

Deadline
Reentry
Discussion
Guide

**Reentry National Media
Outreach Campaign**

Deadline Reentry Discussion Guide
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The Film: *Deadline*

What if you discovered that 13 people slated for execution had been found innocent? That was exactly the question that Illinois Governor George Ryan faced in his final days in office. He alone was left to decide whether over 160 death row inmates should live or die. In the riveting countdown to Ryan's decision, *Deadline* details the gripping drama of the state's clemency hearings. Documented as the events unfolded, *Deadline* is a compelling look inside America's prisons, highlighting one man's unlikely and historic actions against the system. *Deadline* is produced by Big Mouth Productions.

Big Mouth Productions was founded in 1997 by Katy Chevigny and Julia Pimsteur to produce provocative and engaging social-issue documentaries and to provide production services for U.S. and international clients. *Deadline* was produced by Katy Chevigny and Dallas Brennan and directed by Katy Chevigny and Kirsten Johnson. The feature length documentary was broadcast on July 30, 2004 on NBC's Dateline as a special two-hour presentation.

For more information about *Deadline*, criminal justice reform efforts, an interactive state-by-state map, resources and biographies, please see *Deadline's* Web site: www.deadlinethemovie.com.

Prisoner Reentry

Deadline's story about prisoners wrongfully convicted of heinous crimes and exonerated after years in prison raises the issue of **prisoner reentry**. What happens to men and women who return to society after having lost years of their lives in prison? Their exhilaration upon release is confounded by challenges to become immediately self-sufficient.

Prisoner Reentry Defined

Prisoner reentry is the process of leaving prison or jail and returning to society. All prisoners experience reentry irrespective of their method of release or form of supervision. So both prisoners who are released on parole and those who are released to no supervision in the community experience reentry. If the reentry process is successful, there are benefits in terms of improved public safety and the long-term reintegration of the former prisoner. – from *Outside the Walls: A National Snapshot of Community-Based Prisoner Reentry Programs* Resource Guide

What is Prisoner Reentry?

More people are leaving prisons across the country to return to their families and communities than at any other time in our history. Nationally, over 600,000 individuals will be released from state and federal prisons this year, a fourfold increase over the past two decades. From a number of perspectives, the issue of how people fare after

they exit the prison gates has received renewed attention. Many will have difficulty managing the most basic ingredients for successful reintegration—reconnecting with jobs, housing, and their families, and accessing needed substance abuse and health care treatment.

The potential “ripple effects” of the prisoner reentry process for returning prisoners, their families, and communities have sparked a growing level of activity among national, state, and local policymakers, researchers, and practitioners that is unprecedented. At the national level, Congress has appropriated \$100 million to assist communities in preparing for the release of record numbers of prisoners. At the same time, some of the most important and innovative work in the reentry field is occurring at the community level. These grassroots efforts have changed the reentry framework by energizing local community capacity to meet this new challenge.

The **Reentry National Media Outreach Campaign** is a multi-year media initiative that focuses on the reintegration of men and women leaving prison and returning to our communities. Based on the belief that diverse media play an essential role in motivating and mobilizing community action, the Reentry Campaign expands public awareness and works in partnership with diverse groups working to strengthen families and neighborhoods. The campaign’s media resources are designed to facilitate discussion and decision making about solution-based prisoner reentry programs that foster public safety and support healthy communities.

These solutions include affordable housing, living wage employment, health care, and other community and family connections, all of which can aid reentry and reduce recidivism. These, then, are the issues of the Reentry National Media Outreach Campaign: education and employment, health, housing, family, public safety, and faith. The campaign is generously funded by The Annie E. Casey Foundation.

Selected Film Subjects

Governor George H. Ryan

During a single term as governor of Illinois from 1999 to 2003, Republican George H. Ryan made a name for himself by advocating for the reform of his state's troubled capital



punishment system. As a state legislator, he voted to bring the death penalty back to Illinois in 1977 after the Supreme Court's *Gregg v. Georgia* decision. In 2000, after major problems in the system came to his attention, Governor Ryan issued a moratorium on all executions in Illinois and established a commission to evaluate Illinois' entire capital punishment system. In 2003, after the commission issued its exhaustive study that documented

serious flaws, he ordered special one-hour clemency hearings for every person on death row. At the end of his term as governor, he pardoned four death row inmates with strong claims of innocence, and commuted to life in prison the sentences of the remaining 167 inmates awaiting execution in Illinois. This was the first time any governor of any state in the union had issued a "blanket clemency" of this magnitude, and it underscored Governor Ryan's fear that the flawed administration of Illinois' capital punishment laws might some day lead to the execution of an innocent man or woman. A one-time pharmacist from the small town of Kankakee, Governor Ryan retired from politics after the end of his gubernatorial term in 2003. He was nominated for a Nobel Peace Prize in 2003 and 2004.

Gary Gauger

Gary Gauger tells his story in *Deadline*:



Gary Gauger (Photo: Jennifer Linzer)

"For people who aren't intimately familiar with what happened to me, in April of 1993, two members of the Wisconsin Outlaws motorcycle gang came up to my father's motorcycle shop, explicitly to rob and murder my parents. I found their bodies the next day. I was arrested by police within three hours; illegally it was determined later by the courts.... The jury deliberated less than three hours before finding me guilty; I was subsequently sentenced to die by the judge.... But Larry Marshall and 16 of his students took it upon themselves to investigate my case, my wrongful conviction."

Gary Gauger was convicted of killing his parents in April 1993. In March 1996, the U.S. District Court overturned his conviction, ruling that there had been no probable cause for his arrest or for the 18 hours of intensive questioning to which he had been subjected. The Center on Wrongful Convictions took on his case, and he was released in October 1996 by the same judge who had sentenced him to die by lethal injection. In October 1999, Gauger filed a federal lawsuit against officials in the McHenry County Sheriff's Department and the state's attorney's office. In December 2002, Gauger received a pardon based on innocence from Illinois Governor George H. Ryan. Gauger is one of the main characters portrayed in the Off-Broadway play, *The Exonerated*.

Lawrence Hayes

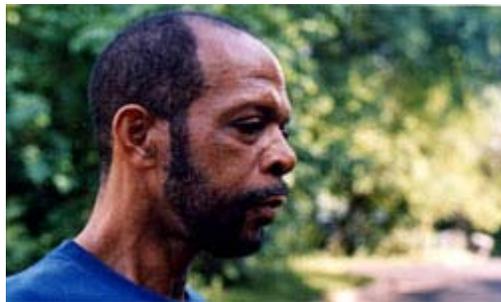
Hayes was born and raised in Harlem and in 1968 became a member of the Black Panther Party. In August of 1971, he was arrested for “acting in concert” at a murder scene of a policeman. Hayes was sentenced to death, and was one of the five New York State death row inmates awaiting execution at the time of the Supreme Court’s 1972 *Furman vs. Georgia* decision abolished the death penalty. His sentence was commuted to life with parole. After being paroled in 1991, Hayes became a spokesperson against the death penalty. He

has spoken at several colleges and universities and is a member of the international abolition organization, Hands Off Cain. Lawrence has dedicated his life to ending the death penalty and feels that, “Life should be held above death; there is no excuse or reason to kill anyone, anywhere.”



David Keaton

David Keaton was sentenced to death in Florida in July of 1971, after he was convicted of killing a police officer during an armed robbery. His conviction was based on a coerced false confession. The *Furman vs. Georgia* decision in 1972 spared his life. He was exonerated in 1973, but was not released until 1979 after the actual killer was identified and convicted. Keaton is one of the main characters portrayed in the Off-Broadway play, *The Exonerated*.



Donald Schneble

Seventy-four-year-old former shrimp fisherman Donald Schneble is a convicted murderer whose death sentence was commuted to life in prison by the 1972 Supreme Court *Furman v. Georgia* decision. He spent five years out on parole running a successful business before he landed back in jail on a non-criminal parole violation. He has no further chance for parole.



Anthony Porter

Anthony Porter had exhausted his appeals, his family had made his funeral arrangements, and he was just 50 hours away from execution when he won a reprieve from the Illinois Supreme Court in late 1998. The reprieve was granted not out of concern that Porter might be innocent but solely because he had tested so low on an IQ test that the court was not sure he could comprehend what was about to happen to him, or why. The court's intent was merely to provide time to explore the question of the condemned man's intelligence, but it had an unanticipated consequence. It gave Northwestern University Professor David Protess, private investigator Paul Ciolino, and a team of journalism students time to investigate the case and establish



Anthony Porter (Photo: Loren Santow)

Porter's complete innocence....Two days after the confession of the real killer, Porter was released from prison on a recognizance bond and the murder charges against him were officially dropped the next month. Porter thus became the tenth person sentenced to death in Illinois under the present capital punishment law to be released based on innocence. Porter's exoneration influenced Governor Ryan's decision to place a moratorium on the death penalty. Read Porter's full story on the Web site of the Center on Wrongful Convictions:

www.law.northwestern.edu/depts/clinic/wrongful/exonerations/porter.htm

Using the Guide

The *Deadline* Reentry Resource Guide, developed by Outreach Extensions, considers the film through the lens of reentry. It is meant to be a resource for community coalitions, faith- and community-based organizations, those in criminal justice, policy leaders, and others who want to learn more about reentry, create community dialogue, or engage in action planning related to the reentry of men and women who were formerly incarcerated. The guide offers background information on the film and its subjects, a glossary of terms, and discussion questions, as well as presents information relevant to reentry. The guide's content on the death penalty and capital punishment was developed by the *Deadline* Audience Initiative.

Discussion Questions and Taking Action

An April 2004 study by The University of Michigan Law School (see resources) reported a total of 328 exonerations (316 men and 12 women) in the 15-year period from 1989 through 2003. These men and women had served an average of over ten years in prison for crimes for which they should never have been convicted. The study also found that the rate of exonerations increased sharply over the 15-year period, from about 12 per year through the early 1990s to an average of 43 a year after 2000. From 1999 on, about half of all exonerations have been based on DNA evidence.

Exoneration and Release from Prison

1. As told in *Deadline*, Larry Marshall and the Center on Wrongful Convictions helped to organize a 37-mile walk from Statesville Correctional Center to the Thompson Center by 39 individuals who had been exonerated. Former death row inmate Anthony Porter handed Governor Ryan's spokesperson a letter, carried by each person in turn, that expressed their experiences. The letter stated:

"December 2002, to the Honorable Governor George H. Ryan, Governor of Illinois. We are the exonerated. We have each walked in the valley of the shadow of death. The courts and the public were certain that we were guilty, and that we had forfeited our rights to live. Only through miracles did the truth emerge. That truth provided, we were victims of wrongful convictions."

What are your thoughts about wrongful conviction for prisoners on death row? How might the experience of being on death row be described as having "walked in the valley of the shadow of death"? Was the walk a useful tactic in gaining the attention of the governor and the public?

2. Governor Ryan: *"We now have 13 death row inmates exonerated. That means that we have more people exonerated from death row than the 12 we executed"*

"So it's not a question of whether we should release people from prison. Given the fact that thousands and thousands are being released every month, what can we do to make sure that when they come back into society, they're not going to re-offend, and they're going to get a job and have housing, get health care, and get back on track."

-- State Representative Michael Lawlor, Co-Chair, Joint Judiciary Committee (D - CT)
from *Outside the Walls* videotape (introduction).

out of 25. It's like flipping a coin, heads or tails. Live or die. Can you believe that?"

What does Governor Ryan's expression about "flipping a coin" tell you about how he perceived the situation of prisoners on death row in Illinois? How might that perspective have led to his decision to commute the death penalty sentences of 167 inmates to life in prison?

3. Twenty years after his 1971 conviction, and nineteen years after his death sentence was commuted to life with parole, Lawrence Hayes was paroled. For 20 years, his decisions were made by a state penitentiary in New York. Then he was on his own.

In Deadline, Hayes explains, "I was released in 1991. I've been on parole for 12 years, I have a 9:00 curfew, I must submit to periodic drug testing. Last year I had two jobs, I was working for the innocence project and I was working for this law firm."

In the introduction to the *Outside the Walls* videotape, Jeremy Travis asks, "So for us as a society, the question is how do we provide support and services and supervision for people coming out of prison to help them meet some of those very real and very basic challenges of reintegration?" Travis is president of John Jay College for Criminal Justice in New York City.

Why is this task particularly challenging for people who have spent 20 years behind bars like Lawrence Hayes? Discuss how the U.S. had changed, in small and major ways, in those 20 years – economically, technologically, socially, and culturally that would have confounded his reentry. What services and supports would Hayes need to reenter a world vastly different from what he had known?

4. Hayes was re-imprisoned on April 7, 2004 for an alleged, non-criminal parole violation. He is currently at the Marcy Correctional Facility in Marcy, New York.

What forces may have been at work to result in this outcome? What can we learn from this in assisting other former offenders to rebuild their lives?

5. In *Deadline*, David Keaton's brother says, "Growing up black in this state, you know, you really didn't have a chance when it came to a crime. You know, they say that justice is blind, but justice really isn't blind."

The *Outside the Walls* videotape states that, "People of color are disproportionately represented in the criminal justice system, which has devastating consequences for their families and communities, as well as magnifies the challenges of their return. This especially affects the most disadvantaged neighborhoods in many states to which the majority of people released from prison return.

Do you think that race played a role in the stories such as Keaton's presented in *Deadline*? In what way? How does the disproportionate representation of people

of color in prison have “devastating consequences” for their families and communities? How does it affect the most disadvantaged neighborhoods?

6. The ACLU’s report on “101 Almost Dead Men Walk” (see resources at the end of this guide) raises the issue of compensation. It states that “Very few of these innocent people who spent considerable time on death row received any type of compensation after their release.”

What are your responses to the questions raised: “What compensation is fair to give to innocent persons wrongfully sentenced to death? Should state court systems have to pay for their errors? Should state legislatures be mandated to set up a compensatory fund to pay to such innocent persons?”

Taking Action:

Men and women who are exonerated need to find their way back to productive lives. What services and supports should they receive to prepare them for reentry? Consider key areas such as education and employment, housing, health, family, and faith. What safeguards are needed to protect the public’s safety? What can you do to improve the availability of services and supports in your community?

Education and Employment

7. A newscaster in *Deadline* noted that as Donald Schneble awaited the outcome of his legal appeals, he studied trigonometry and navigation, “still hoping that one day he will be outside, running a shrimp boat.”

In the *Outside the Walls* videotape, Jeremy Travis stated: “*If inmates participate in education programs while they are in prison, they will have better success in getting jobs and they will have lower recidivism rates when they get out of prison. It’s ironic, given that research base, that our country has been cutting back on prison-based education programs.*”

What types of education programs should prisons conduct to assist men and women who will return to their communities once they have completed their sentences? Which types of program could lead to productive employment? Consider adult basic education, literacy programs, vocational training, and GED and college courses. What should the public be asked to pay for? What other employment services might former prisoners need?

Taking Action

What education and training opportunities are available in your community to assist men and women who were formerly incarcerated? What types of employment services are available? What would you recommend? What can you do to improve the availability of education and employment services and opportunities?

View the section on education and employment in the *Outside the Walls* videotape. Select programs/program elements that can enhance the work your organization is already doing to help men and women returning from prison.

Housing

8. Prior to his arrest, Gary Gauger had been living with his parents, helping on their farm. According to an April 2000 article in the *Richmond Times-Dispatch*, Richmond, Illinois, Gary's twin sister Ginger Blossom and her husband moved into the farmhouse where their parents had lived. After his release, Gauger returned to farming in McHenry County, Illinois. Now a certified organic vegetable farmer, Gary lives on the 10-acre property adjacent to the farm that his parents bought in the 1980s.

Gary Gauger had a home to which he could return after his release. For some, returning to the homes of their families is not an option. Why might this be? What housing options do you think should be available to assist prisoners returning home to their communities? Why would ending up homeless create risks for the individual as well as threaten public safety?

9. According to the *Outside the Walls* resource guide, in the briefing paper on housing, an often-overlooked challenge facing returning prisoners is finding a place to live. What might be some barriers to securing safe and affordable housing? What do you think about federal laws that bar many convicted felons from public housing and federally assisted housing programs? What solutions would you offer?

Taking Action

What does your community offer in terms of transitional housing? Is it adequate to meet the needs of returning prisoners? What types of services should these organizations provide in order to address the complex reentry needs of returning prisoners? What can you do to improve housing services and opportunities?

View the section on housing in the *Outside the Walls* videotape. Select programs/program elements that can enhance the work your organization is already doing to help men and women returning from prison.

Health

10. According to an April 2000 article in the *Richmond Times-Dispatch*, Richmond, Illinois, "Gauger is able-bodied and can handle the rigors of farming. His psyche, though, remains scarred." In *Deadline*, David Keaton describes how he's changed by his imprisonment and exoneration, "And I became very pessimistic about doing anything, and I'm so clouded in my mind now with darkness until I can't really find out exactly what it is, or where it is I want to go. It's almost like I have a sadness about me all the time."

What affect do you think feelings of depression and/or a loss of identity can have on a person leaving prison and returning to his or her community? Could it affect their ability to find and keep a job or maintain family relationships? What hope do you have for Gauger and Keaton that they will fully recover and build stable lives? What services and supports should be available to help them get back on track?

11. Keaton also talks about his struggles with alcohol addiction. *“I always wanted to just get away. To just get out, and have millions of dollars, that was one of my dreams, to be the best at whatever it was, but now I’m the best alcoholic around here. Trying to forget what I’ve gone through.”*

Substance abuse is the most common health issue among the prison population, which has important implications for both the public health and public safety concerns of released prisoners and their communities. What should prisons do about substance abuse? What should be done to help former prisoners remain drug and alcohol free when they return to their communities? Why is substance abuse a public safety concern?

Taking Action

What types of health/mental health services does your community offer to returning former prisoners? Is it adequate to meet their needs? Are services and medications immediately available following their release? What can you do to improve health/mental health services and opportunities?

View the section on health in the *Outside the Walls* videotape. Select programs/program elements that can enhance the work your organization is already doing to help men and women returning from prison.

Family

12. According to the briefing paper on family in *Outside the Walls* resource guide, *“One thing we do know is that strong family ties during imprisonment can have a positive impact on both returning prisoners and their children. Several studies have shown that continued contact with family members during and following incarceration can reduce recidivism and foster reintegration into the community, which has broad benefits for all involved.”*

In *Deadline*, one of David Keaton’s family members offered encouragement to him, *“I see what talent, you know, God had given this man, and, and how this justice system destroyed all of that. Y’know, I often tell him, ‘Look, man, I love you, and you have so much talent, you have so much to give this, this world. Y’know, don’t let what they did to you destroy you.’ It’s so hard to reach beyond that pain and that hurt that he must have gone through there.”*

What roles do family members have in helping their loved ones reenter the family and their community? What suggestions do you have that could help Keaton move beyond his prison experience to regain the life he once enjoyed?

13. In the *Outside the Walls* videotape, Charles See, Executive Director, Community Re-Entry, expressed his belief that *“People need to be connected with, people need to be supported, they need to be visited while they are incarcerated. When they come home, they need to be welcomed back into the community and given opportunities to become full-fledged members again.”*

Do you agree with See's beliefs? Why or why not? What types of programs, inside and outside prison walls, could strengthen family relationships? What benefits does this offer to the community as a whole?

14. In *Deadline*, during the clemency hearings for individuals, one prisoner's wife said the following, *"We're here to ask that you spare their father's life. He still plays a role, he writes them, he sends them birthday cards, he talks to them all the time, how they should respect their elders, do good in school, to do their best. They're both right now on the honor roll. I don't have any problems with them. I don't feel that it would be right to take their father's life, because it would be only....Excuse me. It would only be punishing his children. And I just ask that you would spare his life for the sake of his children, if nothing else."*

Were you convinced, or moved, by this plea from a prisoner's wife? Does his benefit to his children and family mitigate the crimes that he committed? What, if anything, should prisons do to help families stay connected to one another? Should this man become eligible for parole, how might his relationship to his family support his ability to become a productive citizen?

Taking Action: What types of services does your community offer to prisoners, returning former prisoners, and their families? Do they support family strengthening as well as community building? What can you do to improve family support services and opportunities?

View the section on family in the *Outside the Walls* videotape. Select programs/program elements that can enhance the work your organization is already doing to help men and women returning from prison.

Faith

15. In *Deadline*, the exonerated men profiled typically leave prison after extraordinarily long sentences served. Their spiritual and psychological needs are significant. What should communities of faith do to address special needs populations like the exonerated or long-term sentence servers?

Taking Action: Review your congregation's existing ministries. Do you have in place ministries and support programs for returning formerly incarcerated men and women? Should you? Who can you partner with to provide these supports?

View the section on faith in the *Outside the Walls* videotape. Select programs/program elements that can enhance the work your organization is already doing to help men and women returning from prison.

Glossary

Acquittal *A legal judgment, based on the decision of either a jury or a judge, that an accused is not guilty of the crime for which he or she has been charged and tried.*

Appeal *Following a conviction, the offender may appeal the judgment of a conviction to the state appellate with jurisdiction over the case.*

Burden of Proof *In the criminal context, the State carries the burden of establishing beyond a reasonable doubt that the accused committed the offense for which he or she is charged.*

Clemency *An act of mercy by the president or governor to ease the consequences of a criminal act, accusation, or conviction. In 2002, Illinois held clemency hearings for Illinois' Death Row inmates. These hearings were designed to help Governor Ryan determine whether to commute the death sentences of the inmates.*

Commutation *The reduction of a sentence. In January 2003, Governor Ryan commuted all 167 Death Row inmates' death sentences to sentences of life without parole.*

Exonerate *An official act declaring a defendant not guilty of a crime for which he or she had previously been convicted. Gary Gauger, Anthony Porter, and David Keaton were all exonerated after new evidence proved them not guilty of the crimes for which they were convicted. Death row inmates number about ¼ of one percent of the prison population, but 22 percent of the exonerated.*

Habeas Corpus (federal) *Refers to a proceeding wherein a prisoner challenges the lawfulness of his or her imprisonment. An action by way of habeas corpus does not function to determine the prisoner's guilt or innocence. When the proceeding is brought by a state inmate, review extends to the constitutionality of the imprisonment.*

Moratorium *A legally authorized postponement of a legal action such as execution. In 2000, Governor Ryan declared a moratorium on all executions of Illinois Death Row inmates, while a commission he appointed reviewed the administration of the death penalty.*

Nolle Prosequi *Voluntary dismissal of criminal charges by the state.*

Pardon *An act of grace from a governing power that releases an inmate from the legal penalties of an offense and, in some cases, allows for him/her to be released from prison. In 2003, Governor Ryan pardoned four inmates on Death Row, whom he determined to be innocent.*

Parole *Supervised release of a prisoner from imprisonment on certain prescribed conditions. In 2003, Ryan commuted all Illinois death sentences to life without parole. The 1972 Furman v. Georgia decision allowed for life with parole, and several hundred prisoners were eventually released from prison on parole, usually after serving at least 20 years in prison.*

Postconviction Proceedings *Following conviction and direct appellate review, many states provide for procedures for postconviction review. Typically the grounds for relief under these proceedings are both limited and different from those on appeal from a conviction.*

Probation *Conditional freedom granted to an offender by the court after conviction or a guilty plea with requirements for the offender's behavior, and which any violation of such requirements may result in revocation of the probation. Supervision is usually by a probation officer.*

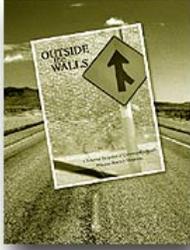
Reentry *The process of leaving prison or jail and returning to society. All prisoners experience reentry irrespective of their method of release or form of supervision.*

Restitution *Payment made by a defendant to the victim as reimbursement for monetary losses incurred as a result of the crime. Restitution may be ordered by the court as part of a sentence.*

Resources

Outside The Walls: A National Snapshot of Community-Based Prisoner Reentry Programs

The *Outside the Walls* videotape highlights several reentry programs in each of six categories – education and employment; health; housing; family; public safety; and faith.



Produced by D. R. Lynes, Inc., the video profiles each program—presenting a description of services, highlighting partnerships and collaborations, and providing outcomes that document why the program is effective. In addition to staff and partners of the various reentry programs, diverse viewpoints are presented, including individuals who were formerly incarcerated, crime victims and their advocates, as well as policymakers, parole and probation departments, departments of correction, government agencies, and community leaders. Apply for your complimentary copy of *Outside the Walls* on the Reentry Web site:

<http://www.reentrymediaoutreach.org/otworder.htm>.

Outside the Walls: A National Snapshot of Community-Based Prisoner Reentry Programs Resource Guide

The Urban Institute collaborated with Outreach Extensions in developing a resource guide entitled ***Outside the Walls: A National Snapshot of Community-Based Prisoner Reentry Programs***, related to the issues in the Reentry Campaign. The Urban Institute provided background research papers to introduce each of the campaign's six themes: education and employment, health, housing, family, public safety, and faith. A broad array of reentry activity (almost 100 programs) from across the country illustrates some of the exciting ways that communities and jurisdictions are beginning to think, work, and collaborate around the pressing issue of reentry. The guide helps readers understand the issues surrounding reentry, the relevance to policy, as well as learn about and replicate program practices. Available as .PDF files on the Reentry Campaign's Web site, the guide's primary purpose is to facilitate discussion and action planning by policy leaders and community groups.

Reentry Campaign Web Site www.reentrymediaoutreach.org

The Reentry Campaign Web site expands opportunities for public access to the outreach campaign. The site provides an overview of the national campaign; all outreach print and other media materials; video clips, discussion guides, and producer information on campaign documentaries; a feedback mechanism, and information on national/local campaign activities and events. Transcripts of the *Outside the Walls* video as well as the companion resource guide are provided. The site also presents the documentaries, including *Deadline*, which are part of the campaign, including producer notes and background information.

The **Center on Wrongful Convictions** pioneered the investigation and litigation of wrongful convictions – including the cases of nine innocent men sentenced to death in Illinois. These efforts were a driving force behind both Governor George H. Ryan's decision to suspend executions in Illinois and the current nationwide movement to reform the criminal justice system. Part of Northwestern University in Chicago, the Center consists of lawyers, professors, and law students dedicated to identifying and rectifying wrongful cases of criminal justice in Illinois and around the country. Its Web site provides information about each of the Illinois' innocence cases, the death penalty, causes and remedies, and state-by-state information, and offers a glossary of terms and major cases as well as resources.

www.law.northwestern.edu/wrongfulconvictions

The **American Civil Liberties Union** offers a report on “101 ALMOST DEAD MEN WALK” The Facts about America’s Nationwide Death Penalty Crisis: A System Poised to Execute the Innocent in its archives. The report details the reasons why innocent people were sentenced to death and later exonerated. Errors made in their prosecution include testimony, prosecutorial misconduct, ineffective counsel, DNA evidence, police misconduct, jailhouse informants, and expert testimony. A chart provides information on the 101 “innocents sentenced to die” between 1973 and 2002. David Keaton’s name is first; others shown in *Deadline* include Anthony Porter and Gary Gauger. The article also raises the issues of compensation, official malfeasance, and moratorium.
<http://archive.aclu.org/features/LongMoratoriumFactSheet.pdf>

The **Innocence Project** at the Benjamin N. Cardozo School of Law at Yeshiva University, founded by Barry C. Scheck and Peter J. Neufeld in 1992, is a nonprofit legal clinic and criminal justice resource center. It works to exonerate individuals wrongfully convicted through postconviction DNA testing; and develops and implements reforms to prevent wrongful convictions. The Project only handles cases where postconviction DNA testing can yield conclusive proof of innocence. The Web site reports that 151 people have been exonerated as of October 12, 2004. The site includes case profiles, causes and remedies, information on legislation, and DNA news: <http://www.innocenceproject.org/>.

Innocence Project of the National Capitol Region – The Innocence Project of the National Capital Region (IPNCR) was established in 2000. Innocence Projects across the country have been created in response to the growing body of evidence suggesting that the American criminal justice system has failed in one of its most critical functions – reliable conviction of the guilty and exoneration of the innocent. Over the last decade, the availability of DNA testing has allowed groups such as the Innocence Project at Cardozo Law School (the first project of this kind) and IPNCR to reexamine cases and reevaluate the validity of those convictions. IPNCR provides pro bono investigative and legal assistance through a network of attorneys and law students to those prisoners whose innocence can be proved by DNA testing or other newly discovered evidence. The site provides a fact sheet on wrongful convictions: <http://www.wcl.america.edu/innocenceproject/fact.htm>.

Life After Exoneration Program – Exoneration ends the struggle of many men and women who have fought for years to prove their innocence. But it begins their struggle to survive on the outside. That struggle includes virtually every aspect of life – a job, a place to live, financial resources, a support system, and access to medical, psychological, and dental care. Because no services are provided to exonerees, they must face these overwhelming challenges alone. Many do not succeed. The Life After Exoneration Program (LAEP) was created to address the ongoing injustices exonerees suffer in the aftermath of their release. LAEP is a nationwide project that appreciates the unique challenges facing the exonerated and provides services and resources to help this growing community of survivors of wrongful conviction reenter society and rebuild their lives. It was founded in 2003 by Peter Neufeld and Barry Scheck of the Innocence Project and Dr. Laurie Lola Vollen of the University of California, Berkeley. LAEP is a nonprofit project of The Tides Center. www.exonerated.org

The University of Michigan Law School reported a study on “Exonerations in the United States 1989 Through 2003” (www.law.umich.edu/NewsAndInfo/exonerations-in-US.pdf) by Samuel R. Gross, Kristen Jacoby, Daniel J. Matheson, Nicholas Montgomery, and Sujata Patil. Completed in April 2004, the report summarizes findings from a study of exonerations of defendants convicted of serious crimes in the United States since 1989.

The Death Penalty and Capital Punishment

The Death Penalty in the U.S.

As of 2004, more than 5.6 million Americans – 1 in 37 adults living in the United States – are in prison or have served time, the highest incarceration level in the world.

Throughout the early 21st century, there have been at any time over 3,000 men and women awaiting executions in prisons across the United States. The U.S. joins the ranks of China, Republic of the Congo, and Iran as the most prolific executioners in the world.

According to the Center on Wrongful Convictions, in the quarter century between restoration of the Illinois death penalty and Governor George Ryan's blanket clemency order, 298 men and women were sentenced to death in Illinois. Of those, 17 were exonerated and released — a rate of 5.7%, the highest exoneration rate of the 38 states with death penalties on their books.

A Brief History of Capital Punishment in the United States

- 1636** The first death penalty statutes are recorded in the New World.
- 1847** Michigan becomes the first English speaking territory in the world to abolish the death penalty, excluding cases of treason.
- 1930** From 1930 to 1939, there are 1667 people executed, more than in any other decade.
- 1960** While 40 states authorize capital punishment, a de facto moratorium is placed on the death penalty.
- 1972** In *Furman v. Georgia*, the U.S. Supreme Court rules 5-4 that the arbitrary application of the death penalty is cruel and unusual punishment, and therefore unconstitutional.
- 1976** In *Gregg v. Georgia*, the Supreme Court votes 7-2 to reinstate the death penalty.
- 1977** Gary Gilmore becomes the first person executed in 10 years.
- 1977** In *Coker v. Georgia*, the Supreme Court votes 7-2 that use of the death penalty in rape cases is disproportionate to the crime, and therefore unconstitutional.
- 1982** DNA testing is first used as evidence in court to exonerate a condemned prisoner.
- 2001** Oklahoma City Federal Building bomber Timothy McVeigh is the first federal prisoner executed in 38 years.
- 2002** In *Atkins v. Virginia*, the Supreme Court rules 6-3 that executing the mentally retarded is unconstitutional.
- 2002** In a 5-4 decision, the Supreme Court refuses to reexamine whether executing killers who were under 18 when they committed their crimes is constitutional. The U.S., along with Somalia, is one of the last remaining countries in the world where it is legal to execute juveniles.
- 2003** Worldwide, 115 countries have abolished the death penalty. The U.S. lags behind only China and Iran in the number of executions carried out.
- 2003** Governor George Ryan grants blanket clemency to all 167 people on death row in Illinois, commuting their sentences to life without parole.

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Deadline Reentry Discussion Guide

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Outreach Extensions created this new guide to address the reentry of exonerated individuals to their families and communities. Download the original Discussion Guide at www.deadlinethemovie.com.

Deadline is one of the public television programs showcased in the Reentry National Media Outreach Campaign. All productions incorporate the theme of **reentry into family and community by individuals who were formerly incarcerated**. These and other programs are elements of the Making Connections Media Outreach Initiative (MCMOI), an outreach project supported by The Annie E. Casey Foundation (AECF). Launched in February 2001, MCMOI links media broadcasters to local stakeholders as a means to promote the Foundation's mission to help build strong and connected neighborhoods for children and families. Visit the Reentry Web site at: www.reentrymediaoutreach.org.



MCMOI campaigns are managed by Outreach Extensions, a national consulting firm that specializes in comprehensive, high profile educational and community outreach campaigns for media projects. For more information and community-use materials for these exciting programs, please visit the MCMOI Web site at www.mcmoi.org/.

For more information on the Reentry National Media Outreach Campaign, please contact:



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The Annie E. Casey Foundation