Opinion



by Mary Ann McGivern

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I received a letter this weekend — really a thick manila envelope — from a man in prison in Licking, which is in the southwest corner of Missouri. He'd received a copy of a letter I sent another prisoner more than a year ago in Crossroads Prison in Cameron, which is in the northwest corner of Missouri. There are 22 prisons in Missouri. Licking and Crossroads are two of five maximum security prisons, telling me that their crimes were serious, and my correspondents have not been granted parole dates.

That was the point of my original letter, which was itself a response to an inmate, agreeing that "there are deep structural problems within the parole board operations as well as legal errors and contradictions and administrative misbehavior." My new correspondent was so taken with my analysis that he sent me a copy of his cellmate's appeal for clemency on the basis of innocence of a murder committed in 1994. He's hoping maybe I know a lawyer who can take the case.

Our 22 prisons hold 35,000 inmates. The crime rate has been dropping in Missouri for 10 years, but the prison population continues to rise: because of lengthy sentences, mandatory minimums, the continued use of prison as punishment for drug addiction, the lack of clemencies and commutations, and the failure of the Board of Probation and Parole to grant paroles in a timely fashion. Now the

legislature is considering the necessity of building another prison.

The routine parole denial in this man's case states the cause of denial as the heinousness of the crime. It's an old prison joke that granting parole must mean the crime has become less heinous. Otherwise the parole board would credit the possibility that a person could change in prison, could grow, could learn to be better.

And I wasn't exaggerating in my own reference to administrative misbehavior. Get this: A member of the board and his assistant played the "game" of asking leading questions to get an inmate to use outlandish words during his parole hearing, words like "platypus." The board member resigned when his behavior finally became public.

There is nothing I can do to help this man who has written me, whose own parole has been denied four times so far, who has been a prison paralegal for 20 years, and who is acting as the paralegal aide for his cellmate. I don't know a lawyer who might even look at the documents, though as I look at them I think the cellie might well be innocent.

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I can and will keep lobbying the legislators, but now our governor is under indictment, so it doesn't seem likely a clemency appeal would get very far with him.

Cruelty is done every day in our names as citizens. We are inured to it. So many bad things are done to so many people. But here we have a man in prison who is seeking help for another man he thinks is innocent. I'm humbled and I'm enheartened.

[Mary Ann McGivern, a Sister of Loretto, advocates for criminal justice and works with people who have felony convictions.]