



TESTIMONY FOR JOINT HEARING
*Safety of Persons in Custody, Transparency, and Accountability within State
Correctional Facilities*

TESTIMONY FROM INCARCERATED MEMBERS OF THE CENTER FOR COMMUNITY ALTERNATIVES (CCA)

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INTRODUCTION

New York's prison system is facing a humanitarian crisis. No one understands this more acutely than the people living behind its walls and under the custodial care of prison staff.

The Center for Community Alternatives (CCA) has hundreds of currently incarcerated members in correctional facilities across New York State. Many are serving long sentences imposed under racially discriminatory and outdated sentencing laws. These individuals—along with their loved ones, policy advocates, and experts—have played a central role in shaping the Communities Not Cages legislative platform, including the Earned Time Act and Second Look Act. Their lived experience is essential to understanding both the causes of systemic prison violence and the pathways to real reform.

For years, CCA has received consistent, credible reports from our incarcerated members and their families about the pervasive physical, sexual, and psychological abuse they endure at the hands of correctional staff. The recent murders of Robert Brooks at Marcy Correctional Facility and Messiah Nantwi at Mid-State Correctional Facility have brought public attention to the reality that incarcerated people have long tried to convey: that violence, degradation, medical neglect, and impunity are not anomalies. They are embedded features of the life of people incarcerated in New York State prisons.



These harms intensified during the recent illegal work stoppage by corrections officers. Networks of incarcerated people, loved ones, and advocates provided real-time reports of deteriorating conditions: indefinite lockdowns, cancelled visits, and restricted access to legal and rehabilitative programming. Even now—more than two months later—these conditions persist in many facilities.

When the story and video of Robert Brooks' murder became public in December, CCA staff were inside state prisons conducting holiday visits with our members. What we heard during those visits was harrowing: stories of people beaten so severely they were left with broken bones, missing teeth, hearing loss, and lifelong injuries and trauma at the hands of prison staff. One individual told us he would remain in a wheelchair for the rest of his life due to staff violence. Women spoke in hushed tones, fearful of being overheard, as they described incidents of sexual abuse by staff. These accounts reflect widespread and unchecked brutality that continues to go unpunished.

Efforts to gather testimony for this hearing were themselves obstructed. DOCCS staff blocked dozens of messages we sent to incarcerated members across the state. Every single Securus message sent to individuals at Marcy Correctional—where Robert Brooks was killed—was rejected under the justification that they posed a threat to “the good order of the facility.” This mirrors a larger pattern: incarcerated people know that their electronic messages, phone calls, and written letters are monitored. They know that speaking out, let alone seeking redress, can result in retaliation—not only against them, but also their families. Many simply have no safe avenue to report abuse or tell their stories.

This makes today's hearing all the more urgent. To confront the scope and reality of systemic violence in New York's prisons, the legislature must hear directly from incarcerated people—on-site, uncensored, and unmediated. Only then will the full weight of this crisis come into view. We urge the legislature to visit the prisons and meet with incarcerated people themselves to hear from them directly about the violence they experience at the hands of staff charged with their custodial care.

Critically, addressing this crisis requires more than oversight—it demands structural change. Sentencing reform is one of the most effective and immediate strategies available to reduce the harm and violence inside prisons. The Earned Time Act and Second Look Act would create meaningful pathways home for people who have served long sentences, reduce overcrowding, and shift the culture inside facilities by incentivizing growth, stability, and accountability. By shrinking the incarcerated population and providing hope and opportunity, these bills would directly reduce the conditions that allow abuse to flourish. Public safety inside prisons begins with valuing the lives of the people held within them.

What follows in this written testimony are excerpts from only a few of the dozens of responses we received just this past week from incarcerated members across New York in response to this hearing. In addition, we include statements collected at Green Haven



Correctional Facility after a particularly violent and militarized CERT raid in October 2023, which left multiple individuals with broken bones, concussions, serious wounds, and irreparably destroyed personal property.

Their words offer a direct window into the ongoing conditions behind prison walls. We urge the legislature to listen—and to act.

I. The Case for Sentencing Reform

J.W. (Green Haven): "There are currently few programs that incentivize change. We need more options and a greater path to rehabilitation... My 33 year-to-life sentence could be reduced enough for me to be released within the next five to eight years. If released, the time reduction wouldn't minimize the seriousness of my crimes because leaving prison doesn't mean I'm free. My wrongdoing will always be with me—it goes everywhere I go."

L.K. (Shawangunk): "The Second Look Act and the Earned Time Act will infuse the entire prison population with a much-needed long-lasting feeling and sense of hope, direction and purpose."

P.H. (Five Points): "These bills would make tremendous steps in righting the imbalance of true rehabilitation and condemnation by giving those the chance to be back with their family that can demonstrate leading a meaningful and productive life in society."

L.K. (Shawangunk): "I was sentenced to 62-and-a-half years-to-life in Poughkeepsie, New York, and will see my first parole board when I'm 82 years old—if I live that long. I know now, at 50 years old, I have a lot to lose as far as my family goes and seek to achieve all that I can to one day return to them alive."

D.S. (Attica): "I thought this was called a fair justice system, with "Correctional Facility" meaning a place to correct our wrongs. With that being said—how much time does it really take for one to correct their wrongs? The prisons have become warehouses for criminals and cash cows for their staff—i.e., C.O.s, medical, commissary, etc. This modern-day slave trade has existed since before I was born and will continue if there is no prison reform."

M.C. (Attica): "Passing the Earned Time Act and the Second Look Act is another way we don't abandon people. If enacted, these proposals could drastically change things for my family and our community. My 33-years-to-life sentence could be reduced enough for me to be released within the next five to eight years. If released, the time reduction wouldn't minimize the seriousness of my crimes—because leaving prison doesn't mean I'm free. My wrongdoing will always be with me. It goes everywhere I go. To release me early is to release a man permanently shaped by his past—a man with something to prove to his son and other children like him. If released, I'll continue promoting alternatives to crime and violence—skills I've taught men who have had smoother transitions into society because of



my programs. Doing this work on the outside means I can catch people before crime happens. My work can save lives. From a general point of view, the Earned Time Act and Second Look Act could reduce the NYS prison population and shrink the size of the challenges we are facing right now in all facilities, making solutions more feasible. Employees and prisoners—and both of our families—need and deserve immediate prison reform."

D.S. (Attica): "I believe there are many more guys just like me—who look like me—who are innocent and became victims of the long arms of the law. So the first step of many should be passing both the Earned Time Credit Act and the Second Look Act. These can help get a lot of innocent and guilty people home who do not deserve these long, harsh, draconian sentences."

P.H. (Five Points): "These bills, if enacted, would change the environment in prisons by instilling a vision of a possible future and something for those with no hope—a light at the end of the tunnel."

A. The Earned Time Act (S.342/A.1085)

J.S. (Sing Sing): "Expanding the pool of people who can earn merit time to include those who would otherwise get no credit for their rehabilitative efforts does not mean the gates will swing open. Though the Earned Time Act will motivate more people to earn merit time, programs have capacity limits which throttle the number of people who can actually earn it."

Therefore, although thousands of people would have the potential to earn merit time, the people that can actually put in the work to earn merit time, through college degrees and pristine disciplinary records, is a small percentage (most likely in the single digits). Currently, only a small number of incarcerated people are eligible to earn merit time, making it an under-utilized tool. All of this is why there shouldn't be carve outs based on the nature of one's crime. The expansion of merit time would raise the value of a clean disciplinary record to the entire prison population. Losing an early release date is a far greater deterrence to violence than solitary confinement—especially when the general population already feels like we are in solitary due to the chronic staffing shortage."

C.M. (Shawangunk): "If individuals are able to see the value in themselves, the value in the programs offered and the value of earning time or earning a second chance, surely it would serve as the greatest equalizer in a dehumanizing system."

J.W. (Green Haven): "Earned time is the exact incentive to get the incarcerated population to prioritize rehabilitation... Gang banging wouldn't be as attractive if you could get these programs and earn a significant portion of your sentence back."



T.L. (Bedford Hills): Currently, earned time and merit time only account for up to six months off a sentence. And for people labeled "violent," they're often not available at all. Yet many of us were convicted based on one mistake—something we would never repeat. Individuals who serve longer sentences—especially those who earn a college degree—are the least likely to return to prison. At Bedford Hills Correctional Facility, only one person who earned a bachelor's degree has ever returned. Studies also show that children of incarcerated parents with higher education are more likely to pursue education themselves."

B. The Second Look Act (S.158/A.1283)

D.S. (Attica): "Most of us in here caught our case younger than 25. It's been scientifically proven that our brain isn't fully mature until after 25. It's also shown and proved that most inmates who do more than 15 years in prison don't come back to prison."

J.B. (Bedford Hills): "The Second Look Act means that someone would reevaluate my prison time and the things that led me here. It means they would ask me to tell my story—and not just see me as an incarcerated individual, but as a person who lives with mental illness and struggles with chemical addiction. It would mean the world to me for someone to take that second look—not just at my record, but at who I am now. It would give me one more chance to prove that I'm ready to be heard and ready to get the help I need to make it in everyday life and in society as a whole. Taking a second look means seeing the person I've become—not just my past, but the future I'm trying to shape."

T.L.(Bedford Hills): "In considering the Second Look Act, I want people to know that I have changed. I've worked hard to grow, heal, and build a future. I've become someone my peers, correctional staff, and family see as honest, authentic, compassionate, and accountable. I live with autism spectrum disorder, and I've faced the challenge of expressing my true gender identity while incarcerated. This month, I will graduate with my bachelor's degree in Sociology. I hope to become a social worker for formerly incarcerated and transgender individuals. I want to be a light for others facing the same struggles—to help reduce recidivism and help transgender people grow into their full selves. A Second Look at my sentence would help me get there sooner."

D.M. (Bedford Hills): "Here I am—a single mother who had never been to jail—sentenced to 24 years on a first-time offense. My sentence impacted my family tremendously. To have A Second Look would allow me to go back home and rebuild what was broken and torn down. I have been a model inmate for the last nine years. If the Second Look Act were passed, it would give women like me hope. It would give



us motivation to do better. It would allow the courts to consider who we are now, not just who we were at our worst moment. I hope this moves you to do the right thing—not just for individuals, but for families, and for society as a whole. Everyone deserves a chance at redemption and to be seen. We are not our worst mistake. And we are not our best decision either. We are so much more than that."

K.P. (Bedford Hills): The Second Look Act and the Earned Time Act would give me the opportunity for a judge to reevaluate my sentence. It would mean the possibility of a time cut and a chance to reconnect with the family I still have left."

P.S. (Bedford Hills): "I have been incarcerated for 34 years and 9 months. I received this death-by-incarceration sentence at the young age of 22. Without a change in the law, or the passage of the Second Look Act, the only way I will ever leave prison is in a casket."

B.S. (Bedford Hills): "The Second Look Act would change everything—for me, for my sons, for my family, and for the people who love me. If it were possible to get a "second look," it would have a huge impact on me—and an even greater impact on my children. This would give me an opportunity to say my piece and get the chance to be reunited with my children and loved ones—and finally meet my grandchildren."

S.H. (Bedford Hills): "I'm serving 15 years and I have a 9-year-old son who is growing up without his mother. When I was sentenced, I felt like my life was over and I failed at being a mother. I thought about my loved ones who will probably not see me again. I was labeled a "predicate felon" because of my history and that increased my time. I would love to have a Second Look at my case and another shot at my freedom. I would make sure everything is done right so my family and I will never experience this again. A lot of people going through what I am going through die. A Second Look is my only hope."

C.M. (Shawangunk): "An observable track record is a commonsense solution to a broken system that is very fixable. The prospect for release will serve as a legitimate resocialization agent."

II. Systemic Abuse of Incarcerated Individuals

J.W. (Green Haven): "Violence is an operation for them. Societal acceptance and emotional calcification of this behavior gives rise to beatings, quotidian and anticipated by prisoners, like the one Robert Brooks could not survive."

J.S. (Sing Sing): "Every prison in the state has a group of officers we call the "beat-up squad," that regularly abuse their authority through acts of violence, threats, and false misbehavior



reports. These officers target individuals based on any number of things: they want to enact revenge on someone who has assaulted staff; they've decided someone is an asshole (an impression that can be earned through simple miscommunications and language barriers).

The culture in New York prisons is such that whenever an officer is overwhelmed, they call in the beat-up squad. During the recent illegal strike—and more generally, before and after—officers and their supporters have made the public believe that the prison population as a whole is violent and dangerous. But prison reflects society: a majority of the violence is committed by a small number of officers and prisoners.

Many of the COs involved in beating Robert Brooks to death had already been known abusers. There has to be something in between looking the other way when officers accumulate complaints and lawsuits, and terminating only after an incarcerated person has been killed. The data about these complaints is available, but it's dispersed within the Department's many databases, such as the systems for grievances and disciplinary actions, and the Central Office's own incident system."

P.H. (Five Points): "I unfortunately have seen numerous instances of Corrections Officers inflicting violence on the incarcerated. I too have been subjected to physical and mental abuse."

T.E. (Shawangunk): "I've been jumped by 10, 8, 6 and 2 officers at a time. I had lying reports written against me to cover up their wrong. I've seen men killed by C.O.s and denied food."

D.S. (Attica): "I've also witnessed the C.O.'s beat an incarcerated individual after using mace on him while handcuffed several times. They talk to us as if we're animals. I made the C.O. aware that a guy was hanging himself. He ignored the cries and allowed this man to die under his watch.

Those ex-COs they caught on body cams beating that man to death sure didn't look scared, did they? I've personally seen and heard that type of abuse countless times over the years here. What they showed in that video IS who they are—especially here. Scared? Of getting caught. That's about it."

J.U. (Green Haven): "I watched another incarcerated person be assaulted."

M.B (CCA Member): "My son was beaten by six corrections officers. He was naked, asking for mental health care. Instead of help, he got fists. Two days later, when I finally saw him, my six-foot-three son collapsed into my arms, sobbing. His hand was swollen, likely broken. He had bruises across his groin, a concussion. A year later, he still doesn't have full feeling in one hand."



T.E. (Shawangunk): "Coming to prison at 25 years of age and living and surviving for 40 yrs—do you think I or anyone else who has experienced the hell emotionally, physically, psychologically and even spiritually that I've endured is thinking about doing a crime? Think again."

C.G. (Sing Sing): "I saw a man tackled to the floor by an officer. More officers arrived and immediately started punching and kicking this guy. We started screaming from behind our bars for them to stop—but they kept going. I felt this beating in my soul. They beat this man so badly. We could hear the kicks they were giving him. A few weeks later, I saw this man walking—let me rephrase that, barely walking—to medical. Just talking about it, I feel the pain in my heart that I felt for that man while they were beating him."

J.P. (Greenhaven): "For far too long, we—the prisoners—have been the victims of countless atrocities at the hands and actions of correctional staff (i.e., corrections officers and medical departments). In these twenty-eight years of wrongful imprisonment, I have witnessed the brutality and victimization of prisoners in facilities such as Attica, Clinton, Great Meadow, and even here at Green Haven Correctional Facility."

A. Abuse During the February 2025 Illegal Work Stoppage

J.W (Sing Sing): "On February 10, 2025, at The State of the Judiciary, Commissioner Martuscello said, "No mistake [that the Department has made] is more tragic than the recent murder of Robert Brooks." That was unprecedented. Some say his motive behind being forthright was to get ahead of the video backlash. Others believe it was a testament to his devotion to justice. Whatever the motive, Commissioner Martuscello is headed in the right direction.

I understand the steps to the internal fight of accountability. As a convicted murderer, I had to grapple with my actions and their causes. Clearly, Martuscello acknowledges the result. However, he minimizes this incident as a "mistake" and avoids complicit responsibility -- the culture of beat-up crews in jails and prisons and protected class status protections that embolden them. Some officers in the Brooks assault were already in litigation for civil rights violations. Yet, they proceeded to assault Mr. Brooks as if it were a mundane task. No one protested. No one looked shocked.

Corrections' officers are trained to dominate, subjugate, and "other" the incarcerated population, not integrate. Some programs should be geared toward bridging divides between law enforcement and justice impacted people, seeing humanity in everyone. The current strategy is not effective. Revise it."

R.L. (Auburn): "Men during the lockdown were found dead in their cells due to neglect. The very man who delivered me out of the dark and taught me how to box



was found dead in his cell in Auburn Correctional Facility (Jonathan Grant)—rest in power.

So the strike showed the real world just how things look on the inside to those who are supposed to be responsible for redirecting us and sending us back to society upright. Medical is short-staffed. There is no dentist—people's teeth are decaying. Medical issues are severely neglected. Programs are not being run properly. The culture of charades is growing by the second, the minute, and the hour. There are no civil liberties.

J.L. (Sing Sing): "We were locked down 24 hours a day with no showers and no rec. Imagine not taking a shower in seven days. We couldn't see our loved ones. Inmates killed themselves, started talking to themselves and screaming. At one point, we weren't even getting toilet paper or hot water because they weren't letting the porters out. We weren't allowed to go to the commissary, so we had no food and no water. Mind you, if you didn't have a tablet—or your tablet was broken—you couldn't speak to anyone at all. It was pure madness."

J.W. (Green Haven): "Corrections officers who have walked off the job, left people confined to cells without food or medication, have halted educational programs, caused the suspension of family visits, and are responsible for at least one death would be legitimately entertained by legislatures is shocking to people who are being punished for their illegal actions."

C.M. (Shawangunk): "This traumatizing event has resulted in yet another case of rewarding officers' bad behavior and a lack of accountability."

B. Abuse During the October 2023 CERT Raids at Green Haven

S. (Green Haven): "The CERT team came through, marching down G Block and chanting. They claimed it was a search, but they immediately began destroying people's belongings... I was handcuffed during the search of my cell... In the strip search room, CERT beat me while I was completely naked. They spit on me, bashed my head, and kicked me in my ribs and back. The beating lasted 5 to 10 minutes."

E.S. (Green Haven): "CERT stripped me and other men down to our boxers and paraded us in front of five female OSI officers... They brought out dogs and had them sniff our groins and rectums while we stood there wearing nothing but boxers."

U.W. (Green Haven): "After the CERT search, I was left with no mattress, no pillow, and no blanket. Twenty-four people from E Block were missing and unaccounted for for weeks... I haven't had a shower in nine days. For three nights in a row, our dinner



has been cold potatoes and salad. They're only letting people on my block out of their cells in their underwear. This is inhumane. This is unfair."

M.E. (Green Haven): "They handcuffed me, maced me, and beat me—badly. They dragged me while I was zip-tied... No medical attention was offered."

J.U. (Green Haven): "When CERT searched my cell, I was placed on contraband watch—in the 'shit room'—just because I coughed."

D.B. (Green Haven): "I was escorted to the magnetometer. Then a Kg officer brought a dog over to sniff me while I stood there in nothing but my purple Hanes briefs... I was taken... through to the frisking room where two female officers were present. This was degrading. I should not have been paraded... in only my briefs and shower shoes."

S. (Green Haven): "After being injured by the CERT team, I've continued to ask for medical treatment. I'm still not receiving it. Neither the hospital nor the prison clinic will take photos of my **injuries**."

E.S. (Green Haven): "Since that Friday, I've been requesting both medical and mental health care every single day. I haven't seen anyone."

III. Lack of Oversight and Transparency in Complaints and Investigations

D.S. (Attica): "The I.G.R.C. is biased and not impartial. 98% of the time they side with their staff even when they're dead to the right."

T.E. (Shawangunk): "I've filed lawsuits and complaints to the AG, OSI, DOCCS, IGRC, PLS—anybody that would hear me and help me."

IV. Current Deficient Facility Conditions and Limited Programming

J.U. (Green Haven): "Packages that have been at the facility for over a week still haven't been delivered."

T.E. (Shawangunk): "The way it is run could be better if the programs were open five days a week. Men need to keep their minds busy and they need to be paid a good wage so they can survive."



D.S. (Attica): "The showers are disgusting with green mold everywhere... They serve us soy in every meal which is not good or healthy for us. On the back of the bags of soy in the mess hall it states: 'Not For Human Consumption.' But yet they still serve us this dog food."

J.S. (Bedford Hills): "I have been struggling this year in particular with the lockdown caused by the officers' strike and the lasting effects it continues to have: limited visitation, no Family Reunion Program visits, reduced programs, and dehumanizing medical Experiences."

V. IV. Experiences of Age, Illness, and Medical Neglect

T.E. (Shawangunk): "Now I suffer with lung cancer. Had they given me treatments soon after they knew I had it, I could've beaten it. They did not start my treatment until months later. DOCCS medical personnel F'd up."

U.W. (Green Haven): "One person caught hypothermia and had to be sent to the hospital because the COs are freezing us out—leaving all the windows open in this weather."

D.S. (Attica): "I've survived a dislocated shoulder injury due to lack of medical attention. The medical care here is horrible—they will let you die from medical indifference. The living conditions are inhumane, with a lack of cleaning supplies like bleach, Comet, etc. The showers are disgusting, with green mold everywhere. Whenever Albany does a tour, they don't allow them to see any of this due to staff escorts."

M.C. (Green Haven): "In addition to the recent deaths of Robert Brooks and Messiah Nantwi, two other incidents of great concern come to mind. The first occurred in Attica. Painful gurgling sounds broke through silence on a regular afternoon during shift change. It grew in intensity before I realized my neighbor was ending his life, leaving prison the only way he knew how. I screamed for medical. Other prisoners screamed too. But no one rushed to help. I could hear the officer walking, taking his time. Officer No-Rush reached the gate finally and said, "Yep, this guy's a goner." Calmly, he radioed it in and walked back to his work station to open my neighbor's cell manually. There was no urgency in saving my neighbor's life. Back then—somewhere between 2012–14—I was going back and forth from A to R.I. for monthly court appearances, so my neighbor had only been my neighbor for a few days. I never learned his name. Days after his death by suicide, no one counseled me or my other neighbors. We never debriefed the incident with the guidance of a professional. And I never asked for someone to talk to because I feared the possible ways officers might use my need for help against me—they could've claimed I was trying to report their unprofessional response, placing me and/or my visiting loved ones in immediate danger. I also kept the incident from my loved ones because worrying about my wellbeing compounds over the years, and this particular situation—its weightiness, its indiscriminate nature—would only worsen the pain my incarceration has already caused them."



I'd be remiss if I didn't mention Mr. Benjamin Smalls Jr. We worked together at Green Haven in the same prisoner-run organization for years. He was a legal beagle who provided much-needed hope to others who wouldn't know how to represent themselves in court and couldn't afford a lawyer. He caught COVID in 2020. Nurses gave him a handful of ibuprofen and sent him back to his cell, where he died.

Had policies been in place for this elderly man and extraordinary leader, he would've had access to better medical attention—or, at minimum, he would've been in the care of those who loved him most. Instead, he died alone.

Our incarcerated population—and the community at large—lost an irreplaceable asset because we failed to enact policies capable of increasing community safety while simultaneously recognizing the power of transformation. You now have the power to help us change that."

VI. Family Separation and Intergenerational Harm

C.M. (Shawangunk): "My son Xzavier believes that the FRP unit is my house. He asks, 'Daddy, why we not going to the same house as before?'... It's heartbreaking to try and explain that while he sees a house, it's not my home."

J.W. (Green Haven): "My 33 year-to-life sentence could be reduced enough for me to be released within the next five to eight years. If released, the time reduction wouldn't minimize the seriousness of my crimes because leaving prison doesn't mean I'm free. My wrongdoing will always be with me—it goes everywhere I go."

P.H. (Five Points): "The chance to be a son, brother, and father again would be an opportunity not squandered. Families that do support their loved ones must suffer and continue to suffer when the one they support is beyond rehabilitated and/or innocent with no proper mechanism to restore them."

D.M. (Bedford Hills): "When you spend decades in prison, you tend to lose family bonds. It's not easy being in prison—because it's just as hard, if not harder, on the family you leave behind. Being incarcerated, my family didn't just lose a mother. They lost an advocate, a nurturer, and a support system. And the trauma doesn't start or end with the person who is incarcerated. It affects our children. It follows them. It becomes their burden too."

K.P. (Bedford Hills): "I saw my dreams of having a family of my own, of being part of my children's lives, disappear. Not deferred, but lost. Gone. There was a deep feeling of helplessness—for myself and for all of the families involved. We all had the same dreams: parenthood, family, growing old with loved ones. And then, no more. The family contact I do have is a pittance, and there is nothing I can do about it while behind these walls. The damage continues and grows worse every day we are apart. My



parents and my children are hurting. Because of the distance between us, I don't get to see them or have physical contact—which is a basic human need. With touch so restricted here, I flinch even when someone puts a hand on my shoulder. I've been deprived of the normalcy of physical affection for so long. Prison is psychological warfare."