

August 20, 2017

## WE THE PEOPLE

By Bruce Allen

It is a violation of moral standard, and of the tenets of the Eighth Amendment on Cruel and Unusual punishment for the California Governor, Law Makers, Citizens, and Prison Sentencing/Parole Advocates to acquiesce on the issue of Equal Protection for California Prisoners serving the technical sentence of **life without the possibility of parole LWOP**. The LWOP sentence is capriciously, and whimsically given to one person convicted of specific crimes in California but, is not given to another person who has committed and been found guilty of essentially the same crimes, or even more egregious crimes as the former defendant. Every significant sentencing, parole, recidivism data collection agency in the state of California and all over the United States, have published consistent findings over the course of decades regarding the viability of prisoners who have served over three decades of successive incarceration to re-enter our society and not reoffend. There are several thousand prisoners within the California prison system serving LWOP terms who have been incarcerated for over 30+ successive years, but who are ritualistically denied Parole Suitability Hearings and a SECOND CHANCE opportunity to re-establish themselves as a productive, contributing, and law abiding citizen of the United States of America.

Legislative bills recently passed and signed by the current Governor of California. Legislative bills currently being processed through the California legislature to become law, i.e., Senate Bill 261; Assembly Bill 1308; SCR-48 Senate Concurrent Resolution. Each of these bills in essence provide Youth Offender Parole Hearings for prisoners who were 18-25 years old at the time of their commitment offense, and provides a lesser charge to aider and abettor participants in a crime involving felony murder. These bills provide a SECOND CHANCE to offenders who have been convicted of essentially the same comparable crimes to any crime committed by a prisoner serving a LWOP term. However, LWOP prisoners are flagrantly excluded from the benefits provided under each bill.

What justifies compassion and relief for the prisoner who was 18-25 years of age and committed a capital offense, and designated a "Youth Offender," but does not justify compassion and relief for the 18-19 year old, and a "Youth Offender" designation, who is sentenced to a term of LWOP but, has committed a comparable crime to the 18-25 year old? What justifies compassion, relief, and a SECOND CHANCE for the person who commits a serious crime with their right hand, but no compassion, relief, and a SECOND CHANCE is given to the person who commits a serious crime with their left hand? The Governor of the state of California, Law Makers, Parole/Sentencing Reform Advocates who do not forcefully and persistently demand Equal Protection and Parole Suitability Hearings for LWOP prisoners based on their documented Rehabilitation, significant human development, and demonstrated adult maturity over the course of three decades, as they do for other prisoners serving de facto LWOP terms, i.e., 25 years to life or more, 50-1000+ years to life, multiple life sentences, make the same inhuman and indifference mistake as the slaveholder politicians who created the Constitution of the United States of America.

WE THE PEOPLE.... declare that God has created all men equal (Obviously this declaration flagrantly excluded Africans and Native Americans who were victims of a savagely forced enslavement before and after the 74-76 constitution was written). There is nothing enlightened about acquiescing to an immoral ideology, and partisan prison sentence. "Who can protest an injustice but does not is an accomplice to the act." The Talmud. "To commit to silence when they should protest makes cowards of human beings." Abraham Lincoln.

Sincerely, *Bruce Allen*