

# JUSTÍCIA

## **CLARE REGAN** **(4/15/1927-12/11/2006)**

[Editor's note: This biography was prepared by Clare's children for her 12/16/06 memorial service at Downtown United Presbyterian Church, Rochester. Following the biography are just a few of the many testimonials that have come in; more will be printed in the next issue. The outpouring of regret and admiration attests to how much respect Clare commanded, and how admirable were her accomplishments.]

**Clare Regan was born** April 15, 1927, in Hackensack, NJ. Much of her childhood was spent in Midvale, PA, where her family lived without running water or electricity in a tar-paper shack.

Although they lived in poverty, Clare's parents stressed the importance of education for their two girls and three boys. Clare obtained a scholarship to Duquesne University, from which she graduated magna cum laude with a B.S. in chemistry (and a minor in theology) in 1949 and an M.S. in chemistry in 1950. She began a doctoral program in organic chemistry at MIT, and on December 27, 1951, she married fellow chemistry student Thomas H. Regan, also a Duquesne graduate. Although she was one of the few women to be accepted into science programs at MIT at the time, and had achieved nine scientific publications, she left the program in the first year to pursue what she felt to be her true calling: becoming a full-time mother. Originally desiring to have 12 children, she had six children in eight years: Christopher, David, Rebecca, Laura, Paul, and Robert.

Clare was deeply committed to the belief that love in action can change the world. While her children were young, Clare was a religion teacher at the Assumption Church, and was active in the local Democratic Party and in anti-war politics. As her children grew and required less of her time, she devoted more energy to the causes she was passionate about: prison reform, decriminalization of drugs, and abolition of the death penalty. In 1971, she helped found the Rochester Peace and Justice Education Center, where she served as treasurer until 1977. During this time, she also worked with the Prisoner Assistance Project at Attica. In 1977, she joined the Judicial Process Commission, which became her home-base for

much of her work for the remainder of her life. There, she wrote for and edited the newsletter *Justicia* for nearly 30 years. Clare also worked for Amnesty International as the long-time anti-death penalty coordinator for western New York, was a founding member of the anti-war group Catholics Against Nuclear Arms, and was a longtime supporter of her dear friend Louise Slaughter.

As part of her prolific activist work, Clare brought her ideas and knowledge to many local, national, and international forums. She created the opportunity to speak at numerous high schools and colleges, and with many church and community groups. She taught criminal justice at RIT for several years, participated in regular death penalty debates at Georgetown University, and presented at several international conferences. She was often sought as an expert in radio and television debates, and she would never miss any opportunity to write a guest editorial.

Dedicated to serving others, Clare's generosity, kindness, and example touched and changed the lives of many. She was able, however, to balance the seriousness of her pursuits with her sly (and occasionally ribald) sense of humor. She was a sports enthusiast (Go Bills and Orangemen!), an avid reader, and a lifelong nature lover.

Clare is survived by her six children, grandchildren Caitlin and Bridget Regan, siblings Lois Maxwell and Richard McGinnis, a large extended family, numerous loving friends, and a few worthy adversaries.



**Clare Regan was about the same age** as my mother was when she died in 1996. And, as with my mother, I find it difficult to believe that she is really gone forever.

Clare was a friend and a colleague in the fight to leave this world better than we found it, and she was never afraid to speak truth to power, in the unique way she had of doing that. When someone like her dies, there is often a temptation to sanctify her (especially as she was a woman of deep faith, as were many of her friends). As the "secular humanist" of this group, I was happy to find that her humanity was what distinguished her from the common perceptions of sainthood, and as a result she became friends with all sorts of people with whom she came in contact.

Humor and fierceness are not often seen as compatible, but in Clare there was an abundance of

both. Even in her anger at the inhumanity that prevails in much of the criminal justice system and in the broader way that the world, and this country, is run, she always had a good story culled from her experiences in trying to thwart the status quo. She never stopped telling it exactly 'how it was,' and to some pretty powerful people at that. The stories told at her memorial service by family, friends and clergy all attested to her ability to do that, even up until the very end. Clare was humble but never meek!

I believe that the best way to remember her is to fight for the truth, and for humanity to act on its best instincts instead of its worst, to educate ourselves and others, and to speak out about all injustice. One of her daughters told me that Clare was always a little embarrassed that she hadn't been arrested more often; she liked the fact that I had been. She had the most active conscience of anyone I know, and used it to work for change. So, for her sake and especially if you believe her spirit is still hanging around and haranguing us all – get up off your butts and get on the bus!

*-Mary Boite, Judicial Process Commission*

**From the day I met** Clare Regan, I was aware how smart she was. When she laid out positions and thoughts, they were always based on facts and data. Frequently her ideas were far ahead of the norms in our society. Her work on the death penalty and legalization of drugs challenged the current social thinking, yet they were grounded in solid data. Today the death penalty debate frequently incorporates the information she shared with others in the 1970's. Clare was way ahead of the times!

Clare's ideas were not always accepted with kindness. It was not easy for our political leaders to accept these ideas that the uninformed public responded to with such vehemence. Clare was brave!

Clare's dedication to justice was her life work. Her perseverance was steady and consistent. Telling the story with the data to back up her proposals caused others, even her opponents, to respect her wisdom. Clare was respected!

Clare was an inspiration to me. She did not waver. She was not put off by those who opposed her. Clare set an example for others: Stand up for what you believe, share your wisdom and know that working for justice is always a worthy cause. It has been said, "The struggle is its own reward."

Sharing the struggle for justice with Clare

was truly a reward for me.

**-Carolyn A. Portanova, Catholic Family Center**

**I had spoken with Clare** twice since she was diagnosed with cancer, the last time several months ago when she seemed to be doing well. So I was surprised and extremely saddened to learn that she had died.

Clare was one of my heroes. She was an extraordinary person who gave so selflessly for so many worthy causes. I first met Clare at JPC in 1977 when we served on the commission together and until I left Rochester in two years later after 10 years at Monroe County Legal Assistance Corp. I then became the Executive Director of Prisoners' Legal Services of New York; we continued to serve together for some 20 years as members of the New York State Coalition for Criminal Justice, meeting several times a year in Albany.

Clare was a passionate advocate for progressive change, for justice and for peace. She cared deeply about people. In the criminal justice world, where I knew her best, she was incredibly knowledgeable about sentencing, drug policies and the death penalty. Clare was effective largely because she was so knowledgeable and so reasonable. She was wonderful to work with and to know: a great human being and humanitarian.

Although it has been a number of years since I saw Clare, I will miss her informative *Justicia* articles and our occasional telephone chats. We have all lost a champion.

**-David Leven, Prisoners Legal Services of NY**

**Clare Regan will be greatly missed.** Her presence in the community, her dedication to the causes in which she engaged, and her perseverance in pursuit of justice, were all lights for many. Men and women struggling with drug addiction and the criminal code associated with drug use; prisoners, particularly those whose lives were in jeopardy of being ended by capital punishment and those who were recently released from prison, all benefited from Clare's care for the dignity of the human person. Clare exemplified the love that can be generated by one person when a commitment is made to take action on Jesus' teaching that we are called to care for the least among us.

In later years, Clare was so prominent in the criminal justice community that young people and those new to our community may not be aware that she was also involved in other life-affirming

activities. For over a decade, she was present at peaceful protests at the Seneca Army Depot, helping people to understand the overwhelming injury to humanity and God's earth that occurs when weapons of mass destruction are considered for use by any nation. In later years, Clare's reputation was such that she was asked to teach university level courses on justice, debate influential people, express her opinions to leaders among us. It does us all well to remember that Clare's activism began with, and continued to manifest itself by, her willingness and dedication to type a newsletter as well as write it, to be at a meeting, to stand in the rain, to make a phone call. Clare's tenacious, intelligent, dedicated and persevering presence will be greatly missed.

**-Bishop Matthew Clark, Roman Catholic Diocese of Rochester**

**Let me say,** I was a bit exasperated by my first meeting with Clare Regan. I was introduced to her by my predecessor, Sheriff Andy Meloni, during a meeting to discuss jail issues and the upcoming jail expansion – this was over 20 years ago. I was the newly appointed Undersheriff, and Clare made it known to me right out of the blocks that she was a woman with a mission and she was not about to back away from any cause she believed in. She would be watching!

Needless to say, she left a strong first impression. I was determined, however, not to let this get in the way of our working relationship, and to be quite honest, I admired her for sticking to her guns and making her case. Over the years, her numerous phone calls and her correspondence to me, not to mention our many meetings, were a bit contentious, but mostly we ended up agreeing on more issues than disagreeing. Needless to say, we knew where each other stood, and we came to be more comfortable with one another despite our periodic, differing points of view.

I learned quite a bit from Clare these past few years. I found her to be a woman of strength, a woman of character and a very intelligent woman - one who held fast to her convictions. She never backed away from her mission – evident even in her *Justicia* farewell message, where she apologized to inmates for not being "more effective in changing the system." Most of all, I learned to respect Clare for her passion, her compassion and her zeal to help others.

**-Patrick O'Flynn, Monroe County Sheriff**

**Clare's last action** - dying without the relief that non-opiates like marijuana could provide (opiates made her so nauseous that she could not tolerate enough to relieve her pain) - should be the final impetus we need in New York to medicalize (decriminalize) marijuana. I'd love to see a "Clare Regan Bill" to that effect! "Clare's Law" might even begin to break our reliance on punishment, vengeance, and militarism - costly & ineffective state responses to crime and conflict - and set an example for more restorative legislation.

When I interviewed Clare some years ago, I learned much that I hadn't known, despite having worked with her for decades:

Clare's path to JPC wound from Pittsburgh to Boston to West Chester, Pennsylvania; through graduate school in chemistry at Duquesne and MIT to mothering six children and caring for a variety of indisposed relatives; from the PTA to political campaigning for a friend; from anti-war activities to prison work; from Presbyterianism to Catholicism. She outlined her beliefs:

I do believe there is a God, and I believe that we're put here for a purpose, and I believe that we have an obligation to leave the world a little better than we found it. So that's sort of where we come from, but I would do exactly what I was doing even if I believed there was no God. It's strictly a question of justice. So I don't know that I do it for religious purposes; I do it for justice purposes.

Her prison work began with the Prisoner Assistance Project (PAP)—trying to find jobs for people preparing to be released from prison. A combination of what Clare called "culture shock" of African Americans from NY City ending up in Rochester and a downturn in the economy of the region ended that project by 1977. She then began working at the Judicial Process Commission.

While her initial focus was on anti-death-penalty work, Clare came to focus more on drug policy issues. The same year she agreed to edit the JPC Newsletter *Justicia*, her mother died of lung cancer after 50 years of smoking. Her personal life convinced her to research drug addiction and policy.

I saw the folly of it. I mean, I come

from a whole family of alcoholics; my father was, his brother was, my mother's father was, his brother was, my husband's mother was; his brother died of alcoholism, his father wasn't, but his father's brothers were. And people smoked, they all smoked... and my husband died from emphysema and my mother from lung cancer, and my Dad dropped dead of a heart attack, and he was a heavy drinker and smoker. The last thing they needed was to be made criminal on top of everything else.

Clare's research led her to *Licit and Illicit Drugs*, a book she described as "absolutely wonderful" and "really well researched," and to an analysis of the mandatory and infamous New York Rockefeller Drug Laws, enacted in 1973 and 1978. Yet Clare attributes the main motivation for her prison work to her son's being a draft counselor - she wanted to "clean up the jails" before he got there! Clare was also a draft counselor and witnessed at the Seneca Army Depot against war and the "things of war" every Tuesday for years, simultaneously with her criminal justice work and while her husband was suffering from lung cancer.

Clare connected with the NY State Coalition for Criminal Justice in the late 1980s, when she became the Judicial Process Commission's representative to their Board. Sharing a profound belief in justice, fairness and the power of "ordinary people coming together" to change unjust structures, Clare helped make the democratic discourse of civic responsibility real.

Clare: "What keeps me going? The arrogance that I know I'm right! As the PREAP people used to say with Honey Knopp, it took a hundred years to abolish slavery and if somebody hadn't started it, it wouldn't have happened... As the Bible says, those who planted were never promised to be around for the harvest. I just have to accept the fact that I can't see what's happening. I just know that somebody has to do it."

And now it's up to us to do it. Clare would expect no less.

*-June Licence, Grand Island, New York (also on behalf of Margaret Stinson, Syracuse; and Chuck Culhane, Great Meadow)*

**Clare Regan** was a wonderful representative for the Judicial Process Commission in her service on the Public Defender's Advisory Board.

On the issues which determined the nature of the criminal justice system in Monroe County, Clare was consistently the driving force aimed at obtaining community recognition of the shortcomings of existing policy and the need for change. She was always willing to share her vision for a more just and peaceful society. She would regularly remind everyone that addicts need treatment and not incarceration, and that time in jail or prison alone would not cure someone's addiction to drugs. I believe that is why Clare worked so hard to bring about a reform of the Rockefeller Drug Laws. Additionally, Clare will long be remembered as an outspoken critic of the Death Penalty. She was always willing to debate and write on this issue. When she did, Clare was always thoroughly prepared and had the factual data to support each and every one of her positions.

In my opinion, one of Clare's most significant contributions to our community was her tireless effort in opposition to jail expansion and advocating, instead, for the creation of alternatives to incarceration. Monroe County has developed a number of meaningful alternatives to incarceration, such as the Day Reporting Center at Pretrial Services and the TASC (Treatment Alternatives to Street Crime) Programs at both the Probation Department and Public Defender's Office.

However, in the final analysis I believe what made Clare such a valuable member of the Public Defender's Advisory Board was her passion for Justice. She realized that the poor and disadvantaged in our community needed their voices to be heard.

Clare was willing to let those voices be heard through her writings in *Justicia* and her voice in her service on a variety of advisory groups throughout our community. Clare did what she did not for herself but for others in order to make our community a better, safer and more peaceful place to live.

*-Ed Nowak, Monroe County Public Defender*



## Reentry: Obstacles, Challenges

By Jason D. Hoge

At the end of 2000, it was estimated that there were 1,381,892<sup>[1]</sup> Americans in state and federal prisons; 95% of these Americans will be released from prison at some point.<sup>[2]</sup> It is reported that within the United States approximately 630,000 individuals are released from state and federal prisons every year.<sup>[3]</sup> In addition to this staggering figure another countless number of individuals are released from local jails each year. In New York State alone, 177,000 individuals return from prison and jail each year.<sup>[4]</sup> Approximately 980 individuals return from prison to Monroe County each year.<sup>[5]</sup> It is estimated that from the total number of individuals released solely from prison, one-third of these individuals will be re-incarcerated within three years of their release.<sup>[6]</sup> According to U.S. Department of Justice Bureau of Justice Statistics, as of December 1, 2001, 64 million people in the United States had a criminal record, approximately 30 percent of the nation's adult population.<sup>[7]</sup> Thus, both nationally and locally our communities face a dilemma of unacceptably high numbers of recidivism and the dangerous effects of creating a permanent underclass that is marginalized and disenfranchised. The consequences of large populations' failing to reintegrate back into their communities subsequent to their convictions, threaten these communities' public safety, economic viability, and social prosperity. The seriousness of this problem has been recognized by President George W. Bush, in his 2004 State of the Union Address, when he stated, "Tonight I ask you to consider another group of Americans in

need of help. This year, some 600,000 inmates will be released from prison back into society. We know from long experience that if they can't find work, or a home, or help, they are much more likely to commit crime and return to prison... America is the land of second chance, and when the gates of the prison open, the path ahead should lead to a better life."<sup>[8]</sup>

When individuals cannot overcome the obstacles they face in successfully reintegrating into their communities, this failure not only harms the individual, but also has a wider and more damaging affect on his/her family and their community as a whole. Simply, the exorbitant costs to continuously maintain an ever-growing incarcerated population is reason enough to deem the issue of reentry a national and local concern. For example, Monroe County is reported to spend \$44,902 a year per prisoner, as compared with \$6,080 a year per student.<sup>[9]</sup>

However, the deleterious effect of unsuccessful reentry is even more insidious than merely the costs of confinement. Like a poisonous gas permeating the air, the damage caused by recidivism is diffuse and subtle. Prisoner reentry disproportionately impacts disadvantaged communities and neighborhoods, typically in urban areas. These communities are most often communities of color that still are adversely affected by the vestiges of discrimination and disenfranchisement. It is reported that in Monroe County, African-Americans, who comprise 14 percent of the population made up 68 percent of the prison sentences and 59 percent of the jail sentences in the year 2000.<sup>[10]</sup>

When members of a community that is already affected by economic depression, crime, and other social ills fail to successfully reintegrate into their troubled communities, the impact is only compounded. It is important to note that communities most affected by prisoner reentry are statistically the same communities with the highest number of families living in poverty, higher-than-average unemployment, and numbers of female-headed households.<sup>[11]</sup>

When an individual fails to gain employment, his/her likelihood for recidivism increases, as a wealth of criminological research demonstrates,<sup>[12]</sup> and threatens the community's interests. Furthermore, the loss of employment means a loss in economic potential for the community outside of the individual's neighborhood, in terms of the waste of productivity

in unemployment, lost revenues in terms of taxes uncollected, and loss of disposable income that would have otherwise been generated from the individuals' employment. Thus, the unemployed individual attempting to reintegrate post-conviction, if unable to attain employment, is left with a Hobson's choice: either becoming a dependent of family members in already tenuous economic positions, or on public assistance as a drain on the wider community. Both of these unattractive alternatives increase the potentiality of the individual returning to his/her life of crime.

Furthermore, when individuals fail to successfully reintegrate through attaining employment post-conviction, the cost is tremendous on an already strained family unit in terms of the inability to provide financial support, and this familial tension also has wider negative communal effects. These negative communal consequences take the shape of added reliance on public assistance, disintegration of cohesive family units, loss of community role models, and generational criminogenetic issues.

Monroe County and Rochester, once among the most powerful pistons in the engine of the Empire State's economic locomotion, have in recent decades misfired, a fact reflected in the sputtering present-day Upstate economy. It is reported that in 1999 that 25.9 percent of Rochester's population lived below the poverty level, compared with 14.6 percent of the New York State population.<sup>[13]</sup> Monroe County in 2003 had 14.3 percent of its population living under the poverty line, as compared to 12.5 percent of the New York State population.<sup>[14]</sup> Rochester, as of 2000, was reported to have a median household income of \$27,123, compared with the national median household income of \$41,994.

The breakdown by race in Rochester's median household income highlights the challenges facing communities of color; it is reported that the median income for White households in 2000 was \$20,320, while the African-American median household income was \$15,588. Monroe County appears to have fared better than Rochester; as of 2000, the county was reported to have a median household income of \$44,891, compared with the national median household income of \$41,994. The labor participation rate decreased (66.8 percent to 65.9 percent) in the Greater Rochester Region in 2004, while the unemployment rate increased (5.2 percent to 5.7 percent).<sup>[15]</sup>

Monroe County and Rochester face many economic challenges that are outside our local communities control; however, the economic problems created by the issues of reentry are by definition local and therefore completely within our communities' grasp. At the core of reentry is the question of whether or not an individual returning to Monroe County or Rochester will successfully reintegrate back into the community. As President Bush indicated in his 2004 State of the Union Address, upon their return home from incarceration we, as a community, must guarantee the promise of a "second chance" to the reentry population by removing all obstacles and eliminating the impulse to impose personal punishment that manifests itself in irrational discrimination.

Nearly three decades ago, the New York State Legislature identified the issues facing persons with criminal records in obtaining employment, and the link between unsuccessful reintegration and recidivism. New York lawmakers, in recognizing the destructive obstacles persons with criminal records face in their attempts to reintegrate, created two groundbreaking laws to protect this vulnerable population: New York Corrections Law Article A-23 and Human Rights Law Section 296(15). The New York Court of Appeals in *Banacorsa v. Van Lindt* 71 NY2d 605 articulated the most clear delineation of the NY Legislature's intent behind Article 23-A of the NY Corrections Law:

Article 23-A of the Correction Law was enacted in 1976 in an attempt to eliminate the effect of bias against ex-offenders which prevented them from obtaining employment. Studies established that the bias against employing or licensing ex-offenders was not only widespread but particularly unfair and counterproductive. Although ex-offenders were urged when released from prison to find employment as a part of their rehabilitation, they had great difficulty in doing so because of their criminal records and this difficulty existed even though there was an absence of any connection between the employment or license and the crime committed, its circumstances or the background of the offender (see, Meltsner, Caplan & Lane, An Act to Promote the Rehabilitation of Criminal Offenders in the State of New York, 24 Syracuse L Rev 885, 905). Failure to find employment not only resulted in personal frustration but also injured society as a whole by contributing to a high rate of recidivism (see, 1976 NY Legis Ann, at 50)...Article 23-A

sought to remove this obstacle to employment by imposing an obligation on employers and public agencies to deal equitably with ex-offenders while also protecting society's interest in assuring performance by reliable and trustworthy persons. Thus, the statute sets out a broad general rule that employers and public agencies cannot deny employment or a license to an applicant solely based on status as an ex-offender. *Supra*, *Banacorsa*, 71 NY2d at 611 - 612.

According to New York State's highest court, the legislature in Article 23 created a broad general rule that individuals could not be denied employment or licensure by either public or the private sector based simply on the existence of a criminal conviction.<sup>[16]</sup> The legislature, however, created two exceptions to the general rule where employment could be denied based solely on a criminal conviction: where there is a "direct relationship"<sup>[17]</sup> between the crime committed and the employment position sought, or when the employment of the person with a conviction would pose an "unreasonable risk"<sup>[18]</sup> to person or property. Notwithstanding an employer's determination that either exception applied, the New York Court of Appeals in *Banacorsa* informs us that the employer is obligated to further consider eight enumerated factors in Section 753 of the NY Corrections Law. *Banacorsa* states that while "direct relationship" is defined in Section 750(3) of the Corrections Law, the employer must consider the eight factors in Section 753 to determine whether the "direct relationship" is sufficiently attenuated to support the denial of employment. In contrast, *Banacorsa* tells us that "unreasonable risk" is not statutorily defined, and therefore the determination of "unreasonable risk" must be reached only through the consideration of the eight factors delineated in Section 753.

NY Corrections Law Section 753 states the following:

1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:
  - (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.
  - (b) The specific duties and responsibilities necessarily related to the license or employment sought.

- (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.
- (d) The time which has elapsed since the occurrence of the criminal offense or offenses.
- (e) The age of the person at the time of occurrence of the criminal offense or offenses.
- (f) The seriousness of the offense or offenses.
- (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.<sup>[19]</sup>

In addition to the application of the eight factors, notwithstanding the determination that there is a “direct relationship” or “unreasonable risk,” New York’s highest court has told us that the employer must also consider the existence of a Certificate of Relief from Disability or Certificate of Good Conduct. The New York Court of Appeals informs us that the existence of the Certificates creates a presumption of rehabilitation and removes all presumptive disqualifications to employment and licensure.<sup>[20]</sup> Thus, the Court tells us that despite the decision that there is a “direct relationship” or “unreasonable risk,” the employer must give considerable weight to the Certificate in mitigating these exceptions.

Certificates of Rehabilitation (Certificate of Relief from Disability or Certificate of Good Conduct) are issued to eligible persons with criminal convictions by either New York State Courts or NYS Parole Board. These Certificates relieve the holder of all forfeitures or disabilities, such as: restoring the right to vote or sit on juries, as well as all legal bars to employment or licensure, and countless other bars in a myriad of social institutions.<sup>[21]</sup> The existence of a Certificate does not create a prima facie entitlement to employment or licensure but rather creates a legal presumption of rehabilitation that must be rebutted in order to legally uphold the decision to deny employment based on a criminal conviction despite the Certificate.

The Human Rights Law Section 296(15) mirrors NY Corrections Law 23-A’s broad general rule prohibiting denial of employment on the basis of one or more criminal convictions. The Human Rights Law states:

It shall be an unlawful discriminatory practice to deny any license or employment to any individual by reason of his or her having been convicted of one or more criminal offenses, or by reason of a finding of a lack of "good moral character" which is based upon his or her having been convicted of one or more criminal offenses, when such denial is in violation of the provisions of article twenty-three-A of the correction law.

The Human Rights Law also makes it unlawful discrimination to deny employment on the basis of arrests that did not lead to conviction,<sup>[22]</sup> which is linked with New York State Laws barring the reporting, disseminating or otherwise using an arrest record that did not lead to a conviction in determinations.<sup>[23]</sup> The protections enshrined in both the NY Corrections Law 23-A and the Human Rights Law are enforceable in either the NYS Division of Human Rights or State Supreme Courts.<sup>[24]</sup>

The Equal Employment Opportunity Commission (EEOC) has determined that blanket disqualifications based on arrests or convictions, or denials of employment that are not based on “business necessity,” have a disparate impact on certain groups and may support an action under Title VII of the Civil Rights Act in Federal Courts.<sup>[25]</sup>

Our Federal and New York State lawmakers have legislated on both the public and private sectors’ abilities to conduct and obtain criminal background checks. The US Congress created the Fair Credit Reporting Act (FCRA) to regulate how producers and users of information use records such as public criminal records.<sup>[26]</sup> FCRA requires that producers of information maintain procedures to dispute and correct erroneous information.<sup>[27]</sup> In reference to users of information, FCRA requires users to notify individuals of the use of information, and when making adverse decisions based on the information, to inform the individual of the negative information, produce a copy if requested, and notify the individual of the producer of the information and how to contact the producer to dispute the information.<sup>[28]</sup> Specifically in cases of adverse employment decisions based on disputed information contained in a report pursuant to Section 611 of the FCRA, the employer must suspend any adverse action pending the disposition of the reinvestigation of the disputed information.<sup>[29]</sup> Willful or negligent noncompliance with any provision of FCRA is actionable in the Federal Court system. The US Congress enshrined



due process protections in FCRA because the legislature identified the risks inherent in reliance on computerized mega-informational dissemination systems. Like the financial data contained in the credit reports, the criminal record information is highly susceptible to errors and fraud. In fact, the Division of Criminal Justice Services as recently as the 1990's admitted that as much as 87 percent of all New York State "rapsheets" have at least one error and 40% contain more than one error. The most common error in the DCJS criminal records are "missing dispositions," where dismissed and sealed cases are incorrectly reported as open cases. Due to the fact that the applicant accurately believes the sealed charges will not be reported, he/she does not disclose the information, and it appears to an employer that the applicant intentionally omitted the conviction. The Bureau of Justice Statistics at the US Department of Justice, in its 2005 report "Improving Access to and Integrity of Criminal History Records," stated that in "a 2001 survey, half of the States reported that 10 percent to over 50 percent of the arrests recorded in State databases had no final disposition indicating how the arrest was resolved. These arrests that lack dispositions, known as 'open' or 'naked' arrests, create substantial problems for time-sensitive background checks, because conducting the necessary research to complete the record is often time consuming, labor intensive, and costly."

NY's General Business Law Section 380-j(f)(1)(v) (NY FCRA) prohibits producers of information from reporting records of criminal convictions seven years from the date of disposition, release, or parole.<sup>[30]</sup> The language in the NY FCRA is identical to the language that was contained in the Federal FCRA until it was amended in 1998.<sup>[31]</sup> The Fair Credit Commission, in commenting on this provision of the FCRA, stated that the operative dates for reporting criminal records were the date of sentence if there was no prison sentence, or the date of release from prison or release onto parole.<sup>[32]</sup> The legislative intent behind the NY FCRA was the lawmakers' recognition of a plethora of studies that have indicated that, while criminal convictions might forecast short-term behavior, convictions that are remote in time are not predictive of present-day propensity for criminality. Many recent studies have found that if a person with a criminal record remains crime-free for a period of about seven years, his/her risk of a new offense is similar to that of person without any criminal record.<sup>[33]</sup>

Irrespective of one's perspective on the effectiveness, or lack thereof, of the U.S. criminal justice system, or one's personal repulsion against persons who commit crimes, the fact that 95% of all prisoners will be released back into our communities is a reality that we as a society must come to terms with. We, both as individuals and as a community, have a collective decision to make as to whether, as President George W. Bush stated, we welcome these individuals back into our communities with the promise of a second chance, or we resign ourselves to the truth that there is no second chance and deal with the dangerous consequences.

If individuals with criminal records cannot successfully reintegrate back into our society, their choices are limited to surviving in our community either as parasites or as predators.

[1] [www.ojp.usdoj.gov/bjs/pub/pdf/bjsg02.pdf](http://www.ojp.usdoj.gov/bjs/pub/pdf/bjsg02.pdf)

[2] See: [www.ojp.usdoj.gov/bjs/reentry/reentry.htm](http://www.ojp.usdoj.gov/bjs/reentry/reentry.htm)

[3] Source U.S. Department of Justice

[4] See "The Challenge of Reentry: Reintegration or Permanent Underclass" Allan Rosenthal, Esq. and Ray Barnes, Justice Strategies Center for Community Alternatives, 2006

[5] Supra, Note 2.

[6] [www.ojp.usdoj.gov/bjs/reentry/recidivism.htm](http://www.ojp.usdoj.gov/bjs/reentry/recidivism.htm)

[7] See "Survey of State Criminal History Information Systems, 2001: A Criminal Justice Information Policy Report" August 2003,

[www.ojp.usdoj.gov/bjs/pub/pdf/sschis01.pdf](http://www.ojp.usdoj.gov/bjs/pub/pdf/sschis01.pdf)

[8] US Presidential 2004 State of the Union Address, George W. Bush

[9] Source: NYS Education Dept; Monroe County Department of Corrections.

[10] Source: 2000 Census, NYS DCJS

[11] See "NGA Center for Best Practices: The Challenges and Impacts Prisoner Reentry" November 4, 2004

[12] See "Enduring Risk? Old Criminal Records and Short-Term Predictions of Criminal Involvement" Megan C. Kurlychek, University of South Carolina, Robert Brame University of South Carolina Shawn D. Bushway, University of Maryland, March 2006 at pg 3, "one of the key social bonds that help past offenders lead law abiding lives is the attainment of stable employment".

[13] See US Census Bureau at [quickfacts.census.gov/qfd/states/36000.html](http://quickfacts.census.gov/qfd/states/36000.html)

[14] Supra

[15] See "Miami Valley Regional Planning Commission, Rochester, New York Metro Area", Summer 2004 at [www.mvrpc.org/pdf/msa/msaRochesterNY.pdf](http://www.mvrpc.org/pdf/msa/msaRochesterNY.pdf)

[16] NY Corrections Law Section 753

[17] NY Corrections Law Section 753(1)

[18] NY Corrections Law Section 753(2)

[19] NY Corrections Law Section 753

[20] NY Corrections Law Section 753  
 [21] NY Corrections Law Section 702  
 [22] HRL Section 296(16).  
 [23] See Criminal Procedure Law Section 160.50 & [www.labor.state.ny.us/workforceindustrydata/publications/winning\\_edge/winnedge\\_legal.shtml](http://www.labor.state.ny.us/workforceindustrydata/publications/winning_edge/winnedge_legal.shtml)  
 [24] N.Y. Executive Law Section 297.5  
 [25] [www.utahbar.org/cle/annualconvention/materials/hot\\_topics\\_employment\\_discrimination.pdf](http://www.utahbar.org/cle/annualconvention/materials/hot_topics_employment_discrimination.pdf)  
 [26] 15 U.S.C. § 1681 et seq  
 [27] FCRA Section 611  
 [28] FCRA Section 615(1),(2)  
 [29] FCRA Section 615  
 [30] GBL Section 380 (NY FCRA)  
 [31] See, Official Fair Trade Commission Staff Commentary Section 8.3.6  
 [32] *Supra*, Note 34 at 526  
 [33] *Supra*, Note 11.



# The High Cost of Keeping in Touch

By Mary Boite, JPC

...might be lower soon. According to a recent editorial in the Rochester (NY) Democrat and Chronicle, as well as information from advocacy groups, New York's new governor Eliot Spitzer issued an Executive Order mandating that Verizon/MCI will no longer be able to charge "ridiculously high rates for collect calls" from prison inmates; the order eliminates the state's commission from the contract and, at the least, phone bills as of April 1, 2007 will go down at least 50 percent. The current rate of \$3 a call and \$0.16 per minute is a huge burden on families, and one which most cannot afford, even though this is often their only means of regular contact with faraway prisoners. This "backdoor tax" has resulted in \$16 million in 2005 going into NY State coffers.

The D&C editorial points out that these costs are indefensible, even though the money supposedly goes toward inmate health care. (Clare Regan said the same thing, in her November-December 2003 *Justicia* article, reminding readers that health care and AIDS treatment are *mandated by law*.) It took three years and an election, but Governor Spitzer has declared that instead of raising funds for mandated services through this backdoor tax, the government will use the State's General Fund. As it should!

There are many unfair aspects to the Verizon contract, but taxpayers should also be concerned about the reality that the costs are so prohibitive that often they result in lessening family contact, which in turn raises the rate of recidivism and will cost us more in public safety. The questions posed by the editorial are why this practice came to pass in the first place, why the state Public Service Commission authorized it, and why former Governor Pataki did nothing to help these families years ago.

Spitzer's office has recognized that the real victory belongs to advocacy groups of family members, who have been tirelessly speaking out through groups involved in the Campaign for Telephone Justice and the Campaign to Promote Equitable Phone Charges. Alison Coleman, Director of Prison Families of New York, Inc., a partner in the NY Campaign for Telephone Justice, is "thankful that at last we have a Governor who is acting in the people's interest, not defending corporate profiteering and the bureaucratic status quo." Annette Dickerson, coordinator of the NY Campaign, and the Statewide Education Coordinator for the Center for Constitutional Rights, echoed that sentiment.

JPC invited Rima Vesely-Flad, director of the ICARE coalition, to be guest speaker at our Annual Dinner Meeting in 2006. The Interfaith Coalition of Advocates for Reentry and Employment was a strong supporter of the Campaign for Telephone Justice, and we are very pleased to see their plans begin to come to fruition. Years of punishing families for the "crime" of having a loved one incarcerated is enough, and has to stop!

The website of Outside Connection, Inc., a service provider that offers families a chance to subscribe at a lower rate for their collect calls, lists information from campaigns in other states, and news articles condemning the practice. The phone number for families to call about subscribing to Outside Connection is 1-800-270-8810.

The CCR's NY Campaign for Telephone Justice is still moving forward to demand that the legislature pass the Family Connections bill, which would enshrine Spitzer's decision in state legislation and permanently end the contract. Family members in New York State, and all of us, need to support this push for legislation in the State Senate and Assembly that would limit phone charges to prevailing rates. The Campaign also is also pushing for calling options for families (such as

a debate calling system).

For more up-to-date developments, and for details on how to help the Campaign permanently stop the contract with Verizon, contact Lauren Melodia a lmelodia@ccr-ny.org; or by calling her at 212-614-6481. (They have Family Member Conference Calls the 2<sup>nd</sup> Tuesday of each month at 7:00 pm, and a monthly Campaign Meeting open to families, advocates, activists, etc., the last Tuesday of each month from 6:00-8:00 pm at their offices, 666 Broadway, 6<sup>th</sup> Floor).

In the next issue of Justicia, I will hopefully be able to update readers on the results of oral arguments in the Walton v. NYSDOCS lawsuit, before the NY State Court of Appeals on January 9<sup>th</sup>. The Campaign is hopeful that the Justices will uphold the validity of their appeal to continue with the case.



## Putting a Real Face on the Ex-Offender

By J. Esther Rowe

“I was busy,” replied the young ex-offender as he, my co-worker, and I were reviewing his “RAP Sheet.” The young man is my “customer” (as we refer to the clients with whom we work). His reply was prompted when I asked what caused him to neglect to tell me about the long list of offenses before the one incident he did tell me about that occurred in 1995. He said that because the offenses were youthful indiscretions, he did not expect them to show up on his RAP Sheet. He said again, “I was busy.” To his reply I responded, “yeah, *real* busy!” My emphasis on the word “real” caused us all to have a hearty laugh. It was at this moment of humor and simple human bonding that it hit home for me that the only thing that separates the rest of us from an ex-offender is a criminal history.

In my work with the Judicial Process Commission I have met and assisted a number of ex-offenders. Their histories range from minor violations and misdemeanors to major felonies. The one thing that rings true for all of them, male, female, African-American, Latino, Caucasian, young or older, is that they are human beings in need of understanding, support, encouragement and yes, even love. These men and women are

trying to change their lives and become productive citizens in the community. They are struggling to put their histories behind them. They have desires, needs, anxieties, fears, hopes and dreams just like the rest of us. Their lives are complicated by the fact that the systems with which they interact constantly remind them through background checks that they were once “criminals,” and often still treat them as if they are by denying them access to opportunities afforded those of us who do not have a criminal history.

In the climate of hysteria about violence, sexual offenses, and the struggling economy in the Rochester area, those with criminal histories have been relegated to almost a lower-caste-like existence in our community. Many employers will not entertain applications from ex-offenders, or forget about interviews. The landscape of bureaucracies that needs to be navigated for the few services available to ex-offenders can quickly become overwhelming. The few agencies, churches, and transitional houses that serve ex-offenders are understaffed, overworked and hard pressed to find grants to enable them to provide these services. The end result is a challenge to public safety, a high recidivism rate, and a lack of opportunity for restoration to the community that gave many of them birth.

I am by no means naïve enough to think that all ex-offenders are committed to restoration and developing solid and stable lives. Nor am I naïve enough to think that every ex-offender who is provided services will not re-offend. What I am naïve enough to believe is that the citizens of Rochester and Monroe County have compassion and empathy for any human being that is trying to “make it” and as a result the ex-offender will stop being caricatured and discriminated against. What I am naïve enough to believe is that there is room in the arms of the Rochester and Monroe County community to re-embrace the ex-offender and encourage him/her to continue on the road of restoration and ultimately become a contributing member of the community. What I am naïve enough to believe is that there is the kind of compassion in the hearts of the Rochester and Monroe County community that will enable those with philanthropic interests to spend more of their dollars on re-entry services for ex-offenders.

*J. Esther Rowe is a second (2<sup>nd</sup>) year Rochester AmeriCorps member assigned to the Judicial Process Commission. Her previous year was spent with the Rochester Landscape*

## **New Developments in Joshua Rivera Case**

By Joel Freedman

In December 1995, a Queens County jury convicted Joshua Rivera of murder, attempted murder and criminal possession of a weapon. Sixteen months after Leonard Aquino was shot to death and Paul Peralta was wounded, Peralta and his friend Carlos Mercado identified Rivera in lineups as the shooter. The eyewitnesses had been drinking during the night prior to the early morning shooting. The perpetrator, whom the witnesses had seen for about seven seconds, was a stranger to them both, and they did not view the lineups until sixteen months afterward. Rivera's attorney suggested that the witnesses might have received some help from the detectives to point the finger at Rivera, who had a record of convictions on drug and weapons charges. Rivera had been released from prison a month prior to the shootings.

Six years ago, Rivera, who was sentenced to 37 ½ years to life imprisonment, presented an innocence claim to the Judicial Process Commission. In reviewing Rivera's case, I determined there were several indications of innocence. I found the eyewitness testimony to be unreliable. There was no evidence that Rivera had a motive for the shootings. No forensic evidence connected him to the crime. The jury deliberated for three days before convicting Rivera.

After his conviction, Rivera said he was contacted by people who were at the scene of the crime. They expressed their condolences that he was wrongly convicted, but these witnesses feared if they came forward with the truth, they would face retaliation from gang members or an unfriendly reception from law enforcement officials who considered the case closed. Rivera also said he was later told the identity of the actual killer. "The person who pulled the trigger looks like me, except he is a couple inches taller than me," Rivera explained. He did not want to disclose the identity of the perpetrator, and I did not ask for this information.

Several years after his sentencing, Rivera was referred to a New York City private

investigator, a former police detective. The investigator said if Rivera passed a lie detector test administered by a polygraphist of the investigator's choice, he would try to help Rivera. Rivera agreed. The forensic polygraphist was with the New York City police department for 24 years, 13 years of which he was also a polygraphist for the District Attorney's office. On June 16, 1998, the polygraphist administered a lie detector test to Rivera at Greenhaven Correctional Facility. The examiner concluded that Rivera was not involved in the shootings.

Follow-up inquiries by the private investigator confirmed that potential witnesses were fearful of coming forward. "If they don't want to help and tell the truth, what can I do?" the investigator wondered.

My article about Rivera, "People v. Joshua Rivera: Nagging Doubts Remain," was published in the July-August 2001 issue of *Justicia*. Rivera followed my recommendation that he ask the Queens County district attorney's newly formed second look program to re-evaluate his case, based on the information in my article. Rivera's case was accepted for reconsideration, but over the last several years I was not privy to what was actually happening.

The New York Daily News reported last December that two witnesses recently came forward and told prosecutors that Rivera was innocent. While challenging the witnesses' accounts, prosecutors offered Rivera freedom from further imprisonment, with no parole restrictions. The murder sentence would be vacated with the understanding that Rivera would then plead guilty to manslaughter. He would be sentenced to six to twelve years imprisonment and would then be released on time served. That would be the price Rivera would have to pay in exchange for his freedom. Rivera agreed to the deal.

Daily News reporter Scott Shifrel interviewed Rivera's mother, Linda Rojas. "He can go home but he has to plead guilty to a crime he didn't commit. I told him it was up to him." Rojas said her son has known for years who killed Aquino but has refused to cooperate with prosecutors. "The guy who did commit the murder looks a lot like him. They used to say they were cousins." Asked why Rivera would not testify against the actual killer, Rojas said, "It's the law of the street."

In a January 9, 2007 letter to me, Rivera wrote that "not having faith in the justice system and not wanting to leave my future in the hands of

the judge [who was considering Rivera's motion for a new trial], I took the offer. I have 14 years in prison which puts me two years over my maximum expiration date."

So why is Rivera still imprisoned at Great Meadow Correctional Facility? "The Department of Corrections did not calculate my time correctly. I don't know how long it will take for them to correct their error. I wrote the judge who sentenced me and informed my lawyers of this cruelty. I wrote the superintendent of this prison and made him aware. I guess I just have to be patient. Right now, I'm just dealing with my surroundings day to day and staying focused so I don't mess up my second chance at life."

"I know I have challenges and obstacles ahead of me. With the help of God and the memory of what I've been through, I believe and have faith that I will do good with this second chance and with the journey that lies ahead," Rivera added.

## **Joshua Ryan Lee**

**(12/11/1985 – 1/5/2007)**

Celebration of his life, Friday, January 12, 2000

Antioch Missionary Baptist Church

Excerpts from remarks by Robert N. Seidel regarding a young man killed in Rochester

Every individual of God's creation inherently merits love and to be remembered. With God, love is one. Memories are quite different. For each of us, they are many, special, and distinctive.

We remember Josh as a little guy, even scrawny – short of stature yet handsome and blessed with a smile that melted hearts. Some of us remember Josh also as a man. Josh was a man in his boundless and honest caring for his loved ones - and especially for children. What is most remarkable, Josh became a true and unmistakable man when in my presence he realized - in an epiphany - his full humanity. "Living is good," he told me that day.

We had been talking about needs and melancholy. I mentioned my own. Josh disappeared for a moment into a store and shortly jumped back into the car. "I get it," he declared. "If you are sometimes needy, we are all are needy. Why should I feel so much anxiety? There's so much beauty around us. Instead to waking up to my concerns, I should be joyful knowing of the souls who wake up too, feel the joy of children, and make the most of life."

To be sure, Josh and I had more than once argued about what manhood means. Now I felt he was on the right track. "Josh," I said, "you're about as close to God as anyone can be. Being responsible in this is what being a man is all about."

Josh nodded his special nod, smiled his special smile, and seemed happy.

The truth be told, Josh was not always happy. Indeed, Josh was often sad. He struggled to know himself, to think of himself as a worthy human being. Too often he believed he had been short-changed.

Short-changed or not, Josh spent a great deal of his energy caring for others, because his loving heart was in that kind of place... Not that Josh blamed anyone else for this situation. It was merely a matter of fact to him. Since he could not read, he didn't know how he could get along, and he was concerned about what others thought of him. For all this, he hungered for a safe and cozy home, a rewarding job, and a future.

When he died Josh was honorably employed. He had earned the appreciation of co-workers and his supervisor. He was even willing to walk to his job. At one point would not have been his style at all. We know how much he wanted a car!

In the beginning, back in 1999, Josh found me. It was at Freddie Thomas School. Josh was attentively looking over the "Restoring Keystones" photodocumentary exhibit. He commented on the pictures and then, out of the blue, asked, "Can you help me?" That was the start of Josh and me.

Josh distinguished himself right away. Though learning handicapped, he had an eye for character and beauty. He saw right into people and pictures. His interpretations were incisive. My favorite photograph shows Josh peering into an image at the George Eastman House. About the subject, a lonesome-looking dark-skinned man, Josh said, "This guy is sad. I think I know why."

In those days, Josh helped with "Restoring Keystones." His creativity showed when he took over arranging the displays at a 19<sup>th</sup> Ward site. It was perfect. His design led viewers from introduction to discovery just as a professional would have wanted...

Why did Josh die as he did? Without doubt, it was shameful, outrageous, and deserving of condemnation. Most assuredly it was by cowardly hands – by a person with an apparently unfeeling heart and evil intent. This does not even touch upon the issues of extreme need, indifference,

mental and physical illness, self-hatred, criminality, and interpersonal victimization that infect many of our neighborhoods like a contagious diseases.

I believe we can draw lessons from this horrible tragedy. Though he possessed little, Josh was generous. He carefully wrapped up uneaten food to bring home. May we be as generous. Josh was often misled, and he misled himself. We must not be deceived as to what is truly worthy. In his best moments, Josh contemplated right and wrong, regretted his sins, and talked about living his life in Christ. We must select very carefully from among earthly goods and qualities. May we use good judgment in so choosing...

Josh was a very special person. Having cared for others, he was just beginning to open up to his full potential. Let us keep in mind all youngsters, like Josh, whose seeing to the needs of others may lead to neglect of themselves. This is *not* to blame anyone. We must remember, however, that the arduous and mysterious path to adulthood requires adolescent experience, testing and learning, play and games, and adult role models. Let this be a lesson.

Josh understood knew keenly how marginalized, impoverished, and handicapped people struggle against often overwhelming odds. We may pray that such inequality, disparity, need, and inability to flourish may not exist at all. We and our nation possess a truer ideal. We have at hand the means to do much, much better. With our heads held high, and without fear or favor, we as individuals and citizens – and as a government of, by, and for the people – must attend to this oppression, fear, and the actual terrorism that exists here in our neighborhoods. Let this be a lesson.

Knowing life is sacred, Josh acted faithfully and with consideration toward children. We here being in agreement, let us join hands. We must gather our strength and courage. We must be good neighbors. Let this be a lesson...

Let us love others as he loved us, and let us all love each other as Christ taught us to do. Let this be the most important lesson of all... May Josh Ryan Lee rest in peace, and may the God who will now care for his soul forever and ever also be with us.

#### JUDICIAL PROCESS COMMISSION

121 North Fitzhugh Street  
Rochester, NY 14614

585-325-7727; email: [info@rocjpc.org](mailto:info@rocjpc.org)

website: [www.rocjpc.org](http://www.rocjpc.org)

#### **VISION**

The Judicial Process Commission envisions a society with true justice and equality for all. We understand that in a just society, all institutions will be based on reconciliation and restoration, instead of retribution and violence.

#### **MISSION**

The JPC is a grassroots, nonprofit organization that challenges society to create a just, nonviolent community which supports the right of all people to reach their fullest potential. We do this by:

- Providing support services for those involved in the criminal justice system
- Educating the public
- Advocating for changes in public policy.

#### **Board Members**

Mary Boite

Jack Bradigan-Spula Editor *Justicia*

Laurie Hamlin, Treasurer

Luke Harden, Esq.

Bob H. Jones, MD

Gail Mott, Secretary

John Mourning

Harry Murray

Clare Regan, Editor Emeritus, *Justicia*

Fred Schaeffer

Mary Sullivan

Yolanda Wade, Esq., Chairperson

Louise Wu Richards

#### **Staff**

James Caldwell, Mentor Coordinator

Susan K. Porter, Coordinator

## Donations to JPC in Memory of Clare Regan

Janet Adam	Therese McGinnis
John & Kathleen Albertini	Paul & Cheryl McGinnis
Cathy Alifrangis	Timothy & Geraldine Miner
George Van Arsdale	Dr. and Mrs. Peter Mott
Jean Barlett	Raymond & Eleanor Newell
Fred Berlin, MD PhD	Edward Nowak
Mary Jo Brach	Catherine Nowak
Paul W. Brayer	Elizabeth Osta
Susan Cable	Susan K. Porter & Robert S. Conklin
Sydney & Esther Cable	Joyce Patridge
Robert Campbell	Mark Phillips
Andrew R. and Helen Chmiel	Kimberly Pier
Alison Clarke	Carolyn Portanova
Martha Coraor	Margaret Regan
Colorado Cure	David & Margaret Regan
Rudy and Cora Cypser	Karen Reixach
Barbara Deming	James Renfrew
Congregation de Notre Dame	Dorothy Roman
St. Charles, Virginia	Peg Rubley
Barbara DiFiore	Philip Schaefer
Sally Dodgson	Suzanne & Michael Schnittman
Beverly Ellingwood	Robert Spears Jr.
John Erb	Edward & Helen Stabler
Richard & Nancy Fitts	Patricia Steward
Lee and Joan Fleckenstein	Jeanne H. Stewart
Denise Forster	Kevin & Kimlee Stewart
Joel Freedman	Deborah Stinson
H.M. Freedman	Margaret Stinson
Elizabeth Gocker	Janet Straub
James & Julie Gocker	Martha & Edward Sullivan
Howard Gross	Sydney Sutherland
Judith Halley	Merrillan Thomas
Thomas & Zena Hampson	Susan Topel-Samek & Peter Samek
Monica Hayden	Catherine Traver
Mary Ellen Heimburger	Jennifer Ulrich
Katherine Heining	Peter Oddleifson and Kay Wallace
Bryan Hetherington	William J. Ward
Carole Hoffman	Richard & Estella Watkins
Jean S. Howland	William Watson
Elizabeth Inglis	Suzanne D. Welch
Henrietta & Max Levine	Dr. & Mrs. Ethan Welch
June Licence	David M. Worl
Robin Lloyd	Rowena Zemel
Patricia Loughlin	Sandra Zimmer
Mary and Stephen Loughman	Yvette Zinaman
Dorothy A. McEvoy	<i>(donations total over \$8,500)</i>
William McGerry	

Judicial Process Commission  
121 N. Fitzhugh Street  
Rochester, New York 14614  
585-325-7727  
[info@rocjpc.org](mailto:info@rocjpc.org)  
[www.rocjpc.org](http://www.rocjpc.org)

NON-PROFIT-ORGANIZATION  
US-POSTAGE  
PAID  
ROCHESTER, NY  
PERMIT No. 1501

**Address Service Requested**

PAT RICE  
Expert in Software Process  
6858 N. Centenary Rd  
Williamson, New York 14589  
Phone: (315)483-6612 Mobil: (585)704-6612  
Email: price001@rochester.rr.com

Michael J. Tallon  
Attorney and Counselor of Law  
Main: 585-546-1734 Fax: 585-546-7803  
Cell: 585-329-8139  
900 Times Square Bldg. 45 Exchange Blvd.  
Rochester, NY 14614-2006  
E-Mail: mtallon@tallonlaw.com  
[www.tallonlaw.com](http://www.tallonlaw.com)

Tempo Development Co., Inc.  
The nonprofit housing development company  
affiliate of Temple B'Rith Kodesh  
Rochester, New York  
Richard Rosen, President  
585-473-8002 cell 585-415-3448  
182 Edgerton Street  
Rochester, New York 14607

Carl Christensen, A.C.S.W., L.C.S.W. (R)  
Licensed Clinical Social Worker  
Licensed Marriage and Family Therapist  
100 Linden Oaks -Suite 200  
Rochester, New York 14625

Therapy (585) 586-1810 vm#2202  
Organizational Consulting Fax: (585) 586-7951  
Training & Supervision  
Email: carlc@losats.com

**Are you interested in helping  
parolees and probationers  
find work and  
get on their feet?**

**Attend Faith Community  
Adult Mentoring Program  
Volunteer Training**

**Mon. & Tues.**

**April 23 and 24th, 2007**

**5:00 to 9:00 PM**

**Friends Meeting House,  
Rochester, NY**

**Call JPC now to reserve 325-7727**