

"Justice will only be achieved when those who are not injured by crime feel as indignant as those who are."  
King Solomon 635 - 577 BC

# Voice of Justice

May 2002 • Volume 10 • Issue 4

Official Publication of Justice For All™

In this issue of the Voice of Justice we explore a program designed to reduce violence in your neighborhood. We also pay tribute to some of the women who were killed due to domestic violence in 2000. In addition, we discuss JFA's use of radio ads to support Kyle Janek for State Senate District #17.

## INSIDE THIS ISSUE

- From the President..... 2
- Membership Form..... 4
- Tribute to the Fallen..... 5
- Parole Protest..... 6
- Civil Commitment Ruling..... 7
- Legalized Stalking..... 8
- Radio Commercials..... 10
- Supreme Court Ruling..... 11
- Gun-Related Crime..... 11
- Parole Protest..... 11
- Monthly Meeting Info..... 12



Look for the JFA Action Item symbol as you read this newsletter.

This is your signal to TAKE ACTION to help prevent a miscarriage of justice or make a change in the criminal justice system. With YOUR help Justice For All can influence current events and the legislative process to make positive changes in the criminal justice system.

## Project Safe Neighborhoods

### Collaboration - Engine for Effective Action

Project Safe Neighborhoods is built around the concept of collaboration. The idea is that by working together, task forces and community partnerships dramatically improve their chances of reducing gun violence. Because collaboration is a central feature of this initiative, it is helpful to understand the concept and how to do it well.

What exactly is collaboration? Collaboration is a long-term commitment by organizers to work closely together on issues that concern or affect each of them. The National Assembly defines collaboration thus:

Collaboration is the process by which several agencies or organizations make a formal commitment to work together to accomplish a common mission related to critical and complex social issues of wide concern. Collaboration requires a commitment to participate in shared decision-making and allocation of resources relative to activities responding to mutually identified needs. [1]

In Project Safe Neighborhoods, much of the work with community organizations and with various law enforcement and other criminal justice agencies will require a spirit of collaboration, if not a formal collaborative structure. Accordingly, understanding some basics of collaboration is vital to success.

### What's the Difference?

What makes collaboration different from other forms of working together? It is probably the closest of working relationships; it involves joining forces and resources to get the work done and a willingness to do business in a different way. It involves long-term commitment and explicit identification of shared values.

One way to think about collaboration is to look at a hierarchy of relationships where two or more organizations interact for their mutual benefit, starting with communication and extending through collaboration.

- Communication: What we do can be of interest or help to you. Therefore

we will let you know what we are doing or have done.

- Consultation: We may be able to give each other good advice; therefore, we will talk with you before we do something in areas of mutual interest.
- Cooperation: We will try to do things that fit together in ways that work together, sometimes combining resources or actions when it meets the needs of both groups.
- Collaboration: We agree on one or more goals over a longer term, and we will put our resources together in a formal, ongoing way to do things toward achieving those goals.

All of these activities are forms of partnership. They require a positive relationship with one or more organizations outside your own; they are based on some level of mutual need and benefit, on shared interests and aims.

They differ in the degree to which the organizations are entwined as they do the work.

- Communication simply involves the transmission of information to interested parties.
- Consultation engages the organizations in discussion that may (or may not) inform and shape the actions of one organization or another.
- Cooperation moves the partnership up a notch, with the organizations working together or at least in tandem, perhaps only on specific projects.
- Collaboration engages the partners in combining resources as a matter of ongoing practice, using the talents of all to move both forward toward a common goal.

### Getting More Done and Doing It Better

#### What benefits does collaboration offer?

There are several benefits that are frequently



(Continued from page 1)  
apparent.

- Organizations that combine resources can do more toward shared goals than either group can do alone.
- Collaborating organizations can have greater visibility with opinion leaders and decision makers.
- Collaborating organizations can avoid needless duplication of services.
- Collaborators can expand the services offered to the community.
- Collaborating partners become more invested in the partnership.
- Competition and turf issues are reduced or faced and dealt with early on.
- Organizations gain access to more diverse experiences and opinions.
- Clients get better service because organizations coordinate activities.
- Collaborating organizations can more readily see—and often fill—gaps in services.
- Collaborating organizations can frequently provide more and better training to their staffs by sharing training resources.
- Collaborating organizations generally have a broader view of the problems and needs of the community.

### Elements of Success

#### What makes for a successful collaboration?

Simply putting a few agencies that deal with the same subject in a room for a meeting does not constitute collaboration. A collaboration, to be effective, must have a shared vision, skilled leadership, process orientation, diversity of membership, a member-driven agenda, groups from multiple sectors of the community, an openness to change, and accountability. Agreements on procedures and on methods of decision-making are also key components.

Shared vision can be developed as part of a strategic planning process, or it may be identified in the founding of the collaboration. But it must be spelled out and agreed upon. Leadership of collaborations requires strength and finesse, willingness to submerge ego for group gain, and diplomacy in bringing together partners who may not know each other or who may have been at odds in the past.

Successful collaborations are also able to grow and change as the needs of their community grow and change. Collaborations are not organic. Growth does not simply happen. It requires continuous effort, careful cultivation, and thoughtful nurturance of new members. But the results are worth the effort.

There are many forms of collaboration. The arrangement may be ad hoc (for one specific situation) or ongoing. It may be informal or highly formalized. It may be limited to specific classes of organizations (e.g., to law enforcement agencies). Experience suggests that starting the collaboration slowly and then moving into high gear provides important time for learning to work together. An informal ad hoc collaboration may be a better first step than a multi-agency amal-

Membership needs to reflect the socio-economic, cultural, and other diversities of the community if it is to do the community's work. It also needs to embrace multiple sectors of the community if it is dealing with an issue that affects the whole community.

The need to clearly spell out the group's methods of doing business should be readily apparent considering the many organizational cultures that are being brought under the collaborative umbrella. Some groups may be hierarchical; others may operate by consensus; still others may need confirmation from another group (e.g., a national board of directors). The collaboration's process needs to be clear to everyone and should do its best to recognize the needs of various partners without paralyzing the group into inaction. These processes must be written down and agreed upon to avoid later disputes.

#### How Do They Help?

Collaborations can provide many kinds of services to their member agencies. To name just a few: they can share education and training for their staffs or members; develop joint purchasing plans to save money for all; help negotiate turf issues among members; conduct search and surveys that meet all members' needs; sponsor forums on major community issues; provide a speakers' bureau for community groups on key issues; sponsor an awards program; and provide peer consultation and coaching in organizational management and development.

#### Roadblocks and Bulldozers

What kinds of barriers might get in the way of forming or operating a collaboration? Current or past difficulties among organizations that might want to join is a common problem. Unless these issues can be resolved, the collaboration may be embroiled in a dispute among two or a few of its members. Where the community has had bad experiences with prior collaborations, it may be wise to set up an ad hoc collaboration for a specific task or subject to demonstrate that collaborations can be community assets, rather than going all out for a full-scale formal collaboration. There may be personality conflicts among those who represent member organizations. Sometimes differences can be resolved through mediation-style intervention. It may be necessary or at least helpful—to ask the groups to appoint different representatives. At a more basic level, such community-grounded problems as racial or ethnic tensions may make it difficult or impossible to bring effective collaboration together. Differing community norms and values may have a similar blocking effect. But collaborations can be developed even in these situations to focus on specific tasks for specific purposes upon which all agree.

Some other ways to reduce barriers to collaboration: keep initial commitment and activities simple; make clear communication a top priority; ensure time for member representatives to get to know each other; encourage members to be clear about their organizations' needs; bring turf issues and hidden agendas into the sunlight; and develop clear, written roles for members.

Collaborations can be headed for success and then fall into a variety of traps. They may lose focus, engage in leadership struggles, become captive to founding members, fail to equally involve and recognize members, plan poorly, generate negative publicity, experience failure of collaborative projects, make unrealistic demands on members, become bureaucratic, or fall victim to turf and competition struggles. Being aware of these traps and using sound management and commu-

(Continued on p...



# Justice For All

A Criminal Justice Reform Organization

*"Justice will only be achieved when those who are not injured by crime feel as indignant as those who are."*

King Solomon 635 - 577 BC



Use this form to join Justice For All, renew your membership, provide us with your change of address, make a JFA PAC contribution, or to order crime victim remembrance bracelets or copies of the Lychner Memorial Video. Please print clearly, check all boxes that apply, and fill out the payment information box at the right side of the page. Mail completed form with payment to:

**Justice For All ■ P.O. Box 55159 ■ Houston, TX 77255-5159**  
**THANKS!**

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

PHONE: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_ (Fax) \_\_\_\_\_

### JUSTICE FOR ALL MEMBERSHIP

- I would like to become a member of Justice For All and be involved in the growing effort to generate awareness of crime and develop ways to create a safer society through education and legislative action.
- I am renewing my membership in Justice For All.
- I am currently a member of Justice For All and am informing you of a change in my address, phone, name, etc. to update your records.
- I am enclosing a contribution to the Justice For All Political Action Committee.

### CRIME VICTIM REMEMBRANCE BRACELETS

Only one bracelet per order form. Bracelets are hand-crafted in America of sterling silver and cost \$40 each. Please allow 3 - 4 weeks for delivery . Please add \$2.28 sales tax within Texas.

Please indicate size desired:  S (5")  M (6")  L (7")

- Please select a remembrance bracelet for me.
- Please personalize a remembrance bracelet for me.

Victim's Name: \_\_\_\_\_

Death or incident Date: \_\_\_\_\_

- I would like to include my family member into your database for widespread remembrance and have enclosed a personal message about my loved one's life, dreams, etc. Submission of this information will serve as permission for Justice For All to reprint your family member's name for remembrance on a widespread basis. **All submissions must be signed.**

### LYCHNER MEMORIAL VIDEOS

The *Lychner Memorial Video* (shown at the dedication of the Lychner sculpture "Love's Embrace" in July, 1997) along with *Pam Lychner: A Texas Hero* (a video produced by eighth-grade student Kacie Windlinger for the 1997 Texas State History Fair) are available by special order together on one VHS tape. Each video (approximately 20 minutes in length) is \$10.00.

- I would like to order \_\_\_\_\_ copies of the Lychner Video at \$10.00 each (including shipping).

### PAYMENT INFORMATION

#### ANNUAL MEMBERSHIPS:

- Individual (\$25)
- Corporate (\$250)
- Contributing \$ \_\_\_\_\_

#### LIFETIME MEMBERSHIPS:

- Individual (\$250)
- Corporate (\$1,000)
- Contributing \$ \_\_\_\_\_

#### JFA POLITICAL ACTION COMMITTEE CONTRIBUTION:

- \$ \_\_\_\_\_

#### REMEMBRANCE BRACELETS:

- \$40 each

#### LYCHNER VIDEOS:

- Total payment enclosed for videos \$ \_\_\_\_\_

#### TOTAL PAYMENT ENCLOSED:

Make check payable to Justice For All

\$ \_\_\_\_\_



This is a tribute to 15 of the 87 women killed by intimate male partners in Texas in the year 2000. We will list the remaining victims in future newsletters.

**Rhonda Chell Lee, 30, Dallas**

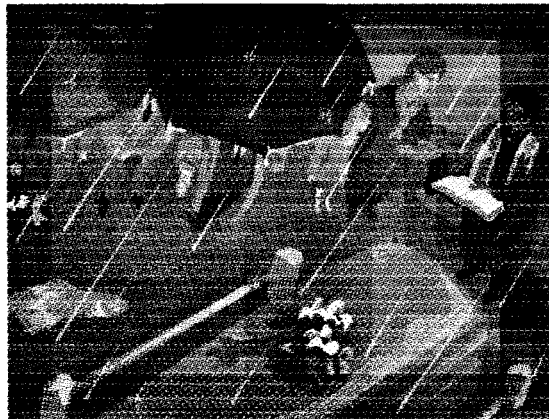
Firefighters found Rhonda unconscious in her burning apartment on the afternoon of May 5, 2000. Earlier that day, she told co-workers she planned to pack her boyfriend's belongings because she wanted to end the relationship. Xavier Caldwell, 28, admitted choking Rhonda and setting the fire. She is survived by two young sons.

**Pamelia Denese Lloyd, 38, Austin**

Police believe Pamelia's boyfriend killed her after she confronted him about stealing money from her. Ronald Layne Hutchins, 38, was charged with stabbing Pamelia in her apartment on June 22, 2000.

**Kate Ann Luna, 23, Richmond**

Kate and her boyfriend got into an argument about spilled beer at the county fair on September 29, 2000. Rickie Howard Gaston, 26, claimed that Kate ran away after that, and he filed a missing person report on her a few days later. After police interviewed neighbors and family members, Rickie became a suspect in Kate's disappearance. Her body was found in a warehouse belonging to Rickie's employer. He was arrested for her murder after he fled to Mexico.



**Araceli Martinez, 29, San Juan**

Araceli moved to San Juan from Palmview and sought a restraining order to protect herself from her estranged husband. The restraining order was denied. On the morning of February 29, 2000, Joe Martinez, 31, came to her house and stabbed her in the face and chest. She died later that day. A few days later, a farmer discovered Joe's body hanging from a tree.

**Leanne McClure Hill, 28, Killeen**

Six days before their divorce hearing, Leanne's husband defied a restraining order and protective order and burst into her house armed with a .22 caliber handgun. She was on the phone with a friend as Eric Bernard Hill, 28, began hitting her. The friend called the police. When a patrol officer arrived, Eric put the gun to Leanne's head and ordered the officer to leave. After a 90-minute standoff, the SWAT team entered the house and found Eric dead and Leanne critically injured with gunshot wounds to the head. Leanne died six days later, leaving behind a five-year-old daughter and three-year-old son.

**Linda Caulkins McConnell, 37, Liberty Hill**

Richard E. McConnell, 37, walked into the Elgin Police Department on the afternoon of October 9, 2000 and told officers to go to his house because his wife was dead. Linda was found lying on the picnic table, shot to death. She had filed for divorce three months previously. The couple had four daughters, aged three to eleven.

**Jeanette Gilland McGee, 69, Amarillo**

covered in their townhouse on February 2, 2000. Investigators believe Mayo shot Jeanette, then himself.

**Irma Mantinas, 35, Houston**

Police were called to Irma's apartment at least twice in the weeks before her death. On November 28, 2000 she was shot by her estranged husband, Jose Manche, 40. Then he turned the gun on himself.

**Rosa Mendoza, 37, Haskell**

Rosa's co-workers became concerned when she did not show up for work for three days. When police went to her house, they found her and Adam Frausto, 37, dead of shotgun wounds. They believe Adam killed Rosa and himself.

**Alejandra Monroe, 44, Brownsville**

Police responded to a family violence call on the afternoon of November 24, 2000 and confronted Larry Monroe, 51, wielding a knife at the entrance to his apartment. He came toward them with the knife, and the officers shot and killed him. Inside the apartment were the bodies of Alejandra and her 12-year-old son Paul Erik Monroe.

**Gayle Lynn Montgomery, 41, Montgomery County**

When Sheriff's deputies arrived at the Montgomery house on May 31, 2000, they found Gayle beaten unconscious. She died later that night. Her husband, Ronald Montgomery, 46, was arrested.

**Bonnie Jo Mullen, 40, Alvarado**

When deputies arrived at the Mullen residence on November 14, 2000, they found Bonnie's husband and her father-in-law trying to revive her. Larry Wayne Mullen, Jr., was arrested for shooting her. Their 13-year-old son was in the house at the time of the shooting.

**Nicole Sybil Newman, 27, Titus County**

Nicole's husband, Richard Doyle Newman called 911 on Saturday morning, December 16, 2000, to report that he killed his wife and would wait for officers to take him into custody. When deputies arrived, they found him sitting in front of the house with his children ages four and seven. They found Nicole inside dead of a shotgun wound.

**Lorenza Orozco, 20, El Paso**

Police arrested Lorenza's common-law husband, Luis Manuel Gonzales, 25, for shooting her in the chest with a shotgun on the night of October 6, 2000.

**Sonia Palacios, 33, Los Altos**

Sonia tried everything she knew to protect herself and her children from her ex-husband's rage. She got a protective order in 1998, but he continued to harass her. A month before her death, she had him arrested for assault. On the morning of May 11, 2000, Dagoberto Morales, 34, slashed Sonia's throat and then cut his own throat in a suicide attempt. He survived and was charged with murder. Their three children, ages ten months, ten and 16, were home at the time



# Parole Protest



The mother of a victim is requesting your assistance by writing parole protest letters. Please email, fax or mail a copy of you letter to Texans for Equal Justice so that we can forward them to the mother.

E-mail: tej@lawandorder.com; Fax: 936-494-0311  
Mail: P.O. Box 241 - Willis, TX - 77378

\*\*\*\*\*

In 1990, My daughter was murdered by her estranged common-law husband. He came into the kitchen while she was ironing her work uniform and put a 38 pistol to her head and pulled the trigger.

This left 4 beautiful children without a mother and really without a father also. At the time this happened the children were the ages 10, 5, 3, and 15 months. Now after 10 Years he is up for parole. The hearing is set for March 25, 2002. Please write letters to the parole board to keep him in prison. He only got 40

years and he thinks by serving 10 of them he has paid his dues.

My children and myself don't want him to get out. Their lives have been totally wrecked. I am afraid he will try to contact them and upset them more.

I talked with my children and they are afraid of him and the fact he killed their mother - what is to keep him from doing the same thing to them.

Please send your letters to:  
Board of Pardons & Parole.  
P.O. Box 302405  
Montgomery, Al 36130-2405

Re: RICHARD LAMAR LEAMAN I.D. # 169012  
Kilby Correctional Facility  
Minimum Release Date 09-07-2031

Thank you so much, Elizabeth

*(Continued from page 3)*

communications skills can go a long way toward avoiding them or minimizing the consequences of encountering them.

## Tap the Power

Collaborations have the power to enlist the community, build support for each organization's work, get more work done in better ways, and help the community achieve its vision more quickly. They are well worth the work required to make them all they can be.

National Assembly. *The New Community Collaboration Manual*. Washington, DC: Author. 1997.

National Crime Prevention Council. *Helping Communities Mobilize Against Crime, Drugs, and Other Problems*. Washington, DC: Author. 1992.

[1] The National Assembly. *The New Community Collaboration Manual*. Washington, DC: author. 1997. Page 1.

## 10 Things You and Your Neighbors Can Do To Prevent Violence

1. Work with public agencies and other organizations—neighborhood-based or community-wide—on solving common problems. Don't be shy about letting them know what your community needs.
2. Make sure that all the youth in the neighborhood have positive ways to spend their spare time—through organized recreation, tutoring programs, part-time work, and volunteer opportunities.
3. Set up a Neighborhood Watch or even a community patrol, working with police. Get to know your neighbors by name.
4. Build a partnership with police, focused on solving problems rather than reacting to crises. Make it possible for neighbors to report suspicious activity or crimes such as stolen property and illegal weapons without fear of retaliation.

mined to drive out crime, drugs, and violence.

6. Clean up the neighborhood! Involve everyone—children, teens, and senior citizens. Graffiti, litter, abandoned cars, and run-down buildings tell criminals that you don't care about where you live or each other. Call the city public works department and ask for help with your cleanup.

7. Ask local officials to use new ways to get criminals out of your building or neighborhood. These include enforcing anti-noise laws, housing codes, health and fire codes, anti-nuisance laws, firearms possession laws, and drug-free clauses in rental leases.

8. Help support victims and witnesses to see that criminals get swift and justly punished. Encourage them to testify when needed.

9. Work with schools to establish drug-free and gun-free zones; work with recreation officials to do the same for parks.

10. Develop and share a phone list of crime hotlines, neighborhood watch contacts, and other services that neighbors might need.

## 10 Things You Can Do To Prevent Violence

1. Teach children good safety habits while walking to and from school and playing in the neighborhood. Insist on knowing at all times where your kids are, whom they are with, and what they are doing.
2. Get involved. Volunteer to help in anti-crime and other neighborhood and community improvement efforts. Encourage groups you belong to (such as religious, civic, and social) to help stop crime.
3. Use common-sense tips to reduce your risk of being a crime victim. Stay in well-lighted, busy areas; travel with a friend if possible; walk in a confident, assured way. Avoid known trouble spots.
4. Report crimes and suspicious activity to police; agree to testify when necessary. Stand up for what you believe in if you want a safer community.
5. Get to know your neighbors and agree to look out for each other.



# Supreme Court Rules on Civil Commitment

In January 2002, the United States Supreme Court reiterated the constitutionality of sexual predator civil commitment laws, which permit the civil detention of a person who has been charged or convicted of certain violent sexual offenses. Such laws are designed to keep victims and the public safe from extremely dangerous sexually violent predators who have a mental abnormality or personality disorder and who are likely to engage in repeat acts of sexual violence.

In its recent opinion in the case of *Kansas v. Crane*, the Court clarified that to confine a sexual predator, the person must have "serious difficulty in controlling behavior." While the defendant had argued that the court was required to find that he was unable to control his violent behavior, the Court noted that "insistence upon absolute lack of control would risk barring the civil commitment of highly dangerous persons suffering severe mental abnormalities."

Bills have been introduced this year in Kentucky and New Jersey to permit the civil commitment of sexual predators, modeled on the laws of Kansas and over 15 other states.

**The article below from the 4/3/2001 Houston Chronicle gives background to this issue.**

## Court will clarify sexual predators ruling

By PATTY REINERT, Houston Chronicle Staff

WASHINGTON - Nearly four years after its decision allowing states to keep sexual predators locked up long after they have served their time, the U.S. Supreme Court agreed 4/2/01 to clarify its ruling.

A decision in a Kansas case, expected by July 2002, could affect laws in Texas and dozens of other states that have sought to protect the public from repeat sexual offenders once they are released from prison.

The high court ruled in 1997 in another Kansas case that states can keep sexually violent predators in custody after their terms are completed if they can show that the inmate has a "personality disorder that makes it difficult, if not impossible, for the person to control his dangerous behavior."

But the Kansas Supreme Court ruled last July that a lower court had gone too far in committing Michael Crane to a state treatment facility after his release from prison.

Crane was convicted of lewd and lascivious behavior for exposing himself to a tanning salon attendant in 1993.

According to court records, 30 minutes after that crime was committed, Crane went to a video store, where he exposed himself, grabbed a clerk and threatened to rape her. The attack

ended when Crane suddenly stopped and ran out of the store.

For that incident, Crane pleaded guilty to one felony count of aggravated sexual battery. He served a little over four years in prison.

Toward the end of his sentence, the state sought to have Crane declared a sexually violent predator so that he could be sent to a treatment facility rather than being released.

In his civil commitment trial, the state presented evidence of Crane's inappropriate sexual behavior as well as testimony from mental health professionals who said Crane suffers from antisocial personality disorder - which one psychiatrist testified may affect more than 75 percent of all prison inmates.

Unlike in the previous case before the U.S. Supreme Court, however, there was no finding in Crane's case that he is incapable of controlling his behavior.

Crane's lawyers argued that without that finding, the Kansas law would not have been held constitutional in 1997.

The Kansas Supreme Court agreed, citing Justice Clarence Thomas' majority opinion in which he said that for the law to be constitutional, it must be applied only to those "who suffer from volitional impairment rendering them dangerous beyond their control."

In a concurring opinion in that case, Justice Anthony Kennedy warned that the decision should not be read as permitting states to use the civil commitment procedure to further punish a person who already has been convicted in criminal court and has paid his debt to society.

A decision in the current case could affect how courts around the country deal with commitment proceedings since many states, including Texas, modeled their laws on Kansas'.

Melinda Bozarth, assistant director of the programs and services division of the Texas Department of Criminal Justice, said only two people have been committed since Texas passed its law in 1999. Another 17 cases are pending.

But unlike in Kansas, where sexual predators can be confined to a state mental hospital for years, Texas' law calls for intensive outpatient treatment, restrictions on where the person can live and increased monitoring of their whereabouts.

Bozarth said that Texas' law, like Kansas', requires the state to prove that a person is a "sexually violent predator," meaning he has been convicted of two sexually violent offenses, and that he has a "behavioral abnormality" that makes him "likely" to repeat his crimes. ✕

Copyright 2001 Houston Chronicle Publishing Company. Reprinted with permission. All rights reserved.



# The History of Parole in Texas

The first parole law was enacted by the Texas Legislature in 1905. That law gave power to the Board of Prison Commissioners and the Board of Pardons Advisors, with the approval of the Governor, to make rules and regulations under which certain meritorious prisoners might be paroled. Those who had served two years or one-fourth of their terms were eligible for parole, provided they were first-time offenders and had not been sentenced for certain offenses.

In 1911, legislation was passed which empowered the Board of Prison Commissioners alone to make rules and regulations, subject to the Governor's approval, for the parole of prisoners. This law provided that meritorious prisoners were to be eligible for parole after having served the minimum terms fixed by statute for the crime and conviction. It also provided for a parole agent or supervisor to keep the state informed about the conduct of parolees. However, no system of supervision existed. In 1913, the addition of an indeterminate sentence law increased the use of parole and gave the Governor the sole power to grant paroles. The Board of Prison Commissioners still established rules and regulations under which prisoners could be paroled, but such rules and regulations had to be approved by the Governor.

In 1929, the Board of Pardons Advisors was revitalized by the Legislature and a third member added so as to create the Board of Pardons and Paroles with power to recommend prisoners for parole to the Governor as well as to advise on clemency matters. Parole applied only to those who had never before been convicted of a crime punishable by sentence to the penitentiary. This restriction was changed in 1930 and only those who had actually been in prison before became ineligible. In 1936, the Constitution was amended so as to create a constitutional three-member Board of Pardons and Paroles. The amendment gave the Board authority to recommend paroles and all acts of clemency to the Governor (however, the Governor could grant one 30-day capital reprieve without such recommendation), and the Governor was given sole power to revoke paroles and conditional pardons. This act may be said to be the birthplace of parole in Texas.

Parole was to be recommended only if the Board was of the opinion that the prisoner was not incompatible with the welfare of society. The Board was empowered to prescribe conditions of parole and was required to furnish a written copy of such conditions to the parolee. The parolee did not have to have a job to be paroled; but, if offered one, he had to accept. He was not to leave the state without the Board's consent. He was required to support his dependents, make restitution for his crime and abandon evil associates and ways. Upon release from prison, a parolee was given a suit of clothing, two suits of underwear, \$5.00 and a railroad ticket to the place of his

conviction.

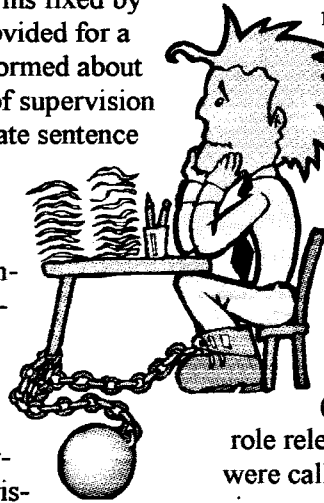
While there were no parole officers, a supervisor of parolees was provided to keep records of parolees; and, if they lapsed into criminal ways or violated any condition of parole, the matter was to be reported to the Governor, who could issue a warrant for the retaking of the prisoner. After his return to prison, the Board was required to hold a hearing to consider the case of the parole violator. A parole violator was required to serve the balance of his maximum sentence calculated from the date of his delinquency. Therefore, the time spent on parole counted as time served on his sentence until parole was revoked. A violator who committed a new offense while on parole was required to serve the balance of his original sentence before beginning to serve the new sentence.

In 1937, the Governor called for the formation of voluntary parole boards. These boards consisted of citizens of the state who performed supervisory services to parolees without compensation. Prior to this time, no actual supervision of parolees was possible since only one supervisor of parolees was provided in the law. Voluntary parole supervisors were appointed in 242 of 254 counties in Texas. They assisted parolees in obtaining jobs and required them to make reports.

The Adult Probation and Parole Law enacted by the 50th Legislature in 1947 established the general framework for how community supervision (probation) and parole operate today. Prior to 1947, parole releases from prison were actually executive clemency and were called conditional pardons or executive paroles. However, since no additional funds for parole operation were appropriated in the 1947 Legislature, supervision of those released on parole or conditional pardon was entirely by the volunteer parole boards.

Many changes continued over the years, leading eventually to the establishment of the current 18-member Board of Pardons and Paroles. Until September 1, 1989, in addition to parole decisions, the Board was also responsible for the operations of the parole supervision system. When the Legislature merged the Board of Pardons and Paroles, the Texas Adult Probation Commission, and the Texas Department of Corrections into the Texas Department of Criminal Justice (TDCJ), the Board maintained its authority over parole decisions, but the TDCJ Parole Division assumed the other parole-related responsibilities.

The Parole Division Director is appointed by the TDCJ Executive Director and is responsible for the administration and operation of the division. The division is composed of six sections: Review and Release Processing, Field and Support Services, Specialized Programs, Warrants, Information Services, and Staff Development. ✂





(Continued from page 6)

Get organized; work with the police.

6. Find ways to settle arguments without violence. If you resort to violence to settle disputes, this is what you teach your children. Be a good role model.

7. If you own a firearm, remember that your obligations as a responsible owner include training in firearms safety, safe storage, and careful handling within the laws of your state and local jurisdiction.

8. Use common courtesy. It helps ease tensions that can result in violence. Teach kids that good manners are important.

9. Don't carry illegal weapons, buy stolen property, use illegal drugs, or engage in other criminal activity. It's the wrong message to send a child.

10. Make sure your children know safe places to go when they are scared or need help. And make sure they know where you are and how to reach you. Have them memorize or carry with them important phone numbers.

**Test Your Knowledge**

1. What portion of the 15,000 people murdered each year in the United States were killed by a criminal armed with a gun?

- 1. 1/3
- 2. 1/2
- 3. 2/3
- 4. 3/4

2. Of the medical costs for treatment of firearms-related injuries, what percentage is paid by taxpayers?

- 1. more than 20%
- 2. more than 40%
- 3. more than 60%
- 4. more than 80%

3. Which of the following persons is not allowed, under federal law, to possess a firearm?

- 1. a person who has voluntarily committed him/herself to a mental institution
- 2. a foreigner classified as an alien who possesses a green card
- 3. a person who is subject to a domestic restraining order
- 4. a soldier who has been honorably discharged from the military

4. What is a "straw purchaser"?

- 1. A person other than the actual purchaser of a firearm who executes the paperwork necessary to purchase that firearm from a licensed dealer
- 2. A licensed firearms distributor who has purchased guns on the street
- 3. A licensed firearms distributor who has purchased guns internationally
- 4. Anyone who has purchased a gun on the street

5. The firearms homicide rate for children under 15 years of age is:

- 1. below that of other industrialized nations
- 2. 10 times lower than other industrialized nations
- 3. the same as other industrialized nations
- 4. 16 times higher than other industrialized nations

**Answers**

1) What portion of the 15,000 people murdered each year in the United States were killed by a criminal armed with a gun?

The correct answer is: **2/3**

2/3 of all people murdered each year in the United States are killed by a criminal with a gun. Gun crime plays a major role in the different types of violent crime that plague America.

2) Of the medical costs for treatment of firearms-related injuries, what percentage is paid by taxpayers?

The correct answer is: **more than 80%**

Gun violence affects us all, whether directly or indirectly. Victims of gun crime must, of course, be cared for in our nation's hospitals, and sometimes a portion of those costs fall on U.S. taxpayers.

3) Which of the following persons is not allowed, under federal law, to possess a firearm?

The correct answer is: **a person who is subject to a domestic restraining order**

A person who is subject to a domestic restraining order prohibiting specific conduct with their partner or a child of the partner (or themselves), and posing a credible threat to the physical safety of the partner and/or child, may not possess a firearm or ammunition. Possession by such a person is a felony punishable, if convicted, with a stiff prison term with no parole.

4) What is a "straw purchaser"?

The correct answer is: **A person other than the actual purchaser of a firearm who executes the paperwork necessary to purchase that firearm from a licensed dealer**

A "straw purchase" occurs when the actual buyer of a firearm uses another person, the "straw purchaser", to execute the paperwork necessary to purchase firearms from a federal firearms licensee. Such an offense constitutes a felony and, upon conviction, is punishable by a prison term of up to 10 years.

5) The firearms homicide rate for children under 15 years of age is:  
The correct answer is: **16 times higher than other industrialized nations**

The impact of gun violence is especially grave among juveniles and adolescents. Among those ages 15 to 24, the U.S. firearm homicide rate is 5 times higher than Canada, 30 times higher than Japan. A teenager in the United States today is more likely to die of a gunshot wound than from all the "natural" causes of death combined. ✂

Shop online at Amazon.com and help raise funds for JFA. If you do your shopping for books, movies and music through the link on the Justice For All web site at [www.jfa.net](http://www.jfa.net), we earn 5% - 15% from each order. JFA receives 3 cents for every search done through that site, which helps pay our web site bills.



# WHAT'S UP WITH THOSE RADIO COMMERCIALS ANYWAY?

By Greg Shaw

During the last month Justice For All has run a series of radio commercials that raised a lot of attention. I am of course referring to the political advertisements we sponsored regarding the race for State Senate District #17. The purpose of this letter is to try and explain the reasoning behind this decision.

In late January the Justice For All screening committee choose Kyle Janek as the recipient of our endorsement in this race. Dr. Janek had built an eight-year relationship with us while he was a member of the Texas House. During that period of time he had always showed himself to be supportive of our issues and sympathetic to our cause. His opponent, Gary Polland, has had a long history of representing violent felons as a criminal defense attorney.

Shortly after the endorsements were announced we were approached by the Janek campaign and some mutual friends and sounded out regarding a radio commercial. In this commercial the numerous violent felons that Mr. Polland had represented were to be highlighted. This resulted in a week's worth of discussion by the club's board members. A decision to air the commercials was made. I will now review some of the factors that went into this decision.

Justice For All has been involved in the political process from the beginning. We have endorsed and campaigned for individual candidates. We have lobbied for the passage of specific legislation and ordinances, and to stop the passage of others. Thus, it should not come as such a surprise that we would want to help elect a JFA friendly candidate, a candidate who had not only received our endorsement but that had built a relationship with us over a period of time.

Another factor in this decision was the Janek campaign's desire to use the issue of crime in this race. I have served

on every JFA screening committee since 1998. I have listened to us try and get politicians to pay attention to our issues and watched some of them forget about us the moment they received our endorsement. Here was a candidate that wanted to make crime a central theme of his campaign, and we felt obligated to support that.

Another factor in this decision was our past dealings with the Texas Legislature. Experience is the harshest teacher. We have found that those who have made their fortunes defending violent criminals rarely turn into a "tough on crime" legislator in Austin.

Some critics of this decision have accused us of being against Mr. Polland because he is a criminal defense lawyer. This is not true. All criminal defense attorneys don't represent so many violent thugs. Mr. Polland has represented many violent criminals and it's reasonable to believe that if he were elected to the Texas Senate his values and priorities would not be the same as ours.

Other, more radical critics have accused us of being against the right of all whom are charged with an offense to receive legal representation. Our ads never said, or implied, such a position. Justice For All supports the Constitution of the United States, which guarantees such representation.

Finally, we have been criticized for the "negative tone" of the ads. My reply to that criticism is that I cannot imagine a "positive" way to characterize murderers and child molesters, nor those who represent them.

If you have any questions or comments please e-mail or call me.

Thank you,

Greg Shaw  
Justice For All  
Ottoregg@houston.rr.com  
713 520 8392

*This issue is dedicated to*

The Yates Children  
Noah (7), John (5), Paul (3),  
Luke (2), and Mary (6 months).



## Supreme Court Upholds Searches of Offenders on Probation

The Supreme Court has vindicated CCI's position on warrantless searches of probationers. The case involved James Knights. While on probation for drug offenses, Knights did 1.5 million dollars of damage to a local power company that had been attempting to get him to pay his utility bill. In connection with his probation, Knights had consented to search by any law enforcement officer. He was convicted of arson based on evidence obtained during a warrantless search of his apartment conducted by a detective who reasonably suspected Knights' involvement in the arson case. The federal appeals court in California, however, held that the evidence against Knights should be tossed out, reasoning that the warrantless search was "investigatory" rather than aimed directly at enforcing the terms of Knights' probation. The Supreme Court rejected this slim distinction, upholding the constitutionality of warrantless searches supported by reasonable suspicion and authorized as a condition of probation. This common sense conclusion is critical to protect both communities and the offenders who are released into community supervision programs. Thanks go to pro bono lawyers Lyle Roberts, Andrew Volmer, and also to Demme Doufekias, for their effective advocacy on this issue.✘

## Bush Administration Gets Tough on Gun-Related Violence

Following through on his campaign pronouncements that the nation doesn't need more gun laws, just better enforcement of existing ones, President George W. Bush's administration has announced a comprehensive, new national effort to take gun-wielding violent criminals off American streets. Under the Administration's Project Safe Neighborhoods, the U.S. Dept. of Justice is committing \$533 million over two years to beef up federal, state and local prosecutions of gun-related crimes. More than 580 new prosecutors will be hired to aggressively pursue gun cases in state and local courts, and the Justice Dept. will add 94 new Assistant U.S. Attorneys to the 113 hired last year to pursue federal cases. In addition to the new prosecutors, the anti-violence offensive will focus on providing additional support investigators, and provide training and develop community outreach programs to promote and improve public safety. "Project Safe Neighborhoods is a new national strategy that will get gun-wielding criminals off our streets and out of our neighborhoods," said Attorney General John Ashcroft. "These new federal, state and local prosecutors will ensure that our gun laws are vigorously enforced so that our citizens will be protected from gun violence." ✘



# Parole Protest



Kim Conner, a friend to JFA, asks for our support in keeping a convicted rapist from harming anyone upon his next release from prison. Please write to keep this repeat offender in jail where he belongs.

In November 1990 (the day after Thanksgiving) sammy cloud was released from prison after serving 2 years of a 20 year sentence for burglary. Less than one week later he raped and robbed Kim Conner (Hill) in her apartment.

He went on to rape and rob two more women and attempted a fourth assault before he was arrested in February 1991. This man has spent most of his adult life in prison on various charges from drug possession to burglary. He has told people that he prefers life in prison to life on the outside. That is why he started his criminal life so soon after getting out of prison.

Please write your parole protest to the address below and in-

clude his name, State ID and TDCJ ID.

Offender: Sammy Lee Cloud  
State ID: 01977111  
TDCJ ID: 00608377

Send Parole Protests to:  
Parole Protest  
Raven Kazen  
Director, Victim Services Division  
Suite 230S  
P.O. Box 13401  
Austin, TX 78711  
FAX: (512) 452-0825  
EMAIL: [victim.svc@tdcj.state.tx.us](mailto:victim.svc@tdcj.state.tx.us)

THANK YOU FOR YOUR SUPPORT!



## Remembrance Bracelets



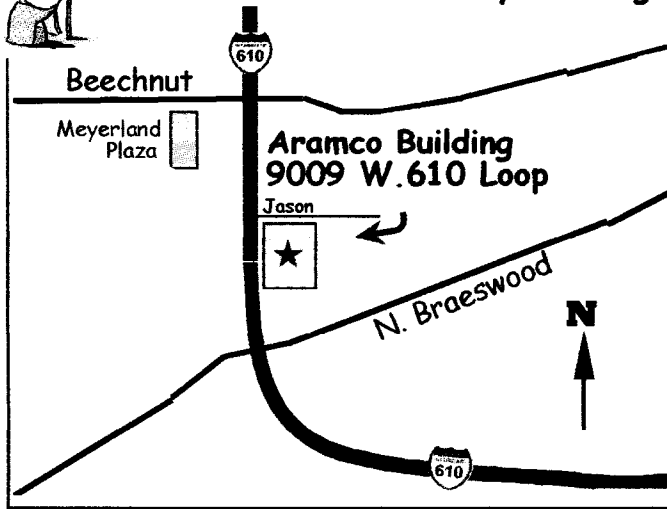
We are asking each of you to become a soldier in the War on Crime by ordering and wearing a JFA Crime Victim Remembrance bracelet - similar to POW-MIA bracelets of the Vietnam War era - as a symbol of peace and a reminder of those lost to violent crime in America. Our goal is to have this symbol of respect and remembrance of loved ones lost and violated by violent crime on the arms of people nationwide. You can request the name of a specific crime victim on your bracelet or allow us to choose a victim to be remembered by you. If you would like your loved on to be remembered in this way, please submit a brief personal history (no

# Monthly Membership Meeting

Justice For All membership meetings are held the second Wednesday of each month and are open to all who wish to attend. Please bring friends and co-workers to JFA meetings. We need a groundswell of concerned citizens involved and committed to making positive changes in the criminal justice system.



## How to find JFA's Monthly Meeting



## May Meeting

*WEDNESDAY, May 8, 2002*

6:30 P.M. Coffee, Cookies, Soft Drinks

7:00 P.M. JFA Meeting

**Aramco Building Auditorium**

**9009 W. 610 Loop at N. Braeswood**

(see map at left)

**Speaker:**

**David Dewhurst**

June Meeting—6/12/02

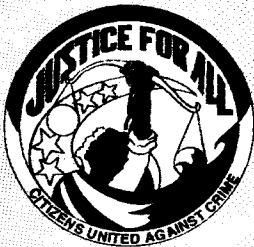
**To be announced**

## Justice For All

A Criminal Justice Reform Organization

P.O. Box 55159

Houston, Texas 77255-5159



Justice For All is an all-volunteer, Not-For-Profit organization founded in 1993 with the mission to act as an advocate for change in a criminal justice system that is inadequate in protecting the lives and property of law-abiding citizens.

Through private citizen and corporate membership, Justice For All will peacefully exert the social and legislative influence necessary to effect positive change in the criminal justice system. An informed, dedicated and politically active membership will be the greatest asset in achieving that objective.

*RETURN SERVICE REQUESTED*

NON-PROFIT ORG.  
U.S. Postage PAID  
Houston, Texas  
Permit No. 7857

JFA OFFICE: (713) 935-9300  FAX: (713) 935-9301  WEB ADDRESS: <http://www.jfa.net>