

FRANZ KURZ

Bergstrasse 35~74392 FREUDENTAL~GERMANY ~ TEL +49 7143 24293

franz_kurz@web.de

Francis' Letter to my Friends II
(Reforming Statements)

Dear friends - still inmates or already released, seeking to reintegrate into your community or new social surrounding: Greetings from abroad!
Permit me an open letter for the following reason:

On 10th July, 2006, Reforming Statements were published in as Viewed from Abroad. One year has gone by since that letter was written: It's time to look back; time to update the status and time to write a follow up Letter to my Friends. Though I prefer the individual contact and will never miss it, any society is based on individuals; living within a society we should be aware concerning Public Awareness and Public Opinion within the nation that has the highest prisoner rate and who continues to support the death penalty. This is a very crucial matter to those of us who live outside of your country for it is not like that elsewhere in the developed world.

Public Awareness

Published press articles clearly show further progress though the prisoner rate forecast still indicates increasing prison population. From this we may conclude that in thinking about a change in the justice system and habit of punishment, it actually did not enter any politician's mind to become active - apart from constructing new prisons. Some states are in deep crisis. For example, California, Idaho (1), Alabama and other states are exporting prisoners to other states due to extreme overcrowding, which proves they are unable to think in other more logical terms as to how to combat such overcrowding. They go on with existing disastrous policy that results in inhuman behaviour and social sickness. Police and other executive organizations continue dealing with an old-fashioned and out-of-date norm giving state, judges and state attorneys (not to mention politicians who apparently have no clue or who are more afraid of being called "soft on crime" than to promote humanity in the judicial system) license to be "legally" cruel. They simply play with the mass of fellow citizens' lack of education on the topic, for certain a permitted assumption.

Innocence

Unlike my experience here in more than 14 years of supporting offenders I meet in The-Land-Of-Not-Free more inmates telling me they were innocent in the past year, and everybody knows of the initial case of my after retirement job, the case of Diane Downs (2), proudly distributed to the world in a bestseller book and Hollywood production. Certainly in an unqualified assessment I would say about 200,000 prisoners across America are innocent. These cases primarily concern dangerous (violent) felonies. Apart from the outstanding Diane Downs' case, which must be assumed to be a criminal plot between police, state attorney (DA) and judge, I found various sorts of wrongdoing by at least one of the mentioned state's institution.

Typical is that good investigations only happen in T.V. or book crime series: a drug to peoples' understanding of the reality, an imagined very different reality. Obviously state attorneys control police and investigation organizations are insufficiently guided by different objectives than to catch the real criminal. They perform easygoing on all following instances,

and they invite at following hearings and trials to easygoing as well - because once sentenced it is extremely hard to get a new trial though the real murderer confession is documented. A know habit: and no one spends a dime on security.

Whenever this is discussed we face the unequal power - presenting as well inequality between race and rich and poor - of Public Defender vs. State Attorney, as PD is a clearly "embedded" person into a "happy sentencing" US justice organization. These PD's have quite different priorities, independent from their own career within the system (see example given by Sandy Jonas' Idaho case on site); if they assume a bit of interest at all in the accused case they have on their table.

Plea Bargain

It's a miraculous word for the PD!! They hawk with the inexperienced accused person who is often standing under shock and becomes aware of what happened only later when he is able to recapitulate what happened to the chicken at fox's courts. Too late!

In another strange habit the so called Board of Parole decades later wants the acceptance by the sentenced individual and in order to sanitize earlier wrongdoing, the Board of Parole plays a Ping-Pong partnership with the courts. They are not members of the courts but an appointed assembly by the politician Governor. Perhaps this is a welcome patronizing position in a club to honour former support during election time. Whatsoever: Different from a Jury we miss responsibility to the law and protection of arbitrary imprisonment.

So we recognize (beside often dubious investigation) two positions with questionable qualities securing security to a society: The embedded or/and poorly paid Public Defender, weak and with reduced interest in defending his client against a powerfully equipped State Attorney, and at the other end the Board of Parole outside the courts, and by that we see portrayed in full view, the judging hierarchy game. We must conclude about 200,000 criminals run free because the wrong ones have been sentenced.

- I'm not discussing the link to Death Penalty. Others are better prepared to do that.

Strategic Imaginations

- Beside the individual's fight for justice, I can only encourage everybody, and the many supporters, groups or alike, to further care for public relation work.

Cases have to be presented in a proper way on websites and other Media. These cases from coast to coast should be listed up. Well, a rather long list, no doubt, still, a necessary work so the awareness will increase, and the people are able to esteem the word's value when politicians talk of justice and security. No need to define the term innocent though every group using this term has its own imagination, but at the core we all mean the same thing. To me innocence must been assumed when the investigation and court procedures have been unfair. I follow the old roman principle: In dubio pro reo ('any ambiguity the defendant must be given the benefit of the doubt').

- The fight for security should mean proper investigation, equal weight of power at trial, and fair trial. This is everyone's right as a citizen. Arguments of deterrent long prison sentence will flatter solely those who say it and want to be seen as tough. In reality we already know

that unfairly long prison sentences do not deter crime or reduce crime. Certainly punishing the innocent and letting the guilty go unpunished as a result, has no value at all to society.

- It is not surprising then that a Democratic nation excludes inmates from his or her voting right. More than 2 Million US citizens lose their voting rights when they are incarcerated for a felony, excluded from society's life, a step to lose citizenship. Would any family exclude a child from being member of the family only because he did wrong? No! Certainly not! The arrogant society feels entitled to exclude a fellow citizen for his wrongdoing (named crime) and send him to an "exterritorial" area named prison often run by profit makers. What an amazing hierarchy of values are representing such a nation. High incarceration rates in America are not about reducing crime. For the elite, it is about making profits while for its society it is about people having an "out of sight out of mind" mindset: rather than taking responsibility for the problems of perceived undesirable behaviour, it is easier and more convenient to throw human beings away.

- Pointing with the above to the outside there is an urgent need to question what can be done under existing circumstances within compulsory surrounding social organism.

I am well aware and celebrate individuality; nevertheless, we need other individuals from the first day of life on Man's Earth. Every individual is asked to gain further qualities, abilities, education. He can do for himself or together and in exchange with fellow inmates. This is the most excellent example I know of! You cannot wait until "the other" is going to do something, you can start, little by little to "change your life". By that you form your individuality: have your own objectives, coordinate it with your surrounding individuals. You have the opportunity to exercise to do better in a merciless surrounding.

- Outside groups are invited to support such endeavours. They are able to inform those living at other "Islands-Of-The-Not-Free" to offer your access to modern techniques of communication - even to those who have been put to The Hole for many, many years. You are able to demonstrate a different policy than profit orientated companies have to do to increase shareholder's value who simply make their money from the poor, telephone, food and beverages, clothing, drugs, services, permitted or not permitted items. You too can contribute to a better world in a nation that has the death penalty and the highest prisoner rate, and – for example - displaying the world's biggest female prison in the California storefront window, and, instead of presenting Arnold's Terminator muscles and "ignoring the signs of growing prison crisis" (3) the many men of muscles are unable to foresee even overcrowded prisoner warehouses. Real culture has other and quite different values.

August 07, Franz Kurz

- (1) - "*Shipping inmates to Ky. not legal*" (<http://news.enquirer.com/apps/pbcs.dll/article?AID=/20070808/NEWS01/308080016>)
 - "*Mother of Idaho inmate who killed himself in Texas files claim*" Aug. 8, 2007;
 "*The mother of an Idaho inmate who killed himself in a dilapidated private Texas prison*"
 <<http://www.chron.com/disp/story.mpl/ap/tx/5038552.html>>

State officials (Lawmakers and Judge-Bishops) based on a special Christian understanding prove Matthew 7, 17: "*A healthy tree bears good fruit, but a poor tree bears bad fruit. A healthy tree cannot bear bad fruit, and a poor tree cannot bear good fruit.*"

- RE: Sandy Jonas: www.manipulatedtrial.de
 (2) RE: Diane Downs: www.dianedowns.com + www.oregontrial.org.uk + www.manipulatedtrial.de
 RE: Others: www.manipulatedtrial.de + www.patrickcrusade.org e.g.
 (3) "*Page B-4 accurately describes the fact that California's prison crisis grew for many years without adequate attention from state lawmakers*", DOC Secretary JAMES E. TILTON, August 09, 2007)