation: i.e., who they are today.

Make Reviewers' Jobs Easy

KEY POINT

- Applicants and governor's office are on the same side. Make that clear.

One of the most important principles that governed my commutation strategies is that this is not a confrontational process. I had to discard the *Them* against *Me* mentality that used to make me feel safe when I interacted with law enforcement. I had to realize that the governor's office was looking for suitable people to commute, and I'm suitable to commute. That means we're on the same side. That means applicants and the governor's office are on the same side. Make it easy for reviewers to see that, i.e., make their jobs easy. What follows are strategies to help do that.

Take Time to Be Organized

Filling out my commutation application and collecting the supplemental material, like letters of support, was one of the most difficult things I've done. I was afraid to hope; I was exhausted by

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confronting the worst moments in my life, and I was tired of rewriting. One way I wanted to cope with my difficulty was to rush through the process, so I could discover my fate one way or another and be finished with feeling like the entire world depended on the next word I wrote or the next letter of support I needed to collect. I fought the urge to rush, and I took four months to write and rewrite my application for commutation.

The time I invested paid off, and here's why applicants should fight the urge to rush too. A well put together application is a signifier for a well put together applicant. Conversely, people who can't restrain themselves to execute properly a document this important is a signifier for a person without the restraint to succeed in society. Don't send that message. Below are suggestions for an organized application.

- 1) Type or pay someone to type application.
- 2) Rewrite and get feedback on application at least three times. Feedback from multiple people is best.
- 3) Use a cover page and organize application and supplemental material in a table of contents.

Organizing Around a Table of Contents

Make reviewers' jobs easy by showing them exactly what's in your submission packet, so they can decide exactly what they're interested in reading without difficulty. Don't use page numbers. Divide application and supplemental material into sections divided by sheets of paper that name the sections. Here's one way to organize a submission packet:

- Section A – Application
- Section B – Letters of Support
- Section C – Notable Accomplishments
- Section D – Resume

Section A: Include application, attached additional pages to answer questions, and proof of service to the district attorney.

Section B: List names of letter writers and their relationship to applicant. For example, "R. Jackson, correctional officer" or "Connie Lang, aunt." Alphabetize list or list supporters in order of importance. For example, I listed all correctional staff first because I believed they would have the most impact on the governor's office.

Section C: If applicants have notable certificates, chronos, news stories written about them, works they've published, have authored important curriculums, or cofounded groups or organizations, provide documentation here. I think of this section as an opportunity to demonstrate productivity as a citizen. If applicants don't have a lot to include here, that's okay. There are plenty of other ways to demonstrate that applicant has changed. We've already covered two: a deep sense of insight and accountability.

Section D: A resume is important to show applicant is thinking about how they will live productively in society (more on the importance of reentry plans/strategies in *reentry* section).

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Research

Make Reviewers' jobs easy by giving the governor clear reasons to commute applicants' sentences. Before I wrote the final draft of my application, I read the governor's last 10 commutations. In his commutations, he gives the reasons why he considers candidates suitable. I read them, made a list of every reason, and made sure I included the ones that applied to me in my application. Remember, commutations are as much a political process as a legal process. The governor's statements about why he grants people clemency is in essence a description of the political cover he thinks is necessary to commute a sentence. So make his job easy and give it to him. Some of the factors that I discovered are important to the governor are family support, support from correctional staff, education and vocational skills, clean disciplinary histories, and people who've used their time in prison productively.

Research Activity: Distribute five to ten commutations (available on the governor's website) to applicants. Applicants should read two and compile a bullet point list of reasons the governor gives commutations. (Note that these are political reasons. In later sections, we will discuss legal reasons.)

Reentry

Make reviewers' jobs easy by summarizing reentry plans somewhere in your application. Can applicants secure job offers, do they have a place to live, are they aware of the reentry programs that can answer these questions if applicants can't? If applicants aren't thinking about how they are going to succeed in society, reviewers can hardly be blamed for thinking applicants will fail.

Change.org

If applicants have a friend or family member who will run a change.org campaign, gathering large amounts of signatures of support is a huge way of making the governor's job easy.

Mitigating Factors

Many people have correctly noted that the governor has commuted a lot of people with mitigating factors, like youth offenders. I wouldn't recommend for applicants to write they should get a commutation because they were youth offenders, old, or non-violent three-strikers. One, by that logic, the governor should commute the 20,000 plus incarcerated people who fall under these classes. That unlikelihood makes this an unconvincing reason by itself. Second, such a statement could be seen as minimizing the damage applicants' committing offenses caused their communities.

These factors, however, are mitigating for some reviewers, but applicants have to choose a writing strategy that both holds themselves accountable for their actions and creates the space for a reasonable person to note the mitigating factors. What follows are examples of possible writing strategies.

Youth Offender Example: Applicants can use the time when they're talking about who they used to be (see arc of transformation) to underscore their youth. It could be, "When I was 17 years old, I was a kid who had no concern for other people or the law." It's that simple: the reviewer knows applicant was 17 years old when applicant committed his or her crime. Applicant doesn't need to further explain what that meant for cognitive abilities or culpability. In my experience, remaining accountable for the things I did choose without making excuses opens the door for the very people reviewing my case to do the explaining for me.

Elderly Applicant Example: Applicants can use the time when they're talking about who they are today to underscore their age. E.g., "When I was 25 years old, I committed crimes because I felt entitled to make my own rules. No, I'm 65 years old, and I've worked the past 40 years of my life to live a moral life."

Thirder-striker Example: Applicants can use the time they spend talking about their process of change to discuss how they learned to be accountable for, say, stealing a pizza, and how after 15 years of incarceration, they've learned that the reason they were stealing and habitually committing crimes was _____[fill in the blank with insight gained from timeline]_____.

Note how these examples remain accountable while conveying the relevant information.

Applications of Strong Principles

Question #1: List all prior convictions, including any in other states or countries.

KEY PRINCIPLES

- Procedural Justice

KEY POINTS

- Probation Report

Question #1 is purely procedural. Applicants should obtain their probation reports, or other official documents that list their criminal histories, from their correctional counselors, and type the exact penal code violations on application. Prior convictions include all convictions, including the one(s) for which applicants are serving time. Applicants can find a sample commutation application in appendix.

Question #2: Briefly describe the circumstances of the crime(s) for which you are requesting a commutation.

KEY PRINCIPLES

- Accountability

KEY POINTS

- Elements of a Crime

Question #2 isn't the place for applicants to explain their arc of transformation or touch on mitigating factors. Reviewers definitely need to read about these things, but reserve those explanations for later sections. State in plain language used in police reports what happened, including details like names, dates, and the elements of crime(s). Remember, applicants should take responsibility for any feelings or actions they describe.

Elements of a Crime

The elements of a crime are the particular details that distinguish two crimes of the same name. For example, I murdered a man, but what distinguishes the murder I committed from others is: (1) the murder was over \$5 in a dice game; (2) the murder was preceded by a robbery that I committed in front of my victim's sister and infant niece; (3) I committed the crime to "prove my manhood"; (4) I recruited two people to participate in the murder; (5) and I shot a witness to try and cover up my crime. In short,

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the elements of a crime are all of the factors that make one crime less or more heinous than others of the same name. While there are ethical problems with ranking crimes' heinousness (please, never do that in your advocacy for yourself or others), applicants' commutation answers aren't the place to hash that out.

When applicants ensure that their description of the crime(s) encompasses the elements of their crime(s), that decision strengthens the impression of their accountability. In the case that applicants are guilty of crime in question, it suggests that applicants acknowledge how badly they fucked up. In the case that applicants are innocent, it suggests applicants have enough empathy to acknowledge how badly someone's life was fucked up by the crime.

Elements of Crime Activity: Applicants should list the elements of their crime on a separate sheet of paper. Then in pairs, each applicant should recount their crime and ask the other to list the elements of their crime. Once both have recounted their crimes, they can compare lists and see if one partner noted any elements that the other missed.

Descriptions that Differ From Probation Reports

If applicants account of a crime differ from the account in their probation reports, which is the official record of what happened in their case, they have the hard job of explaining why they differ. This is difficult because without convincing evidence otherwise, reviewers must assume the probation report is accurate. If applicants are describing a different story, it can seem like they are lying or in denial – which isn't accountable.

Attorney Keith Wattley taught me that when a person's story differs from the official account (because they're innocent or for any reason) but the person lived a criminal lifestyle, it's important for the person to be accountable about that. A great example of this is a three-striker I helped with his application. He is convicted for several robberies he didn't commit. What follows is a paraphrase of how he presented his case accountably.

I was convicted of 9 robberies, but I didn't commit four of them. The four I didn't commit matched my m.o., though, so it was reasonable for them to think I committed them. I didn't, but the court had to drop 31 charges for lack of evidence, and I was guilty of a bunch of them.

I advised him to include these acknowledgements in his description of the crimes because his accountability signals that he isn't in denial or lying.

Question #3: Explain why you are requesting a commutation.

KEY PRINCIPLES

- Procedural Justice
- Insight

KEY POINTS

- Why governors grant commutations.
- Connect good conduct to remorse for harm applicants have caused when possible.

People propose various strategies to answer question #3, but I developed my strategy with procedural justice in mind. Recall the example of procedural justice and grand theft. If a judge asked a district attorney, "What are you charging the defendant with?" the attorney might look through the penal code while thinking about the elements of defendant's crime. A competent district attorney might respond "Grand theft because the defendant stole a painting worth more than \$1,000." Using the same logic, I asked myself what are the "causes of action" that empower governors to grant commutations? I found my answer by researching clemency (and pardons) in the California Penal Code.

CA Penal Code Section 4801 (a)

CA Penal Code Section 4801 (a) reveals that commutations are granted for the following reasons: (1) good conduct, (2) unusual term of sentence, (3) or "any other cause, including evidence of intimate partner battering and its effects." In the sphere of substantive justice, the world where we think in terms of fairness, there are a dozen good reasons to ask for a commutation (e.g. three strikes, crimes were committed as a juvenile, old age). If any of these substantive reasons apply to applicants, I encourage them to find accountable ways to incorporate them into their application. However, I recommend that applicants satisfy procedural demand of a commutation and make it clear they are filing for a commutation for one of the reasons specified in the penal code.

Good Conduct

Good conduct includes (but isn't limited to) disciplinary free periods, periods free of violence, community service, positive conduct like college courses or religious practice, and kind acts like donating to charity and mentorship. Ideally, applicants should explain the connection between their good conduct and their sense of remorse for the harm caused by their crime(s). For example, when I wrote about my community service, I discussed it in terms of restoring the communities I'd spent my teenage years destroying. If applicants have engaged in negative conduct during current term, applicants should clearly explain an arc of transformation that includes why they were committing disciplinary infractions, what changed their behaviors, and a clear commitment that applicants have left the negative behaviour behind. The same tools applicants used to explain the arc of transformation in insight section are helpful here.

Good Conduct Activity: Applicants should create bullet point list of their activities over the years that constitute good conduct. Applicants will then select one and spend 5 minutes writing about why they do those activities. Discuss results with class.

Question #4: Provide a brief statement explaining why you should be granted a commutation.

WARNING: Nobody "should be granted" a commutation. A commutation is an act of mercy: by definition, it's undeserved. I recommend applicants rephrase "should" language to "I would like" language. E.g., "I would like a commutation because ..."

KEY PRINCIPLES

- Procedural Justice
- Insight

- Remorse

KEY POINTS

- Who gets commutations.

With question #3, I thought about why governors grant commutations and found answers in the CA penal code. For question #4, I thought about who governors grant conversations to and found answers again in the CA penal code (handy book).

CA Penal Code Section 4852.05

CA Penal Code Section 4852.05 governs pardons, but I found it by cross-referencing section 4801 (a) on commutations. The relevant text reads, *The person shall live an honest and upright life, shall conduct himself or herself with sobriety and industry, shall exhibit a good moral character, and shall conform to and obey the laws of the land.* Based on this, there are several statements that form procedurally sound foundations from which to answer question #4. Applicants should use all that apply to them:

- I've become an honest person with a good moral character (and, of course, provide ample letters of support to corroborate this).
- I've become a productive citizen (and enclose a supplemental section of body of work/news articles/accomplishments in community).
- I will conform to and obey the laws of the land (demonstrate insight and include description of triggers, coping strategies, and reentry plans)

Insight

The work applicants did developing insight should figure heavily in answering question #4. The best advice I received when answering commutation questions was to treat the entire application like a parole board hearing where I had to attend the hearing through a piece of paper. What that meant was the people reviewing my application needed to understand my arc of transformation. As importantly, they needed to know I understood it because if I didn't, I would continue repeating the same mistakes until I hurt someone again.

Remorse

Remorse is an integral part of answering question #4. It isn't credible for applicants to claim a moral character without showing remorse for the victims of their crimes (whether or not applicants are actually guilty). Applicants should consider the impact of the crime on the people it hurt and express heartfelt remorse.

Letters of Support

Letters of support should endorse applicants character, productivity, or reentry plans (job offers, family support, housing, etc.). Collect letters personally from family, friends, colleagues, volunteers, social justice advocates, incarcerated friends, and prison staff. Attach letters to application in supplemental section and retain copies. Ask supporters to use professional letterhead when possible, and every supporter should include a way to contact them, how long they've known applicant, their relation to applicant, and why they support applicants' commutation. Letters should be signed by the writer and addressed directly to the governor. I emphasize that applicants are in the position of showing that they

are moral, rehabilitated people; therefore, letters of support should speak to applicants character, giving concrete examples when possible. Applicants can find sample support letter in this guide's appendix.

FAQ Sheets

Make it easy for supporters to write letters by providing a FAQ Sheet that identifies applicants rehabilitative accomplishments, community service works, contributions to society, and anything else applicants want the governor to know about them. Applicants should list the date of each accomplishment to help supporters quickly locate the FAQs they are qualified to share. For example, if I list "Completed Anger Management Program, 2002," it might be inappropriate for a person who met me in 2006 to mention this accomplishment. Applicants can find a sample FAQ sheet in appendix.

APPENDIX

Signifier Exercise

In this exercise, applicants read a short scenario and then answers a question. There are three rules to this exercise: applicants can't ask any questions after they read scenario, applicants may only give one answer, and applicants answers cannot be "I don't know." If applicants don't know, they are encouraged to offer their best guess.

Scenario: Imagine you're in the free world. You're waiting at bus stop. Somebody walks by you at 8am in a nice, sharp suit.

Question: Where is the person in the suit going?

Answer: _____

_____.

Three Stories Exercise

This exercise begins with three possible ways to describe a single event. Each event is rated "Good," "Bad," or "O.K." to describe the narrator's level of accountability. Applicants should read stories, do activities, and discuss results in class.

Three Stories

Story #1: The Day I Murdered Mr. John Doe

On December 15, 2000, I argued with Mr. John Doe over a dice game. He wouldn't give me the money I'd won, so I got a gun to get my money back. Mr. Doe then threatened me in front of witnesses and said, "You should never pull a gun on someone and not use it." Mr. Doe was a known gangster. I was afraid that he was planning to kill me, so I shot him.

Rating: BAD.

Activity: Read over this example and underline all the sentences where the narrator blames someone else for what he **decided** to do.

What follows is a breakdown of three unaccountable statements:

- 4) **He wouldn't give me the money I'd won, so I got a gun to get my money back.** This statement signals that Mr. Doe's action is the reason narrator got a gun. If applicants think Doe's action is the reason narrator went and got a gun, have them consider this. The narrator decided to take his money back with a gun, but he could've just as well decided to walk away. And if he had

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decided to walk away, would applicants think Doe's action was the cause of narrator walking away? Or would they say something in the narrator, something in his mind or heart, caused him to walk away? Reviewers of applicants' commutations will apply the same logic to the above statement.

- 5) **Mr. Doe threatened me ... I was afraid.** Here the narrator blames Mr. Doe for the narrator's fear and then blames his fear for shooting Mr. Doe. Note how the casual observer might say that the narrator seems to blame everyone and everything but himself for the decision only he made.
- 6) **I shot him.** This is a euphemism. The narrator did not shoot Mr. Doe; he murdered him. Big difference.

Story #2: The Day I Murdered Mr. John Doe

On December 15, 200, I argued with Mr. John Doe over a dice game. The argument culminated with me retrieving a gun and robbing Mr. John Doe while other participants in the dice game watched. Mr. Doe said, "Never pull a gun on someone without using it." I got mad and shot him three times whereupon he fell to the ground and died.

Rating: O.K. What follows is a breakdown of some of Story #2's weak points.

- 3) Story #2 avoids blaming, but notice it doesn't actually take responsibility for murdering Mr. John Doe. Narrator says he got mad, which is legitimate, but it's unclear whether narrator takes responsibility for that anger or whether he believes Mr. Doe got him angry.
- 4) **I ... shot him three times whereupon he fell to the ground and died.** This is wordy, a very subtle form of minimizing the impact of the narrated action. One way of understanding this is noting that eight words (**whereupon he fell to the ground and died**) is a lot to describe a pretty simple, if ugly, act: **murder**. The academic explanation is that wordiness decreases the impact of any idea described, so reviewers can easily mistake an applicant's wordiness for unaccountability. Applicants should write directly and simply, take time to revise their writing multiple times, and protect themselves from wordiness.

Activity: Read the final sentence of Story #2, and rewrite it. Using the facts provided, describe in simple, direct terms what happened. Applicants should share their versions with someone for feedback.

Story #3: The Day I Murdered Mr. John Doe

On December 15, 200, I argued with Mr. John Doe over a dice game. The argument culminated with me retrieving a gun and robbing Mr. John Doe. Mr. Doe was understandably angry, and so as I left, he quoted a "street adage" about never pulling a gun on someone without using it. Guided by distorted views of masculinity, I took Mr. Doe's words as a challenge, and because onlookers heard him challenge

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me when I felt like I should be the person who had the power because I had the gun, I felt embarrassed. To distance myself from the feeling of embarrassment, I worked myself into a rage, convinced myself that Mr. Doe had threatened me, and I murdered Mr. Doe.

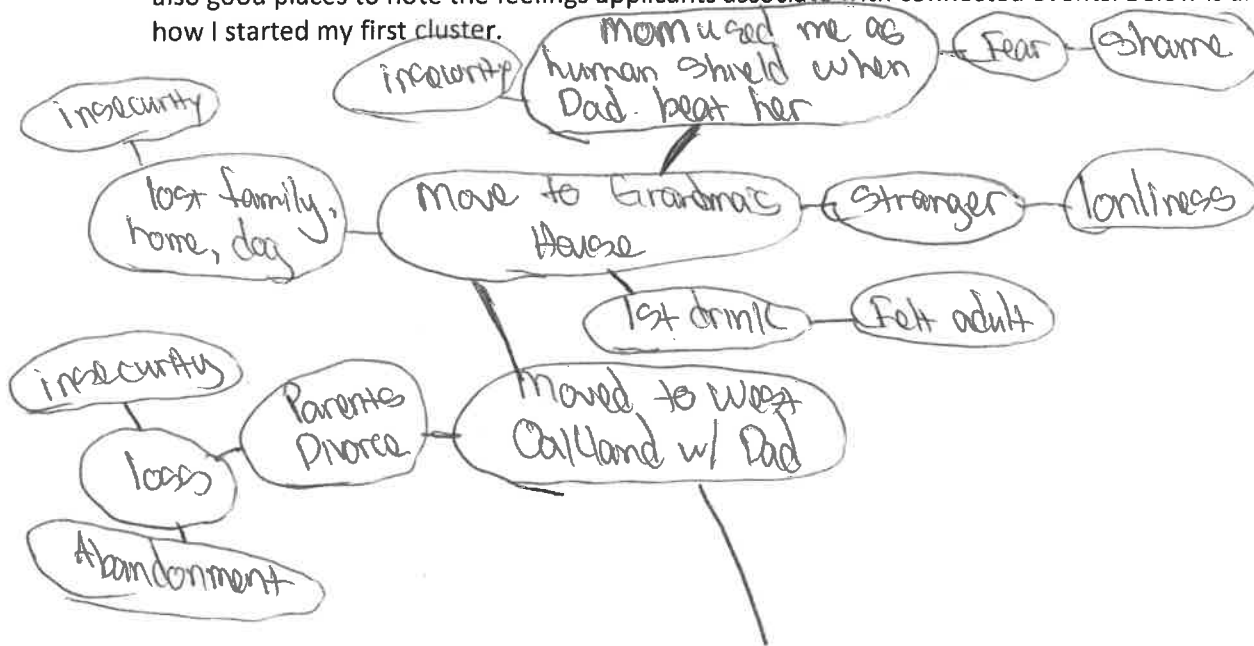
Rating: GOOD. In Story #3, the narrator is honest about feeling things that clearly guided his actions, but he is also taking responsibility for his feelings. They are not things caused by other people or events; he owns that he creates the narratives of *threat* and *embarrassment*, not Mr. Doe.

Activity: Read Story #3 and underline at least three ways the narrator takes responsibility for his feelings or actions.

Timeline Exercises

The goal of a timeline is for applicants to write down every major event in their lives (good or bad), but applicants could just as well write down the top five major events or the five major times someone hurt the applicant. The point to remember, however, is that the more events applicants examine, the more insight they'll develop. The more insight they develop, the more convincing they will be as a suitable candidate for commutation. Writing timelines and translating them into insight is overwhelming for beginners. Below are two activities to make the process more manageable.

Cluster Activity: Get about 10 pieces of paper. Start at the top of page one and write down the first major life event. Circle it. Anywhere beneath this circle write down the next event. Circle it, and draw a line between the circles. Continue this process, moving vertically on each page. Think of this process of naming an event, circling it, and drawing lines between circles as vertically clustering. Applicants can cluster horizontally, side to side on the paper, too. When clustering horizontally, applicants can name events that aren't as big as the major ones but that feel important to applicants. Horizontal clusters are also good places to note the feelings applicants associate with connected events. Below is an example of how I started my first cluster.



When I was _[age]_____ old, [describe event]_____
 _____ happened. When this happened, I felt ____[describe
 emotions felt]_____. Because
 I felt like this, I started thinking _____ [describe thoughts]_____. Because
 I thought this, I began to _____ [describe behavior]_____.

When I was four years old, my mother used me as a human shield to try to stop my father from beating her. When she used me as a human shield, I felt afraid and confused. Because I felt afraid, I thought I was weak. Because I was confused by my mom hurting me and my dad hurting her, I thought it was okay to hurt other people to have what I need. Because I thought I was weak and I thought it was okay to hurt people to have what I need, I started committing violence against people to get what I wanted.

When I felt fear, I felt ashamed and became angry. Because I thought it was okay to hurt people to have what I need, I would attack the target of my anger to feel strong.

TEN COMMUTATIONS

Executive Department

State of California

COMMUTATION OF SENTENCE

Christopher Antoine Brown

In July 1995, Tywan Correll and Darrell Stewart were driving and stopped to talk to a friend. Seventeen-year-old Christopher Brown approached their car, made a gang sign, and shot multiple times into the car. Mr. Correll was shot in the shoulder, chest, and neck, and died from his injuries. Mr. Stewart was shot in the arm and survived. On November 20, 1996, the Los Angeles County Superior Court sentenced Mr. Brown to 25 years to life for first degree murder, 3 years for assault with a deadly weapon, and 8 years for two firearm enhancements – a total term of 36 years to life in prison.

Mr. Brown was only 17 when he committed this crime, and has now been incarcerated for over 22 years, more than half of his life. He has worked hard to transform his life while in prison. He dropped out of his gang, became a practicing Muslim, and dedicated himself to living without violence. He told an investigator for the Board of Parole Hearings, "I have changed, and have done some things to correct my behavior so I can go out of here and become a productive individual." Mr. Brown said that if granted a commutation, "I will utilize it to the best of my ability and do the best with it as far as...trying to contribute to society, because I know I took a lot away from it."

During his 22 years of incarceration, Mr. Brown has demonstrated a clear commitment to his rehabilitation. He has only been disciplined three times and routinely receives positive work ratings. He earned his GED and is currently working to earn an associate's degree. Mr. Brown has participated in self-help programs including Victim Offender Education, Response to Violence, and Anger Management. In 2017, he was commended by the vice principal of the San Quentin education department for his contributions to the prison. Mr. Brown has also participated in a youth mentorship program for several years. If he were to be released from prison, he has plans to apply to transitional housing in an area where he could be close to his mother and son.

Mr. Brown committed a senseless crime, but he has shown a clear rejection of violence and gang activity for many years. In light of his age at the time of the crime, his positive conduct in prison, and his determination to continue giving back to society if released, Mr. Brown deserves an earlier opportunity to make his case to the Board of Parole Hearings so they can determine whether he is ready to be released from prison.

Executive Department

State of California

COMMUTATION OF SENTENCE

Emile DeWeaver

On March 20, 1998, 18-year-old Emile DeWeaver and Robert Evans got in a dispute over a street dice game. After Mr. DeWeaver demanded that Mr. Evans return winnings from the game at gunpoint, he went to a friend, Timothy Nash, who encouraged Mr. DeWeaver to kill Mr. Evans before Mr. Evans could retaliate. Mr. Nash and Mr. DeWeaver found Mr. Evans and shot him, killing him. Mr. DeWeaver then saw a witness, Valerie Jordan, and shot her twice. Ms. Jordan survived. On April 21, 2000, the Alameda County Superior Court sentenced Mr. DeWeaver to 67 years to life for first degree murder, attempted murder, and firearm and great bodily injury enhancements.

Mr. DeWeaver has been incarcerated for nearly 20 years, more than half of his life. Mr. DeWeaver has left violence behind and he has no history of gang activity in prison. Instead, Mr. DeWeaver has whole-heartedly sought to rehabilitate himself. He has earned an associate's degree, a certificate in paralegal studies, and he has dedicated himself to journalistic and artistic pursuits. Mr. DeWeaver contributes to San Quentin's "Ear Hustle" podcast and to San Quentin News, he is a published poet and author, and has participated in San Quentin Shakespeare productions. An executive producer with Audible praised Mr. DeWeaver's "emotional intelligence," and indicated that she would like to have the opportunity to hire him in the future. Mr. DeWeaver cofounded the non-profit organization Prison Renaissance, which uses the arts to strengthen community ties and increase public safety. He also serves as the Vice Chairman of KidCAT, an organization of youth offenders who work to advocate for criminal justice reform.

As a result of his efforts and accomplishments in prison, Mr. DeWeaver has earned the commendation and support of correctional staff and numerous members of the journalism and arts communities in the Bay Area. Lieutenant Sam Robinson, the Public Information Officer at San Quentin State Prison, supports commutation. He writes: "...in my assessment of Mr. DeWeaver, the man who committed those unfortunate crimes against his community is not the same man that is coming before you today. Mr. DeWeaver's life-walk is indicative of someone who has undergone a wholesale value and character change. He consistently demonstrates this new man, every day." Lieutenant Robinson goes on to say that Mr. DeWeaver is "a mature, level-headed, goal-oriented adult, who has educated and socialized himself to assimilate back into society. He is definitely a role-model for other incarcerated men and at-risk youth." A San Quentin correctional officer who has served for eight years also wrote supporting commutation: "I write in the strongest possible support of Mr. DeWeaver's application for commutation... Over the years, Mr. DeWeaver has shown himself to be a person committed to kindness, rehabilitation, and public safety... Mr. DeWeaver's record in prison demonstrates that he has left violence behind, and from what I've observed, Mr. DeWeaver is doing everything humanly possible to take responsibility for the life he took and the people he hurt." Another San Quentin correctional officer who has served for 16 years wrote, "A review of Mr. DeWeaver's prison record and accomplishments shows a consistent pattern of not just self-improvement but taking his moral gains realized and finding ways to invest them into his community... I support Mr. DeWeaver's application for commutation because I believe the community would be better served with Mr. DeWeaver's industry in it and because the community work [he will do] will be an extraordinary example of the value of second chances."

Executive Department

State of California

COMMUTATION OF SENTENCE

Debra Louise Strange

In 2006, Debra Strange saw Carlito and Carmen Aguilar win a jackpot at a casino. She followed them home and forced her way into the house with a gun, trying to rob the Aguilars, their son, and his girlfriend. The Aguilars' son pinned Ms. Strange to the ground and held her down until the authorities arrived. Thankfully, no one was hurt. On June 26, 2008, the Los Angeles County Superior Court sentenced Ms. Strange to 17 years to life – seven years to life for kidnapping plus a ten-year firearm enhancement.

Ms. Strange has been recommended for a commutation by the warden of the California Institution for Women. In her application for clemency, Ms. Strange wrote, "I have dissected my life to determine how I came to this shameful point, and more importantly, to make sure that honor, respect, and integrity are restored and nothing like this ever happens again in my life." She explained that she had a serious gambling addiction at the time of this crime and that she has since turned her life around.

Ms. Strange had no criminal history and has never been disciplined for any misconduct during 11 years in prison. She has never been involved with drugs, gangs, or violence while incarcerated. Ms. Strange earned an Associate of Arts degree in behavioral and social sciences, and received a vocational certification in office technology. She has consistently received exceptional work ratings. Many correctional officers have commended Ms. Strange for her positive influence in the prison, including a correctional sergeant who wrote, "I feel Inmate Strange should be considered for release back to our community and given a second chance at life. I have no doubt [she] is ready to successfully reintegrate herself as a productive member of society." A facility captain noted, "Within the past two years I have observed Ms. Strange to be an exceptional role model for the inmate population, impacting them through her mentoring abilities... She is a person of integrity and principle." Another correctional officer recognized Ms. Strange for her strong work ethic and wrote that she "consistently demonstrates solid rehabilitation and openly and honestly shows remorse for her criminal actions... I believe that she is prepared and ready for re-entry into society." Ms. Strange has participated in numerous self-help programs, including Narcotics Anonymous, Restorative Justice, Alternatives to Violence, and Criminal and Addictive Thinking. She has several options for housing upon her release, has been offered a job, and has friends and family members who are ready to help support her.

Ms. Strange committed a very serious crime, but she has dedicated herself to rehabilitation and serving those around her. She has been a model inmate despite her long sentence. For all these reasons, I believe it is appropriate to reduce her sentence so that she can be released on parole.

Executive Department

State of California

COMMUTATION OF SENTENCE

Susan Russo

In July 1994, Susan Russo asked her boyfriend to kill her husband, David Russo, so she could collect money as his surviving spouse. Ms. Russo let two men into her home while Mr. Russo was sleeping. The men shot him and disposed of his body. On August 16, 1996, the Fresno County Superior Court sentenced Ms. Russo to life without parole for murder plus 6 years for solicitation to commit murder.

In her application for commutation, Ms. Russo wrote, "I literally had to lose everything – children, family, friends, and overcome a drug addiction, but I succeeded and I am proud of my accomplishments." She described growing up in an abusive household, being physically abused by her husband, and heavily abusing methamphetamine, including with her husband, around the time of this crime. Others have corroborated that Mr. Russo frequently abused Ms. Russo. In an interview with an investigator, Ms. Russo expressed deep remorse for her actions, and said, "I have found new life in myself and I want to help others with their struggles."

Since coming to prison, Ms. Russo turned away from violence and drugs and has worked hard to transform her life for the better. Indeed, in her nearly 23 years of incarceration, she has never been disciplined for a single rule violation. Ms. Russo is now 62 years old, suffers from very serious medical issues, and is permanently disabled. She has taken college-level courses and completed a vocational training program in upholstery. Ms. Russo volunteered as a literacy tutor, and was a member of the Women's Advisory Council. She has actively participated in numerous self-help programs including Victim Awareness, Family Restoration, and Narcotics Anonymous, and co-founded and facilitated the Prison of Peace program. Correctional staff members routinely commended Ms. Russo for her positive attitude, exemplary behavior, and respect for her peers and staff. One correctional officer wrote, "She is a leader in her community and well respected by myself as well as her peers... Her growth and dedication in assisting others has remained the same through the years as she is an active, productive inmate who is an asset to her community."

Ms. Russo has worked tirelessly to leave violence and drugs behind and set her life on a positive course while incarcerated. While I do not discount the seriousness of her crime, I believe that her subsequent behavior is exemplary and warrants commutation. Ms. Russo has earned a chance to appear before the Board of Parole Hearings to make her case so they can determine whether she is ready to be released from prison.

Executive Department

State of California

COMMUTATION OF SENTENCE

Charles David Henry

Cynthia Washington and Charles Henry dated for 13 years before Ms. Washington broke up with him in August 2004. After the breakup, Mr. Henry left threatening messages on her answering machine, followed her in several different cars, and parked outside her home. On October 23, 2004, Ms. Washington was in a car with her daughter. They flagged down police officers and reported that Mr. Henry had been following them and approached their car, pointed a gun at them, and threatened to shoot them. Mr. Henry got out of the car, put his gun down as ordered by officers, and was taken into custody. On September 8, 2005, the Los Angeles County Superior Court sentenced Mr. Henry to 7 years to life for attempted murder plus a 10-year firearm enhancement – a total term of 17 years to life.

Mr. Henry is now 71 years old and has been incarcerated for 13 years. He has no prior criminal history and has never been disciplined for any misconduct in prison. Since committing this crime, he has committed himself fully to rehabilitation and helping others. He has participated in multiple self-help programs including Insight, Restorative Justice Roundtable, and Anger Management, along with programs designed to help him re-enter the community if released. He plans to apply to a transitional housing program in Los Angeles. Mr. Henry has been active in veterans support groups, participated in fundraisers and donation drives for veterans and homeless youth, and volunteered as a peer medical educator. He is currently a reporter for the San Quentin News, and joined the Northern California Chapter of the Society of Professional Journalists. Mr. Henry also participated in a series of forums sponsored by the publication, which brought inmates, judges, district attorneys, educators, and public safety officials together to discuss incarceration, rehabilitation, and successful reentry into society. In 2017, Mr. Henry's correctional counselor reported that he was trustworthy and polite, and that he stays out of trouble and mentors younger inmates whenever possible. A correctional lieutenant who supervised Mr. Henry for three years said that he went above and beyond on the job and had the education and skills to be gainfully employed when released. Both staff members believed that Mr. Henry was a top candidate for a commutation of sentence.

This is undeniably a troubling crime, but Mr. Henry has no history of violence before or after this offense. It is clear that he has taken his rehabilitation very seriously and has set himself apart through his exemplary conduct. Most importantly, Mr. Henry has made amends with his victim; she does not oppose Mr. Henry's commutation and feels that the situation was "blown out of proportion." For all of these reasons, I believe that Mr. Henry is ready to be released on parole.

Executive Department

State of California

COMMUTATION OF SENTENCE

Travielle Craig

On the night the Rodney King verdict was issued, 18-year-old Travielle Craig and some friends asked Victor Medina and Elias Garcia for money to support Mr. King's cause. Mr. Medina gave Mr. Craig \$2. Mr. Craig asked for more money and Mr. Medina said he didn't have any more. Mr. Craig tried to take Mr. Medina's wallet, chased both men, and hit them in the head with a piece of wood. Mr. Medina received stitches and survived his injuries. Mr. Garcia later lost consciousness, underwent brain surgery, and ultimately died. On October 25, 1993, the Los Angeles County Superior Court sentenced Mr. Craig to life without the possibility of parole for first degree murder, plus a 1-year deadly weapon enhancement, 3 years for assault with a deadly weapon, and a 3-year great bodily injury enhancement.

Mr. Craig has now been incarcerated for 25 years. He told an investigator, "When I came to jail, I was young and immature. I have matured now and I feel that I can be an asset to whatever community I am in." He reported that his life was very turbulent when he committed this crime; his father was murdered, his grandmother died, and he was unable to appropriately handle his emotions. Mr. Craig now accepts responsibility for his actions and has demonstrated genuine remorse for his past choices.

Mr. Craig has dramatically changed his life while in prison. He stopped associating with gangs, avoided drugs and alcohol, and has not been disciplined for any misconduct for nearly two decades. Mr. Craig earned his GED and multiple degrees from a Bible college, and regularly preaches at church services. He has lived on an honor yard since 2007 and participated in numerous self-help programs, including Victim Offender Education, Alternatives to Violence, and Rehabilitation and Reentry. He mentors at-risk youth, is certified as a Bible counselor, and contributed to a literary journal. Mr. Craig has also earned the support of many staff members, including a chaplain and a correctional sergeant who have known him for 17 years. In 2017, the chaplain wrote, "I have seen [Mr. Craig's] positive reactions to negative situations and have seen him mentor others on how to respond to adverse situations. He is a valuable mentor for me to look to for help...It is my professional opinion that he has demonstrated that he has been rehabilitated in his attitudes, character and lifestyle." The sergeant concluded that Mr. Craig has "demonstrated sincere progress toward his self-rehabilitation and...will be a productive citizen in society if he were released." Mr. Craig was also commended by an associate warden for his "extraordinary conduct" in caring for rescue dogs displaced by a fire. Mr. Craig has a job offer, housing, and support from his wife and other family members.

Mr. Craig has distinguished himself by his conduct and dedication to self-improvement during his incarceration. Rather than succumbing to drugs, gangs, and violence, he turned away from those negative influences and has worked hard to educate himself and encourage others to pursue their own rehabilitation. Mr. Craig has earned an opportunity to make his case before the Board of Parole Hearings so that they can determine whether he is ready to be released from prison.

Executive Department

State of California

COMMUTATION OF SENTENCE

Christopher Edwin Asay

In 1987, Gerald Gauthier worked for an armored car service and regularly picked up money from the convenience store where Christopher Asay worked. On February 18, Mr. Gauthier was driving his own station wagon because none of the armored cars were available. Mr. Asay approached Mr. Gauthier on a freeway on-ramp and shot him multiple times in the chest, killing him. Mr. Asay stole \$16,000 from the car and fled. On February 24, 1989, the San Bernardino County Superior Court sentenced Mr. Asay to life without the possibility of parole for first degree murder plus a 2-year firearm enhancement.

Mr. Asay is now 55 years old and has been incarcerated for 29 years. In his application for clemency, he wrote, "I know that I cannot change the past, but I can and have done everything within my power to repent and improve myself. I have learned and I have grown as a person so if given the privilege of a second chance, I can and will be a productive member of society." Mr. Asay has no prior convictions and has never been disciplined for misconduct during nearly three decades in prison. He has furthered his education by earning a bachelor's degree and graduating *magna cum laude* from California Coast University with a master's degree in business administration. Mr. Asay has been housed in a Utah correctional facility since 2001, has worked as a reader for the blind since 2011, and routinely earns excellent work ratings. He has participated in self-help programs, including Anger Management, Relationships, and Victim Empathy. In 2015, a correctional lieutenant reported that Mr. Asay was a "model inmate" who was assigned to an honor dorm as a result of his positive behavior and programming.

Additionally, Mr. Asay has significant support from his family, who have pledged to provide him with housing, a job, and the support he needs to integrate back into the community. Bishop Henriksen of the Church of Jesus Christ of Latter-Day Saints recently wrote, "I can think of nothing in this world I would like to see more, than for Mr. Asay to have his sentence commuted to 'life with the possibility of parole.'" He said, "There is not a better man in our branch. ... He was paid one of the highest compliments I have heard from other inmates. They all say he is the same person in the chapel as he is on the blocks. He is a good man and they all know it." Governor Gary Herbert of Utah also wrote to support Mr. Asay's request for commutation. He remarked that "Mr. Asay has taken advantage of the time in prison to reflect on his actions and their effect on the victim's family," and agreed to allow him to be supervised in Utah in the event he is released on parole.

Despite his sentence of life without the possibility of parole, as soon as he entered prison, Mr. Asay began turning his life around and helping others. I believe he has earned the opportunity to appear before the Board of Parole Hearings to make his case so they can determine whether he is ready to be released from prison.

Executive Department

State of California

COMMUTATION OF SENTENCE

Jesus Arturo Aguirre, Jr.

In 2010, 16-year-old Jesus Aguirre participated in a gang-related shooting targeting Ramon Magana. Mr. Magana was shot twice but survived. Mr. Aguirre was originally sentenced to 35 years to life for attempted murder, intentional discharge of a firearm, and a gang enhancement. In 2014, the Fourth District Court of Appeal determined that Mr. Aguirre had received ineffective assistance of counsel and remanded his case for resentencing. On October 17, 2014, the Orange County Superior Court sentenced Mr. Aguirre to 17 years in prison – seven years for attempted murder plus an additional 10-year gang enhancement.

Mr. Aguirre has now served almost eight years in prison. During that time, he dropped out of his gang and has devoted himself to self-improvement. He has never been disciplined for any misconduct during his incarceration, and has stayed away from drugs, gangs, and violence. Mr. Aguirre earned his GED and is currently taking college classes. He has participated in self-help programs including Narcotics Anonymous and Alternatives to Violence, and he routinely receives exceptional ratings from his work supervisors. Mr. Aguirre participated in The Last Mile, a program that prepares inmates for reentry into the community by teaching them computer coding and other business and technological skills. He also completed a vocational certification in computer technology. One of Mr. Aguirre's vocational instructors praised him in 2017 for his strong work ethic, and wrote, "He carries himself well, gets his work done and is always willing to help his classmates...He has made great strides in his rehabilitation." Mr. Aguirre has strong support in the community from his wife, his parents, the California Alliance for Boys and Men of Color, and nearly 5,000 citizens who have signed a petition supporting his release from prison.

Mr. Aguirre has set himself apart through his exceptional conduct in prison and his willingness to separate himself from gang activities. Based on his age at the time of the crime and his sincere dedication to rehabilitation, I conclude that it is appropriate to mitigate his sentence so that he can be released on parole immediately.


THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Jesus Aguirre, Jr. to a total of seven years.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 23rd Day of December, 2017.




EDMUND G. BROWN JR.
Governor of California

ATTEST:


ALEX PADILLA
Secretary of State

Executive Department

State of California

COMMUTATION OF SENTENCE

Maria Arriaga

Maria Arriaga got pregnant in 2005 when she was 17 years old. She had hidden the pregnancy from her abusive boyfriend, her deeply devout Catholic parents, her sisters, and her friends. Scared and alone, she gave birth in a bathtub and then killed the newborn child. On July 18, 2007, the Los Angeles County Superior Court sentenced Ms. Arriaga to 15 years to life for second degree murder.

Ms. Arriaga was found suitable for parole by the Board of Parole Hearings in 2016. In granting parole, the Commissioner told Ms. Arriaga, "I am convinced that there is absolutely no conceivable public safety benefit to keeping you in prison longer." Without a commutation of sentence, however, she will remain in prison until 2021.

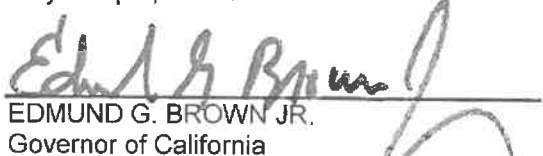
Ms. Arriaga's conduct in prison has been exemplary and she has deep remorse for her crime. She has worked to earn multiple vocational training certificates and a high school diploma and has avoided any drugs, violence, and gang involvement. Ms. Arriaga has participated in many self-help programs and has been commended for being "most motivated" and "most improved" in her groups. She has served as a grief counselor and hospice volunteer. In 2016, a vocational instructor commended Ms. Arriaga for being punctual, respectful, and willing to train her fellow classmates, and a chaplain commended her for her volunteer work. Ms. Arriaga was a member of the juvenile offenders' committee. She has never been disciplined for serious misconduct and has lived in the honor dorm for several years. In 2016, a forensic psychologist evaluated Ms. Arriaga and determined that her risk of future violence was low. She has the support of family and friends and has a place to live and a job upon release.

Based on her acceptance of responsibility, remorse, age at the time of the crime, exceptional conduct in prison, and the Board of Parole Hearings' determination that she would not pose any danger to the community if released, I see no reason to continue her incarceration.


THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Maria Arriaga to a total of 11 years to life so that she will be immediately released.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 15th Day of April, 2017.


EDMUND G. BROWN JR.
Governor of California

ATTEST:


ALEX PADILLA
Secretary of State

Executive Department

State of California

COMMUTATION OF SENTENCE

Florence Laurel Anderson

In April 2001, Florence Anderson went to Bruce James' motel room. She was accompanied by her pimp Michael Lane, who planned to rob Mr. James because he thought Mr. James had large sums of cash. In the hotel room, Mr. Lane stabbed Mr. James, killing him. Mr. Lane, Ms. Anderson, and two others then took \$49, credit cards, jewelry, and clothing from the room. On July 3, 2002, the Humboldt County Superior Court sentenced Ms. Anderson to 25 years to life for first degree murder plus 2 years for second degree burglary.

In her application for clemency, Ms. Anderson describes her battle with addiction and her history as a victim of abuse. According to Ms. Anderson, "I did not know what addiction was or understand how out of control my life had become." An investigation revealed overwhelming evidence that Ms. Anderson was suffering from Intimate Partner Battery at the time of her crime and that she "endured severe physical abuse at the hands of her codefendant, Michael Lane." Mr. Lane was interviewed as part of the investigation and reported that there was no plan to murder Mr. James. He explained, "But my anger took over and things went downhill. After things went downhill, I threatened her and told her she couldn't say nothing. She didn't come forward because of me and my threats. ... She took my words as gold. ... She was afraid of me. Actually she was terrified of me. ... She didn't do anything. ... She doesn't deserve all this time." While the current District Attorney of Humboldt County has written to oppose clemency and takes the position that there is nothing "exceptional" about this case, the former District Attorney said that he "found it was very plausible that she was truly a victim of domestic violence and that her involvement in the crime was due to that fact." He said, "Provided she has done well in prison, it makes sense for the Governor to cut her some slack...if she is doing well in prison, I would not oppose it. I would support it."

In her 16 years of incarceration, Ms. Anderson has shown a determination to overcome her struggle with drugs and a genuine commitment to rehabilitation. She has been certified as an Alcohol and Drug Counselor by the Addiction Counselor Certification Board of California, has created and taught substance abuse prevention curriculum, and has an internship offer to continue this work upon her release. Ms. Anderson has not been disciplined for any misconduct while in prison and has participated in numerous self-help groups, including Alcoholics and Narcotics Anonymous, Relapse Prevention, Co-Dependents Anonymous, and Restorative Justice. She has been housed in the honor dorm for several years, worked on the executive body of the Canine Support Team, and works as a hospice volunteer for terminally ill inmates. Her family has offered her housing and other support. A correctional officer described her as a "model for real change." Two additional correctional officers in 2011 supported Ms. Anderson – one stating, "It is in my opinion that she would pose no threat if released... and will live a productive and successful life in the community."

I do not discount the gravity of Ms. Anderson's offense, but I also cannot overlook the violent abuse she endured and her limited role in this crime. Since Ms. Anderson has been incarcerated, she has maintained her sobriety and helps fellow inmates who also struggle with addiction. She deserves an earlier opportunity to make her case before the Board of Parole Hearings so that they can determine whether she is ready to be released from prison.

COMPLETE COMMUTATION

Emile DeWeaver P-78987
San Quentin State Prison 5-W-87up
1 Main Street
San Quentin, CA 94974

Application for Commutation of Sentence

Section C – Published Works (Selected)

Justice in the Weeds
Resistance and Catharsis: Changing the Focus
Pay No Attention to the Man Behind the Curtain
Rolling Thunder (Memoir)
Adventures in Library Standing
A Weapon of Mass Satisfaction
Blasphemy
The Cure for Broken Noses
In Memory of Prince
Wishbone (poetry)
Here and Now
Human Value
Homo Absurdis
Citizenship: Reframing Incarceration
Consequences
The Butterfly Effect
Elephants and Televisions
Needful Things
1+1=3 (Memoir)
Broken Meter, Needs Fix
Last Boy Standing (Memoir)
An Author's Life
Leap of Faith (poetry)
Fear Itself (flash fiction)
Two Times Black (poetry)
Lights, Action (poetry)
Where's Waldo (poetry)
From the Valley of December to the U.S. (poetry)
In the Shadow of an Empire's Throne
12 Years an Unpublished Writer
Identity (Memoir)
Superman (flash fiction)
A Dream Deferred
Moving the Needle on Black Liberation
Speed up parole for reformed violent criminals, too (The Mercury News)



Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Emile DeWeaver Date of Birth: 4-12-79 Inmate ID: P-78987
Address: 1 Main St., San Quentin, CA 94974 Facility: San Quentin State Prison

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
187	3-20-1998	Alameda	25 Years to Life
12022.53 (b)	3-20-1998	Alameda	10 Years

Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On March 20, 1998, I argued with Mr. Robert Evans over a dice game. The argument culminated with me retrieving a gun and robbing Mr. Evans in front of his sister who sat in her car with her child in the back seat. Mr. Evans was understandably angry, and so as I left, he quoted a "street adage" about never pulling a gun on

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I'm requesting a commutation of my sentence for good behavior. I've served 20 years, and I've committed no violence in prison. Although I've committed no violence, I do have several disciplinary infractions. The reason is that although I resolved early in my term to become a moral person, and I had a strong desire to change, I lacked

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

It's safe to grant me a commutation because I've become a responsible citizen who won't committ more crimes. I won't committ more crimes because I'm ^{not} ~~not~~ the angry youth I was when I committed my crimes. Not only have I matured, I've allowed upright

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

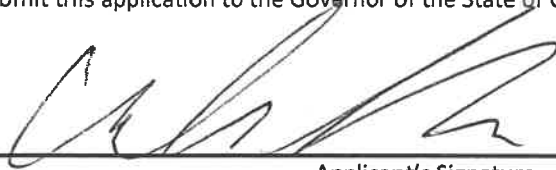
This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Alameda County: Please take notice that I, Emile DeWeaver,

was convicted of the crime of Murder and Attempted Murder

committed in Alameda County, California, on the date of 3-20-17

I will submit this application to the Governor of the State of California.



Applicant's Signature

9-9-17

Date

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DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,

do hereby acknowledge receipt of notice from _____,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

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Application for Commutation of Sentence

1. Conviction Summary, continued

12022.5	3-20-1998	Alameda	Stayed
187/664	3-20-1998	Alameda	7 Years
12022.53 (d)	3-20-1998	Alameda	25 Years to Life
12022.5	3-20-1998	Alameda	Stayed

2. Circumstances of Crime, continued

someone without using it. Guided by distorted views of masculinity, I took Mr. Evans' words as a challenge, and because onlookers heard him challenge me when I felt like I should be the person who had the power because I had the gun, I felt embarrassed. To distance myself from the feeling of embarrassment, I worked myself into a rage, convinced myself that Mr. Evans had threatened me, and recruited Timothy Nash and Jacob Bonales to help me murder Mr. Evans. Bonales drove us to Mr. Evans' residence where Mr. Nash and I shot Mr. Evans to death. As I fled the scene, I stopped and shot Ms. Valerie Jordan twice because she was a witness to my crime. She survived my attempt on her life.

3. Explain why you are requesting a commutation, continued

most of the tools until I arrived at San Quentin State Prison. Before San Quentin's intensive rehabilitative atmosphere, I had identified goals related to non-violence, compassion, and education and channeled my energy into improvement. However, without an understanding of why I felt things like abandonment, shame, and anger or why I made bad decisions, I struggled to remain disciplinary free. For instance, I didn't understand why I continued to relapse in my struggle with addiction. ~~I didn't understand why I continued to relapse in my struggle with addiction.~~ I didn't understand that when I quit marijuana for seven years but became addicted to cell phone use, I was suffering from cross-addiction. Because I used drugs so infrequently, I didn't ^{realize} I had an addiction problem until my last rules violation

Application for Commutation of Sentence

3. Explain why you are requesting a commutation, continued

reconciling my hate and love for him, and I had a hard time reconciling my hate for myself with his, or anyone's, love for me. Amidst this confusion, I rejected my father and his values and joined a street gang. I created a gangster personae for myself, believing that would make me tougher than my father. My street gang accepted me, but a part of me understood that they accepted an image I'd created. I knew they would reject me in the same way I'd convinced myself that my father and mother had rejected me if my gang saw through my image. I clung to that image, doing horrible things to maintain it, until I felt hollowed out by my crimes. Eventually, the image felt like all I had in the world, and losing it became unthinkable. Maintaining the image became a selfish pathology that destroyed my community, cost a man his life, and almost cost a woman hers.

None of this is an excuse for my crimes. There is no excuse for killing Mr. Evans and shooting Ms. Jordan because I chose not to face my character flaws. I'm deeply sorry for murdering Mr. Evans. I'm deeply sorry for trying to murder Ms. Jordan. I'm also sorry for hurting my community and being a cancerous role model that lured the next generation of confused youth in my footsteps.

I can't ameliorate the damage to people's lives I've caused, but I've committed my life to being a positive role model that guides people to better lives. In service to this commitment, I've taught other incarcerated people both in rehabilitative programs and in my personal life. In addition, I've been actively involved in community service for four years. My service includes San Quentin News Forums where I worked with District Attorneys to build bridges between urban communities and law enforcement. I was also Vice Chairman of Kid CAT, a volunteer group of men who came to prison as teens and are dedicated to restoring the communities they once harmed.

4. Provide a brief statement explaining why you should be granted a commutation, cont.

and honest people to teach me how to identify and remedy the character defects that let me hurt people. I'm confident that I won't commit another crime because (1) I have a strong desire and the tools to be a productive citizen, (2) I'm deeply aware of the causes of criminal behavior, and (3) I've consistently employed the psychological and social tools to neutralize these causes. For example, I used to

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Application for Commutation of Sentence

Attachment 5
Emile DeWeaver

4. Provide a brief summary explaining why you should be granted a commutation, cont.

have a huge negative impact on people's lives, and I understand how dangerous a life position in which I put Mr. Evans' daughters. For the rest of my life, I will wake up wishing I could take back what I did.

I'm also deeply sorry for attempting to murder Ms. Valerie Jordan. I took her right to feel safe, and I'm sorry. To love someone is to feel their pain, so when I shot Ms. Jordan, I also shot her friends and family. I took their rights to feel safe. I will spend the rest of my life working to make communities safer, working to ^{restore}~~resotre~~ people's sense of safety.

Another reason it's safe to grant me a commutation is because I'm prepared to succeed in society. I have offers for jobs, and I've already secured ~~prison~~ professional help that will assist me in securing transitional housing. In addition, I have friends and family who are willing to let me live with them. As you'll see from from letters of support from Ellen Horne, Dr. Donna L. Roberts, and Stephen Parrish; I'm already working for both Amazon Audible and Easy Street Magazine. My letter of support from comedian and friend Mike Larsen attests to his willingness to hire me. I'm also a freelance journalist and literary writer with strong ties to NBC, Snap Judgement, and Life of the Law. From the work I'm already performing, I've saved \$3,000 to help with my reentry. In addition, as both the co-founder of Prison Renaissance and a person with grant writing experience, I'll be able to employ myself as Prison Renaissance's Executive Director. As an alternative employment plan, I've secured the services of an Impact Coach at Rubicon Programs who will not only help me secure ~~housing~~ housing, but he will help me ^{secure}~~secure~~ employment. His name is Eric Faulks (ericf@rubicon prgrams.org, Rubicon Programs, 101 Broadway, Richmond, CA). Finally, my friend Camille Griep (phone: 425-673-7799) has agreed to supply financial assistance upon request, and I have a support network which includes the Ella Baker Center for Human Rights who will help with my reentry.

94804

I believe granting me a commutation will benefit communities struggling through cycles of violence ^{because}~~because~~ I've dedicated my life to ending such cycles. I've survived these cycles, and with my survival came a survivor's tools: empathy, insight,

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SAMPLE LETTERS OF SUPPORT AND FAQS SHEET

O'Rorke Inc.
ororkeinc.com

San Francisco Office
220 Montgomery Street, Suite 1950
San Francisco, CA 94104
Tel (415) 543-9119 Fax (415) 543-0566

August 5, 2017

Governor Jerry Brown
State Capital, Suite 1173
Sacramento, CA 95814

Dear Governor Brown:

I'm writing to express my avid support for clemency for Emile DeWeaver, San Quentin.

I am a native San Franciscan -- Star of the Sea, Washington High, SF State. I've owned my business, O'Rorke Inc., for 33 years, specializing in behavior-changing campaigns for government agencies. Over the years, I've been instrumental in making San Francisco a smoke-free city, turning recycling into an everyday habit in California, gaining real results for water and air pollution, driver behavior, teens and alcohol and more -- all difficult challenges that require overcoming the many ways people will rationalize their actions.

I met Emile DeWeaver in 2015 when I was recruited to help inmate volunteers develop a marketing strategy for Tedx San Quentin. The volunteers were a small but enthusiastic group and Emile stood out among them. His intelligence was low-key but so intriguing that I remember asking him where he went to school (Catholic, Oakland). In those meetings, I saw how seriously he wants to improve himself. He listens. He takes criticism -- which I gave unsparingly -- with interest and even delight. He wants to know the right way to do things. He is a brilliant writer with a presentation of truth I wish more of my employees had in hand. As I have seen it, Emile does not rationalize his actions, he faces his truths.

Over the past months, I've helped him work on strategy for Prison Renaissance and Bridges. We've had many discussions about his efforts to connect with the outside world, to get feedback from the free world in order to better understand and improve himself in prison. I truly believe he is sincere. Not once have I felt an underlying edge of anger or resentment regarding his situation. He wants to be good. He is good.

I'm including a passage Emile wrote that speaks volumes about him.

The first time I felt like I wasn't alone, I was 19 years old reading Emerson in my prison cell.

Suddenly the doubts and resentments I'd carried with me, that built walls around me, they weren't just in my head. They were on the page. Someone else's page.

My buried doubts and frustrations were miraculously articulated on the page I was reading.
I wasn't alone. I was with Emerson.

I hope you will agree Emile DeWeaver should not be in prison any longer. Clemency is the right thing to do.

Sincerely,



Maureen O'Rorke

August 7, 2017

Governor Jerry Brown
c/o State Capitol, Suite 1173
Sacramento, CA 95814

Dear Governor Brown,

I am writing in support of Emile DeWeaver's application for a commutation of his 67-to-life sentence.

I came to know Emile from my work as a volunteer instructor with the Prison University Project (PUP) at San Quentin State Prison. For three years, I've taught COM-146, a college-level public speaking course to 50+ inmates. In the Fall of 2016, Emile enrolled in my public speaking course. **Emile received the highest grade we've ever awarded in COM-146, a straight A with a score of 95.8.**

Emile's grade speaks to his work ethic and intelligence. He diligently completed his homework assignments, consistently shared unique and piercing insight and analysis of speeches and readings, delivered masterful public speeches in front of the class, and participated actively in class discussion. But his grade only speaks to a part of Emile's character and talent.

Emile made it immediately evident that he seeks more than a high grade or accolades for himself. Since I've known him, **Emile has always been working to serve his peers at San Quentin and beyond.** I'd like to share two examples:

First, the core of our teaching philosophy is that students should teach other through honest feedback on their speeches. Emile embraced this opportunity to support his classmates with consistently insightful suggestions for improvement. He delivered this advice with a combination of candor and warmth that belied his investment in *their* success. He spoke to help make them better – not to show off his own talents (as students can sometimes do). Emile took on responsibility of the entire class's learning and in this most important dimension – he was a model student.

A second anecdote – at the end of the semester, Emile approached me for advice on an idea he had, which ultimately became the Prison Renaissance project. The Prison Renaissance project is an effort Emile conceived of to engage other incarcerated artists throughout the US prison system in restoring communities. I was inspired by the brilliance of the idea – a nod to the Harlem Renaissance – and his infectious enthusiasm to make it a reality. But I wasn't sure how he would react when confronted by the inevitable obstacles of driving this effort from within San Quentin's walls. A quick glance at the Prison Renaissance website [0] shows the depth of thought and passionate commitment that Emile has brought to this endeavor. Even knowing Emile's

brilliance and work ethic, I was blown away by the progress he's made in a short time and look forward to seeing where he takes the project from here.

If his sentence is commuted, **I know that Emile will continue to contribute his brilliance, work ethic, and commitment to service to the State of California.** Our State has much to gain with him outside of San Quentin. Thank you for your consideration.

Sincerely,

James Dyett

Instructor, Prison University Project

jamesdyett@gmail.com

415-847-1749

[0] <http://prisonrenaissance.org/about/>

July 7, 2017

Honorable Governor Jerry Brown
State Capitol
Sacramento, CA 95814

Governor Brown:

I strongly support Emile DeWeaver's application for commutation of his 67 years to life sentence because he is a genuine young man who during his 20 years of incarceration has transformed himself into an upright inmate here at San Quentin.

I have been a correctional officer with the California Department of Corrections and Rehabilitation for 16 and a half years, and I met Mr. DeWeaver four years ago while I was working in San Quentin's Education Department. Initially, I thought Mr. DeWeaver would be a problem-inmate because although he complied with my instructions, he did so with an attitude. He impressed me and changed my mind when he returned later, explained that he was having a bad day, and apologized for his behavior. I talk to inmate DeWeaver almost every day I come to work, and he has never had to apologize to me again.

My almost daily interactions with him reveal an exemplary moral character. Many of San Quentin's ILTAG groups meet in San Quentin's Education Department, so I've observed Mr. DeWeaver attending many of these groups dedicating his time to serving his incarcerated community. Kid CAT is a well-known group of youth offenders who dedicate their lives to serving the communities they once destroyed with their crimes, and inmate DeWeaver served as Vice Chairman of this group. The group members mentor youth, raise money to help at-risk youth, and educate the public about issues facing youth. While working as a journalist for *San Quentin News*, DeWeaver participated in many *San Quentin News* Forums which are also held in the Education Department. These forums addressed rehabilitation and the safe, successful reentry of incarcerated people into society by collaborating with judges, senators, and representatives from law enforcement and District Attorney's offices who worked with Emile to find solutions to persistent crime and high recidivism rates. Currently, he's teaching incarcerated people emotional intelligence and financial management in San Quentin's Financial Literacy Program.

A review of inmate DeWeaver's prison record and accomplishments shows a consistent pattern of not just self-improvement but taking his moral gains realized and finding ways to invest them into his community. In his application you will find his resume which has shown his level of industry in prison and speaks to his dedication to contribute positively to society. I support Mr. DeWeaver's application for commutation because I believe the community would be better served with inmate DeWeaver's industry in it and because the community work will be an extraordinary example of the value of second chances.

If you have any questions, you can contact me at San Quentin's Education Department between 1500 and 2000 hours at (415) 454-1460, Ext. #6701.

Sincerely,

E. Sanford

[FAQ SHEET]

Emile DeWeaver's FAQs

I. Rehabilitative Accomplishments

- 1) Completed Anger Management Program, 2002
- 2) Completed two-year paralegal course at Blackstone Career Institute, 2004
- 3) Completed *The First Steps*, a 28-week course where participants identify the root causes of the poor choices that brought them to prison, 2015.
- 4) Completed San Quentin's Alliance for CHANGE social justice course, a four-month, four-day-a-week course that teaches non-violent conflict resolution, tolerance, and community service. Awarded a Commendation of Excellence for exemplary participation, 2016.
- 5) Completed Criminals and Gang Members Anonymous program, a 12-step program that identifies the roots of recidivism and provides coping skills to minimize destructive thinking, 2016.
- 6) Graduated from Patten College with an AA Degree in General Studies, 2017.
- 7) Completed Addiction Recovery Counseling Program, a 16-week course, 2017.

II. Community Service

- 1) Taught Peer Health Active Meditation classes for six months, 2012.
- 2) Participated in seven San Quentin News forums over four years. These forums addressed rehabilitation and the safe, successful reentry of incarcerated people into society by working with judges, senators, and representatives from law enforcement and District Attorney's offices who worked with Emile to find solutions to persistent crime and high recidivism rates, 2012-2016.
- 3) Wrote for *San Quentin News* for three years where his articles promoted rehabilitation, positive programs, and social insight, 2014-2017.
- 4) Participated in Restorative Justice Roundtable where Emile helped develop plans to address the needs of victims and survivors of crime.
- 5) Served community as member of Kid CAT for two years where Emile became Vice Chairman. Kid CAT is a group of youth offenders who've dedicated their lives to giving back to the communities they once hurt with their crimes. In his time at Kid CAT, Emile wrote for publications as an advocate for at-risk youth, and he organized fund raisers to raise over \$20,000 for organizations that serve at-risk youths. Emile also worked with *Human Rights Watch* to end solitary confinement, life without parole for juveniles, and to pass Senate Bills 260 and 261, 2014-2016.
- 6) Facilitated and participated in writing workshops sponsored by *The Beat Within*, a nonprofit organization that works with youth in juvenile hall. Emile wrote stories of personal transformation to inspire at-risk youth to make better decisions, 2015-2016.
- 7) Designed and taught creative writing curriculum for San Quentin's general population that helped participants identify the roots of their poor choices, 2016.
- 8) Raises public awareness about social justice through his work with dance group Artistic Ensemble at San Quentin. His efforts were noted in *indance*, a Bay Area arts publication, 2015-present.

- 9) Teaches financial literacy, emotional intelligence, and life skills to San Quentin's general population, 2016-present.
- 10) Serves education community as a Teaching Assistant for Patten College at San Quentin, 2017-present.

III. Contributions to Society

- 1) Published over 66 stories, essays, poems, and articles in literary magazines including *The Rumpus* and news outlets including *The Mercury News*. In 2014, he was nominated for the Pushcart Award "Superman," a short story about the human cost of homophobia. In addition, his essays are taught at Stanford University and UC Irvine for their excellence in craft and the insights they provide about criminal justice.
- 2) Worked as a columnist for *Easy Street Magazine* for two years where he shares the lessons he's learned through rehabilitation through discussions about art, culture, and incarceration. After a year at the magazine, Emile was promoted to contributing editor, 2015-present.
- 3) Co-founded Prison Renaissance, a nonprofit organization that uses arts, media, and technology to connect reformed incarcerated people to communities that need them, 2015-present.
- 4) Serves on executive board of Society of Professional Journalists in San Quentin as Secretary, 2016-present.
- 5) Appeared on Life of the Law's *In Studio* to share insights on criminal justice, 2017.
- 6) Appeared on KQED Newsroom's *Stand Up San Quentin* to talk about the power of kindness; the episode won a local Emmy, 2016.
- 7) Appeared on NBC Bay Area We Investigate to share insights on stopping cycles of violence, 2016.
- 8) Appeared on Life of the Law's *Live at San Quentin* to talk about the power of kindness, 2015.

IV. Notable Works that illustrate Emile's rehabilitation, community service or contributions to society

- 1) "The Rabbit Hole," by Juan Haines. Published in *LA Progressive*, *CAL East Bay*, and *San Quentin News* (available online). This article covers Emile's work teaching creative writing and emotional intelligence to incarcerated people.
- 2) "A Secret," by Emile DeWeaver. Published by *Juvenile Justice Information Exchange* and *The Beat Within* (available online). This is an inspirational essay to motivate at-risk youth in juvenile hall to make better choices.
- 3) "Identity," by Emile DeWeaver. Published by *Drunk Monkeys* (available online). Essay demonstrates insight, accountability, and transformation.
- 4) "Editor's Note: Spring 2016", by Emile DeWeaver. Published by *Prison Renaissance* (available online). Essay demonstrates insight and community service.
- 5) "Superman," by Emile DeWeaver. Published by *Lascaux Review* (available online). Nominated for the Pushcart Award for literary excellence.
- 6) "Televisions and Elephants," by Emile DeWeaver. Published by *Easystreet Magazine* (available online). Taught to criminology majors at UC Irvine.

- 7) "Citizenship: Reframing Incarceration," by Emile DeWeaver. Published by *Prison Renaissance* (available online). Incorporated in advanced undergraduate writing course in Program in Writing & Rhetoric at Stanford University.
- 8) "Rolling Thunder," by Emile DeWeaver. Published by *The Seventh Wave* (available online). Demonstrates insight, accountability, and willingness to share story as an object lesson.