

STATEVILLE SPEAKS

VOICES FROM THE INSIDE • SUMMER 2016

SOLITARY CONFINEMENT: TIME-OUT OR TORTURE?

By Gayle D. Tulipano

It has been just over three and a half years since the closure of Tamms Supermax prison in downstate Illinois. The prison was opened with the understanding that it would be used to administer a short term stint in solitary--the ultimate time out--to punish the most violent or insubordinate prisoners.

A sentence to Tamms was not to exceed one year; an already painfully-lengthy sentence exceeding the 15-day limit that is allowed under international law. However, many prisoners were held over 10 times that recommended one-year limit. When the prison finally closed, partly due to prohibitive operating costs and partly for humanitarian reasons, the long-term use of isolation did not end.

The isolation of prisoners can have many names, including solitary confinement, disciplinary segregation and administrative detention. Those in the later groups make up a small percentage of those held in confinement. Solitary confinement affects approximately 2300 prisoners in Illinois, although others believe that number may be a little closer to 2500. It is defined as being in isolation from 22 to 24 hours per day. Any prisoner can be subjected to solitary confinement.

While the use of solitary was meant as a punishment for and control of violent prisoner behavior, it is often used as punishment for infractions such as possession of non-dangerous contraband, insolence and to control behavior of those with mental health conditions. Several prisoners have written to Stateville Speaks that they were placed into solitary for writing too many grievances or for be-



ing suspected of helping others in filing theirs, although that was not cited as the official reason.

More troubling are those that are sent into solitary, but, are given no reason as to why they were sent, thus, they have no way of knowing how to “earn” their way out. Currently, there are no clear rules for sending a prisoner into solitary, no time limits or clear steps to gain release into the general prison population. In a system already plagued with a lack of transparency, the use of solitary as a means of punishment needs to be reformed.

The conditions that prisoners endure while they are placed in solitary can be considered nothing less than inhumane. The cells generally range in size from about 56 square feet to 80 square feet. To put this in perspective, large dog kennels at a local shelter average from about 48 square feet to about 72 square feet.

The sizes of the cells are not the only concern. Oftentimes, the only outside contact is communi-

cation with prison staff through a slot in the door; the same slot that serves as a portal for their meals. It is also a common practice to be denied electronics such as music, television and radio. Reading and writing materials are also often denied.

The deprivation does not always end with human isolation and the denial of personal property. It can include the stressors caused by having no natural lighting or air, with uncontrolled temperatures being too hot or too cold. The use of artificial lighting, often 24 hours a day is also disconcerting, as is the lack of clocks or calendars. Many prisoners mentioned being most troubled by the constant screaming and crying they heard from other inmates. One prisoner who wrote to Stateville Speaks described their stay in segregation, “...I don’t know if they (other prisoners in segregation and within shouting distance) came in crazy, or are going crazy, but the constant screaming was unbearable ...I often won-

dered if I would be next...”

According to a study conducted by Disability Rights Washington, a non-profit organization that protects the rights of people with disabilities, “Segregation does not in fact decrease violence or make prisons safer”. In fact, most medical and mental health experts agree that both the physiological and psychological effects can negatively outweigh the potential benefits gained by the use of solitary. While some prisoners may have been placed into solitary already suffering with some type of social or psychological disorder (of varying degrees), most if not all, will leave with a new, or even worsened, impairment.

Many prisoners held in solitary become afflicted with physical conditions such as insomnia, heart palpitations and tremors. Most prisoners suffering from mental anxiety, depression, anger, paranoia and/or psychosis will not get better while in solitary. Others that are sent have a good chance of acquiring some type of mental disorder. Either way, the use of solitary creates a plethora of problems for many prisoners already facing social anxiety. Adjusting to life after solitary within the general prison population is hard, but may be even harder for those upon release into society. According to Alan Mills, Director of Uptown Peoples Law Center, the majority of prisoners serving time in solitary will eventually get out of prison.

However, relief for those languishing in solitary may be on the way, coming from many different sources. One such organization

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Hope...Redemption...Change



that is focusing on doing just that is the Campaign to End Solitary Confinement in Illinois, who sponsors the Illinois Coalition Against Torture (ICAT). The goal of this group, comprised of religious, social and legal advocates is to stop the use of solitary confinement in Illinois prisons. Their work is substantiated by the call for a ban on the use of solitary by the United Nations and by the research of Sharon Shalev, published in her book titled *A Sourcebook on Solitary Confinement*.

The Campaign to End Solitary Confinement is extremely active in disseminating information regarding the physiological and psychological consequences that the use of solitary has on prisoners. In addition, they are circulating a petition, to be presented to both the Governor and Illinois Legislators on behalf of those who oppose the use of solitary.

Legislation sponsored by Representative's La Shawn K. Ford (D-8th), Mary E. Flowers (D-31st), Will Guzzardi (D-39th), Barbara Flynn Currie (D-25th), Lou Lang (D-16th), Kenneth Dunkin (D-5th), Kelly M. Cassidy (D-14th), Arthur Turner (D-9th), Eddie Lee Jackson Sr. (D-114th), Sonya M. Harper (D-6th) and Robyn Gabel (D-18th) would also address the lack of uniformity and adopt guidelines in the use of solitary confinement. HB 5417 would create the Isolated Confinement Restriction Act, which would restrict the use of solitary in state correctional facilities and in the event a prisoner

was placed in solitary "... that a committed person shall not be placed in isolated confinement before receiving a personal and comprehensive medical and mental health examination conducted by a clinician... that a committed person held in emergency confinement shall receive an initial medical and mental health evaluation within 2 hours. Establishes conditions in which a committed person may be placed in protective custody."

In addition, HB5417 is very clear in defining who is credentialed to make these evaluations, as it: "Defines "clinician" as: (1) a physician who is licensed to practice medicine in all of its branches and is certified in psychiatry by the American Board of Psychiatry and Neurology or the American Osteopathic Board of Neurology and Psychiatry, or has completed 4 years of an accredited post-graduate training program in psychiatry; or (2) a licensed clinical psychologist."

The Illinois Department of Corrections (IDOC), itself, has also proposed some steps to reduce the use of solitary confinement. While some will see this as a positive step in regulating the use of solitary, many feel that it does not go far enough or uphold the 15-day maximum permitted under international law.

Another problem, according to Mills, is the regulations proposed apply to only the small number of people that are actually put in Administrative Detention (AD) or disciplinary de-

attention and not the vast majority who are held in solitary for no known reason and for an indeterminate length of time.

Other important issues left unaddressed are the lack of requiring a review of past assessments and a current professional assessment of those with mental health issues before being placed in solitary, as is the disregard for the actual living conditions while in solitary, such as kennel size cages, no fresh air or natural lighting, etc.

But, perhaps the most perplexing and certainly most Orwellian of the proposed regulations is the requirement to list any person that helps one in the filing of his or her grievances. It reads that "if assistance writing the grievance form is provided, the name of the individual providing the assistance shall be documented on the form."

A settlement was finally reached in a seven-year lawsuit, *Rasho v. Baldwin* that would reduce the use of solitary on mentally ill prisoners. Additionally, it would help safeguard and improve the treatment of all the approximately 11,000 mentally ill prisoners in IDOC custody. Thus, prisoners with mental health conditions would be provided with both acute and long-term care, instead of left to languish in solitary confinement. This class action lawsuit, on behalf of mentally ill prisoners in IDOC, was spearheaded by the law firms of Dentons, Equip for Equality, Mayor Brown and Uptown People's Law Center.

The settlement also calls for the building of four more residential treatment centers and an increase of both mental health providers and security staff to work in these centers. This will allow a shift of the mentally ill currently held in solitary to a more appropriate setting for those in need of medical/mental health treatment. Additionally, those mentally ill, solitary prisoners with over 60 days remaining on their confinement will be reviewed for possible release from solitary as will those with a minor non-violent infraction. The mentally ill prisoners that do remain in solitary for over 60 days will be allowed out of their cells for 20 hours a week.

Perhaps symbolic or perhaps indicative of future changes in the use of solitary confinement may be in the opinion cast by Supreme Court Justice Anthony Kennedy. Justice Kennedy minced no words when ruling on a case, unrelated to solitary, condemning its widespread use in U.S. prisons. Although the Justice had hoped to bring a solitary confinement case to the Supreme Court for further discussions and possible alternatives to its use, the Court, thus far, has declined to actually take on the issue. ■

FROM THE EDITOR

Welcome to another edition of Stateville Speaks. It was never my intention to commandeer this much space from the newsletter, space that could be used to showcase your extraordinary submissions. But, judging by the amount of letters we have received about the use of solitary confinement, it was long overdue. It is something that could potentially affect anyone that is incarcerated at IDOC.

After looking closer at the use of solitary, we still see a couple of reoccurring themes here in Illinois. While study after study shows the use of solitary, as a punishment, causes more harm, it still has not detracted the few, noisy, proponents of Tamm's, who clamor to re-open its doors after every unpleasant or unfortunate

incident that occurs in IDOC.

Another perplexing (though rhetorical) question is why do we always have to sue to have to have our government agencies do the right thing? To put it another way, we force people into the care of an agency, underfund the care (not necessarily underfund the agency) of these people and defend a lawsuit due to lack of care, with money that could/should be spent on their care in the first place. It is both a wasteful way of spending and shameful way to treat our mothers, father, sons, daughters, husbands, wives, friends...

On a lighter and brighter note, we say "kudos" to the ladies of Decatur for their work on getting out a newsletter-no small feat, especially

from within. We hear what you said about inspirational material and now, ask all of our readers, what do you want? Legislative news, lawsuits, for Illinois, trends from other states or more submissions, essays, letters or a mix of all? Please let us know and in the meantime we will concentrate on publishing as many of your wonderful submissions that space will allow.

Below is the contact information for you, your families, friends and advocates to write and voice your opinions to those advocating changes, adjusting policies, writing legislation and monitoring legal judgements, legislation and monitoring solitary. We hope you use your voice to let these very key people know where you stand on the use of solitary as punishment. ■

VOICE YOUR OPINION ON SOLITARY AS PUNISHMENT

Contact the Illinois Coalition Against Torture. Tell them your experiences and see how you can help and sign their petition.

Illinois Coalition Against Torture

2502 W. Division St.
Chicago, IL 60622
Website: www.illinoiscat.org
Email: ILCoalitionAgainstTorture@gmail.com

Contact the IDOC Rules Coordinator. Though they may or may not be hearing "public opinion," your opinion still really matters.

Echo Beekman, Rules Coordinator

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Springfield IL 62794
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Contact Uptown People's Law Center. Though it may be too early to see significant changes from lawsuit settlements, your observations are critical. Good, bad, ugly, let them know. Perhaps send them a thank you letter for having the stamina for these lawsuits.

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Contact your legislators and thank them for their initiative and hold them to making significant changes

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To subscribe to Stateville Speaks,
or to submit an essay, see page 7.

SEE REP ADDRESSES, PAGE 7

HOW STATEVILLE SPEAKS INFLUENCED DECATUR CC'S NEWSLETTER

By Beverly Houston

On September 7, 2012, I began serving my sentence in the Illinois Department of Corrections after I accepted a plea deal of four years for Theft of School/Church. I was 53 years old. I served 19 out of 24 months with earned contract credit working in the Industries program at Decatur Correctional Center, a minimum-security facility for females. This was a first for me and I vowed that it would be my last as a prison inmate. The next time I attend DCC or any prison facility will be through the front door providing some service or product to encourage and motivate incarcerated individuals.

I spent the first three months addressing health issues and another three months adjusting to a new and different me. I was diagnosed with throat cancer and had to have my vocal cords removed. After several months in the Healthcare Unit, I was able to return to my unit and immediately began writing letters to family and friends asking for materials on this new health challenge, being a total laryngectomee. It was also at this time that I started becoming familiar with my new home for the next 13 months. Everyone was becoming more comfortable with this new method of speech. I pretty much kept busy by assisting others, volunteering for various projects and committees, essay contests, and working in Industries as a sewer.

Rumors began to surface via inmate.com that a newsletter for inmates by inmates was in the works at DCC. I immediately started sending requests to Warden Hansbro and Assistant Warden Smith to let them know my interest in being a part of the committee working on the

newsletter. I submitted a bio/resume, including my background with creating and publishing newsletters with several social groups and sport organizations prior to coming to Decatur. I was selected to be the Acquisitions Editor of "De-Caturing the News." One afternoon, while working on the first issue, I was going through a box of magazines that belonged to our Production Editor, Tammy F., looking for ideas on what type of info might benefit the ladies, and I discovered issues of Stateville Speaks. I was in awe of the information inside as I browsed through the newsletters. I was able to take them

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DE-CATERING THE NEWS

MOM AND ME CAMP
Peggy Loyd

On August 8th through the 10th, 2011, DCC hosted the *Mom and Me Camp*. The camp is a summer program for kids whose mothers are incarcerated. There were 14 children and 11 mothers who participated. A bus met the families in Chicago and brought them to *The East Bay Camp* in Bloomington on Sunday August 7, 2011. At the camp the children were introduced to their cabin mates and began their first of many days of swimming. The children also went on hayrides and hikes.

For the next three days, the volunteers from the camp brought the children to the facility for time with Mom. Activities at the facility included: painting T-shirts, making scrapbooks, bracelets and cards in the craft room. There was even a quiet room where they could do hair, color pictures, play board games or just snuggle together in the corner to read a book. There was also a special presentation by Toby Tire who talked to the children about school bus safety. The children really loved Toby and they listened very well.

The camp was a good experience for both the mothers and children. All of the children agreed that swimming was their favorite part of the campground; while spending time with Mom was their favorite part of the entire camping experience.

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back to the unit, although this was not encouraged, but I had to read them and that was the only place where I could do so on my time. I could not wait to get back to my unit so I could put my request for an inmate subscription in the mail. It was through this subscription that I was made aware of the multitude of issues affecting all incarcerated individuals, especially healthcare, in prisons and the treatment, or rather, lack of treatment, in Illinois facilities.

However, it also provided ideas on what to include in the DCC newsletter. This newsletter gave the staff and many of the ladies an avenue to highlight their talents. Articles, poetry, and recipes using commissary items were solicited via a memo from both the Assistant Warden Smith and the Production Editor, Tammy F. Submissions were coming in non-stop from all the units. We read and selected the most motivating and positive submissions. Although we tried to be objective and include a variety of subjects, we definitely

did not include any negative material. We had enough of that on each unit from both the ladies and the correction officers.

One highlight of being a part of that newsletter team was the recognition received from the other inmates and correctional staff. To my knowledge, that was the last issue due to the lack of state funds and resources. ■

SUBMISSIONS WANTED

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ABOLISH LONG-TERM SOLITARY CONFINEMENT: ITS USE IS A THREAT TO THE PUBLIC

By Joseph Dole

I have a very intimate understanding of the effects of long-term isolation on a person's mental and physical health. An entire decade of my life was spent involuntarily entombed in isolation at the notorious Tamm's Supermax Prison in southern Illinois.

Serving a sentence of life-without-parole, I was sent to Tamms for knocking out an assistant warden in yet another Illinois prison where humans are simply warehoused without any programs, with few jobs, and where we were constantly disrespected and dehumanized by staff and administrators alike. In retaliation for that assault, I was likewise assaulted while in handcuffs by several staff members who broke my nose and did other damage prior to shipping me off to Tamms.

Tamms was allegedly opened as a sort of "shock treatment" for violent inmates and gang leaders. If the inmate behaved he was supposed to be transferred out after a year. This never occurred though. The reality was that, once opened, the IDOC administration abused their power and used Tamms to mete out retaliation. Not just against staff assaulters either, it included jailhouse lawyers and many of the mentally ill whom the administration wished to lock in a closet somewhere.

In the ten years I was there, I never received a single legitimate disciplinary infraction. Nonetheless, I was denied a transfer out of Tamms 39 times. Upon arrival and for the next 7 or 8 years, I was repeatedly and gleefully told that I would never be released from indeterminate disciplinary segregation, would never get out of Tamms and would, in fact, die alone of old age in that concrete box. I was 26 at the time. To get their point across, I was forced to send out all property not allowed at Tamms, because I was assured I would never see another prison where I could possess it.

While at Tamms, I not only studied all of the available literature on solitary confinement, but also observed how isolation affected both myself and the inmates around me, as well as those who partook in isolating us.

For nearly the first three years, I was denied a television or radio. Thus, I spent every waking hour reading, writing, cleaning or working out in order to try to maintain my sanity. Nevertheless, by year five, I was experiencing auditory hallucinations (thinking I heard someone calling my name), extreme anxiety, erratic heart palpitations



and severe bouts of depression. All are direct consequences of long-term solitary confinement, which would get increasingly worse as the years wore on.

Luckily, those were the extent of the mental and physical repercussions of my being isolated for so long. Well that is, if you don't count the atrophy of my eyesight, hearing, social skills and a number of my relationships with family members and friends. I say lucky because it could have been much worse.

I went to Tamms bloody, but without any mental illness, so I was able to withstand the effects for longer than those who arrived mentally ill. Had I been bipolar, schizophrenic, or even illiterate, who knows what would have happened? Imagine being trapped behind a steel door for years on end with no television or radio, unable to read or write, with no one to teach you and absolutely nothing to do. For many, this is a daily reality.

I may have ended up cutting or biting off chunks of my skin like many did while I was there. Or I may have killed myself or attempted to, like so many others I know. Or, it may have been another inmate watching CO Bundgren carry off my severed penis, instead of the other way around. Who knows? Fortunately for me, none of that happened to me. I survived intact. Many others don't.

I know that many Americans feel that I got what I deserved. (We Americans have perfected being both sanctimonious and deliberately indifferent to the plight of others). While I can agree that I deserved to be punished for my actions, at

a certain point (after my nose was broken in my opinion) the isolation ceased being about punishment or even "institutional security" and just became a sadistic display of an abuse of power.

The public may not care for my well-being, nor that of the 100,000 Americans who are currently being held in long-term isolation, but they should. Through their indifference, the public is directly responsible for the torture of their fellow citizens, the deterioration of their mental health, and all of the suicides that occur in isolation units (which account for one-half to two-thirds of all prison suicides).

Moreover, they are responsible for the effects these facilities have on the people who work there, as well as the threat these places pose to society at large.

People who work in isolation units are severely affected by their work brutalizing people on a daily basis. Not only do they have higher rates of alcoholism and spousal abuse as a result, but their average life expectancy rate is 20 years less than the average citizen. They become accustomed to being above the law and able to abuse people at will, and then bring that attitude home to their family and community.

Control units and super maxes are also extremely expensive, siphoning limited resources away from things that actually protect society, like rehabilitation programs, police and fire departments and schools (better educated people are also more law abiding). Then there is the additional court costs of all of the lawsuits isolation units generate.

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THREAT, FROM PAGE 5

These places make people so irrationally angry that it is the heights of folly to continue operating them, and even more so to then release people straight to the streets from them. No example of this is more demonstrative of that than Evan Ebel. He was a mentally ill man who was sentenced to 8 years in prison in Colorado for carjacking and ended up spending the entire 8 years in solitary confinement. His mental health steadily deteriorated the entire time.

Prior to release, Ebel filed a grievance asking “do you have any obligation to the public to re-acclimate me, the dangerous inmate, to being around other human beings prior to release, and if not, why?” The arbitrary written response he received was that a grievance was not the appropriate place to discuss policy.

Within two months of being released straight to the streets, Ebel would kill a pizza delivery man after having him read a statement condemning solitary confinement, wore the man’s uniform to the home of the Director of the Colorado Department of Corrections whom he would shoot to death, and then get into two shootouts with police before dying of gunshot wounds.

This did not surprise me at all when I read about it. I witnessed countless people grow angrier, year after year, due to being arbitrarily isolated and brutalized. In the 8 years total that I’ve spent in general population around thousands of different men, I’ve never witnessed anyone become a Muslim extremist. However, in the decade I spent in Tamms around just a few hundred men, I listened as many did and then listened to them expound on their hatred of America and the West in rants that would last for days..

Solitary confinement units are incubators of hate. Which is completely understandable. Treat people inhumanely long enough and not only will they cease to view you as humane, but some may want to return the favor.

The good news is that many people are finally, belatedly starting to realize all of this. In January of this year alone, both Indiana and California settled lawsuits by promising to severely curb their use of long-term isolation, and President Obama ordered the Bureau of Prisons to do so as well.

Control units and super max prisons are the most widely abused “tool” in corrections departments across the country. While the above-mentioned reforms are welcome, they will barely put a dent in the number of people being abused in solitary confinement around the country, including Guantanamo Bay.

Tamms wasn’t closed quickly enough to save hundreds of us from years of torture and its ill effects. Nor did Colorado reform its use of solitary confinement in time to save the community from being victimized by Evan Ebel. For everyone’s sake, let’s hope more states choose to accelerate reforms instead of fight them. ■

Joseph Dole is the author of “A Costly American Hatred” and the upcoming “Control Units and Supermaxes: A National Security Threat”. Check out more of his work at <https://www.facebook.com/JosephDole-IncarceratedWriter> He has previously contributed articles to Stateville Speaks.

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ONE DAY

By Eddie L. Brown

I guess one day I’ll be free...But right now???
I guess I’mma have to do me, so I sit in my cell...
Contemplating life and how things didn’t go so well;
Oh well...
I know I can pass anything, but this one thing I’ve
Failed...society’s statistic of going to jail;
My new routine and the highlight of my day is when they call my
Name for mail...
And that doesn’t happen too often... Sometimes I feel as
Though I’m buried alive and my bunk be’s my coffin;
But God is good...All the time. And all the time
God is good.
Being in here those words are clearly understood;
So I refuse to give up...Survived close to 15 years, thus far,
So tell me... Do you consider that luck???
And if you do??? Could you explain how to me...
How a youth coming in at 17; surrounded by grown men
Who’s been gone 17 can blend in and converse over the same thing
they’ve both seen???
Probably not because you wouldn’t be
Able to relate...
Especially when you got brotha’s chasing an outdate;
But I can’t help but to think about the brotha’s with no outdate;
The one’s that are still jovial and keep a smile on their face;
Because one day...We’ll all be free.

LIFE

By Tammy Englerth

It’s a challenge at times
It’s not ever easy
It’s very unpredictable
No one can ever say it’s always fair
It’s a precious gift that
Should be handled with care
It’s something that can be
Taken in a moment of time
It’s sometimes taken for granted
When it should be cherished
We might fall, but we can be
Picked back up
There will even be times it
Might feel it’s caving in on us
But it’s really not, it’s only
Preparing us to be stronger
We choose how to live it
Mistakes are bound to happen
Learn from them and do better
Lessons to learn
Obstacles to overcome
Life is short, so live it to the fullest

A FRIEND

By Tammy Englerth

The greatest gift in life
Is to have a friend
Who will always be there
Through thick or thin
But you have to give
In order to receive
There is such a thing
As a real friendship
And that you should believe
A friend is an angel
Sent down to you
To show a way of life
That is new
The memories
That you will share
Could never be more
Than someone can bear
So you see
A friend is a great reward
Who was sent down
From the Lord

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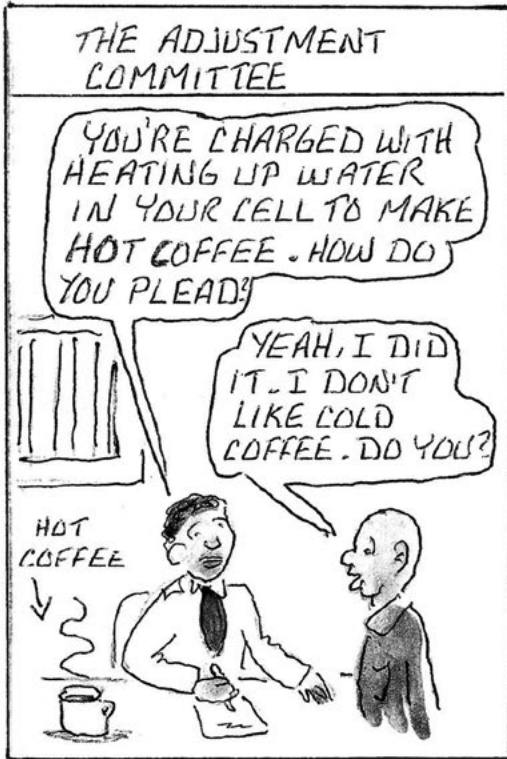
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