

The MCCX Mountain Review

SUMMER 2025

VOL. 34, No. 2

A Morgan County Correctional Complex Publication

Executing the Death Penalty

Capital punishment remains on life support despite complications

ROBERT PIRAINO
MOUNTAIN REVIEW

FIFTY-THREE YEARS AGO, THE U.S. Supreme Court abolished the death penalty with a landmark ruling in *Furman v. Georgia*. Just four years later, the Court reversed course and resurrected the death penalty in *Gregg v. Georgia*, where it established the “evolving standards of decency” as a test for Eighth Amendment infringements. Since that 1976 decision, 1,632 executions have been carried out in the United States, with nearly 82% of them being performed by Southern states. After peaking in 1999—when 98 executions were performed—capital punishment steadily declined. It hit a 32-year low in 2020 when 11 executions were carried out. Annual executions are once again gaining traction, having more than doubled since the beginning of this decade.

The *American Journal of Criminal Law* explains that the cause for the ebb-and-

flow of capital punishment in America primarily revolves around “administrative and procedural problems, such as: due process violations, pervasive arbitrariness, habitual racial bias, recurrent wrongful convictions of innocents, lack of deterrent value, and substantial financial cost.” A litany of legal cases arguing Eighth Amendment violations, paired with humanitarian concerns from pharmaceutical companies, have caused numerous delays for states looking to carry out executions, but despite all of the debate over capital punishment, a narrow majority of states currently permit individuals to be sentenced to death.

See DEATH PENALTY, page 19

EXECUTIONS BY REGION SINCE 1976

South	1333
Midwest	204
West	91
Northeast	4
Texas	595

*By taking revenge, a man is but even with his enemy;
but in passing over it, he is superior.*

— SIR FRANCIS BACON, ENGLISH JURIST [1561-1626]

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Mountain Review

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In Memory of Mike Flinn

Legal aid and loyal friend

ROBERT PIRAINO
MOUNTAIN REVIEW

THIS JUNE, WE LOST A DEAR MEMBER of our incarcerated community. Mike Flinn passed away unexpectedly after experiencing a sudden medical emergency. This issue of the *Mountain Review* is dedicated to him.

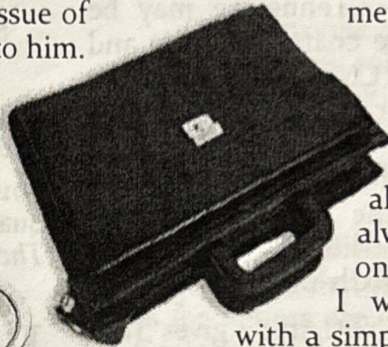
Unlike some residents, including his colleagues in the law library, I only knew Flinn for a brief time before his passing. About a year prior, we crossed paths while both living in Unit 4. I don't recall the exact circumstances of our first meeting, but—knowing both of us,—I'm sure it began with a succinct introduction and transitioned into a long-winded exchange.

Shortly thereafter, we began interacting regularly. Sometimes, we would pace around the unit while discussing case law and Tennessee's notoriously debased judicial system. Other times, he would offer to make us some tea, and we would swap theories

regarding the prior evening's episodes of 48 Hours and Dateline. Flinn generously shared his collection of resources with me, including a variety of news articles, his prized science textbook, and a scarce copy of "We the People," a valuable legal primer. He helped numerous residents with their legal work and always maintained a level of meticulousness.

I immediately recognized Flinn's intelligence and valued his opinion; albeit, we did not always see eye-to-eye on matters. Sometimes, I would approach him with a simple yes or no question only to be taken hostage and dragged down a rabbit hole. In other instances, Flinn would inquire about something I could not imagine he didn't already know the answer to. He would have a suspect look on his face and insist he was genuinely curious, but to this day, I believe he was just testing me.

Mike Flinn worked tirelessly, fighting his case until the day he died. Although it wasn't how he expected to go, I'm glad he finally made it out. Rest in peace, my good friend. *MR*



We Want to Hear from You

Write a letter to the editor and tell us what you think about the *Mountain Review*. We're also looking for article ideas, artwork, poetry, and more. Residents willing to share their experiences on the inside can contact us or submit their own story. Submissions should be limited to around 300 words and are subject to edit. Please include your name so we can contact you with questions and to approve final copy.

Submit via in-house mail to: *The Mountain Review*
c/o Mary Jo LaBarge, Newspaper Supervisor

ROBERT PIRAINO
MOUNTAIN REVIEW

TN Ranked No. 1, Worst State for Quality of Life

NASHVILLE, TN — Tennessee may be used to topping the charts in music and sports, but a recent CNBC study ranks the State the worst for quality of life. This isn't the first time Tennessee has scored so poorly. The Volunteer State has been steadily climbing the list of states with the worst quality of life, ranking eighth-worst in 2023, and sixth-worst in 2024.

Although the CNBC study gives Tennessee good marks when it comes to air-quality, it scores poorly in the areas of crime rate, inclusiveness, and worker protection. Tennessee's unusually high crime rate is one of the most harmful factors to the State's reputation; it's the third-highest in the nation. According to *The Tennessean*, the Tennessee Bureau of Investigation recorded 43,613 violent crimes in 2023, which includes over 700 cases or murder. That breaks down to 628 crimes for every 100,000 people; a rate that's 67.8% higher than the national average, according to data ascertained by *The Tennessean* through the nonprofit, USA Facts.

2025's Worst States for Quality of Life:

- 1: Tennessee (61)
- 2: Texas (72)
- 3: Indiana (73)
- 4: Utah (87)
- 5: Louisiana (87)
- 6: Georgia (89)
- 7: Alabama (92)
- 8: Arkansas (95)
- 9: Oklahoma (97)

2025's Best States for Quality of Life:

- 1: Vermont (228)
- 2: Maine (207)
- 3: New Jersey (201)
- 4: Minnesota (189)
- 5: Connecticut (179)
- 6: Hawaii (173)
- 7: North Dakota (171)
- 8 (tie): Massachusetts (167)
- 8 (tie): Nebraska (167)
- 8 (tie): Virginia (167)

(Points displayed out of a possible 265.)

Source: "Tennessee ranks as worst state for quality of life by CNBC" by Allison Kiehl, *The Tennessean*, July 25, 2025.

Former TN House Speaker Could Go from Politics to Prison

NASHVILLE, TN — A federal jury in Nashville has convicted former Republican Rep. Glen Casada and his onetime chief of staff, Cade Cothren, in a public corruption trial that began in late April.

The pair's convictions include criminal charges of theft, bribery, kickbacks, use of a fictitious name to carry out fraud, wire fraud, and money laundering. Casada was found guilty on 17 of 19 charges (he was found not guilty on two of six counts of wire fraud), while Cothren was found guilty of all 19 charges. They are currently free on bond, but each man faces up to 20 years in prison when they are sentenced this month.

In 2019, Casada received a vote of no-confidence by his fellow House Republicans and resigned from his position of TN

House speaker. The vote came after rumors broke of a scandal that included accusations Casada has previously exchanged sexually explicit text messages about women with Cothren. Prior to this, Cothren stepped down from his position due to these same rumors, along with claims of racist texts and an admission that he used cocaine inside a legislative office building during a previous role, according to a recent report by *The Daily Times*. Those allegations are unrelated to the pair's current criminal convictions.

Source: "Casada, Cothren convicted" by Jonathan Mattise and Travis Loller, *The Daily Times*, May 17, 2025.

Prison Conditions Lead to Heated Lawsuit Win

AUSTIN, TX — A federal judge found Texas prison conditions unconstitutional and ordered the state to take action after a lawsuit was brought that alleges prisoners are at risk due to dangerous extreme heat and the lack of air-conditioning in the facilities.

The judge did not require the state to make the fix before the summer heat approaches, but the Texas Department of Criminal Justice says it has requested \$118 million from lawmakers in order to install electric cooling for about 16,000 beds.

More than 130,000 individuals are incarcerated in the state of Texas, and only about one-third of the units are air-conditioned; the remaining units have either partial or no electric cooling system.

Texas officials admitted that several deaths in 2023 may have been heat-related and say they are dedicated to continuing to add more electrically-cooled units.

Source: "Judge finds extreme heat in Texas prisons unconstitutional" by Jim Vertuno, *The Daily Times*, March 31, 2025

Knoxville Man Makes Case for Early Release from Life Sentence

KNOXVILLE, TN — Almeer Nance was sentenced to life in prison at the age of 16 but recently requested early release. His reasoning is that the law he was sentenced under has since been upended.

The Knoxville man has admitted his part in a 1996 robbery that led to the death of Joseph Ridings, but he was not the trigger-man. Despite the circumstances, Nance was tried and sentenced as an adult.

A 2022 Tennessee Supreme Court ruling declared that mandatory life sentences for minors are in violation of the U.S. Constitution's 8th Amendment and are considered "cruel and unusual punishment." Nance is requesting the judge reconsider his sentences and allow him to be eligible for parole.

Nance's defense attorney, Jonathan Harwell, explained in court that "for the first time after Booker, he can argue that a sentence including release over 50 years is substantively unconstitutional and for a defendant like himself that is not incapable of rehabilitation." Harwell's reference to Booker denotes the decision that eliminated mandatory minimum sentences for minors.

Despite demonstrating his positive transformation by earning his GED, a heating & cooling technical certification, and a master's degree through the Tennessee Higher Education in Prison Initiative, Assistant Knox County District Attorney TaKisha Fitzgerald argued that Nance should not receive another chance.

Source: "Knoxville man serving life asks judge for early release" by Myron Thompson *Knoxville News Sentinel*, May 3, 2025.

New Pay Policy Offers Little Change

NASHVILLE, TN — After decades of waiting, a new resident pay policy has finally been implemented. Starting with the July 26th pay period, most residents in TDOC custody will see a few extra dollars in their account each month. Base pay will be raised by 7¢ per hour, increasing from 17¢ to 24¢, and there will be a total of nine different pay rates. This will amount to an extra \$8-\$10 per month for many residents.

The new policy is described as being “merit-based” and is designed to reward those residents who maintain a good work-ethic. The warden explains that the new policy is “pretty complicated” and says there will be a “learning curve” and “growing pains” as it is rolled out.

The previous pay policy provided workers annual step raises until they reached the peak tier for their respective position. The new policy eliminates those step raises, opting for a standardized pay rate for each specific job.

Residents looking to make more money will need to prove themselves worthy of a promotion and hope a higher

paying position becomes available. The warden explains that the new policy offers more flexibility to supervisors, requiring they perform interviews for each position and evaluate work habits to determine who is most deserving for the role.

Field Day to Return

Warden Phillips announced the return of the annual MCCX Field Day, scheduled for Sept. 19 (main compound). Nashville has approved the use of funds from the Interest Account to purchase a meal for the event. At July's Inmate Council meeting, unit reps unanimously—and unsurprisingly—voted to procure food from an outside vendor, as opposed to have it prepared by Aramark. The warden suggested BBQ and sides, but unit reps opted for hamburgers and hotdogs with fries or chips and a soda. The budget was set for around \$15 per resident which suggests a bill upwards of \$30,000 for the meal. The food just might be the winner of this event!

NOTES:

- Video visits are now available! Additional details about scheduling are located on tablets.
- A number of **new** commissary items are now available for purchase.
- Westlaw is now available on tablets but is limited to just 60 minutes per day, not nearly enough time to read a single case.
- No additional accessories will be available for tablets, and replacement charger purchases are limited to one every 6 mos.
- A Refusal to Participate (RTP) will result in the loss of electronics, incl. TV, radio, and tablet apps.
- Unexcused school absences will result in being locked in your cell for the day.

Tier	Old Rate	New Rate
1	17¢	24¢
2	24¢	32¢
3	34¢	42¢
4	42¢	50¢
5	50¢	59¢
6	59¢	68¢
7	75¢	84¢
8	85¢	94¢
9	\$1.00	\$1.00

TCAT Graduates Class of '25

TENNESSEE'S CORRECTIONAL EDUCATION Initiative (CEI), founded by Governor Bill Lee, provides tuition-free post-secondary education to incarcerated individuals at state-run prison facilities. TN College of Applied Technology (TCAT) offers several certificate programs here at MCCX, designed to "prepare graduates for immediate employment in a specialized area or grow within their present career." On Friday, August 8, 2025, TCAT, in conjunction with the MCCX Ed. Dept., held a graduation ceremony to celebrate its most recent graduates across three different vocational programs. Congratulations to these men who have taken the first steps in transforming their lives for the better.

COMPUTER INFORMATION TECHNOLOGY

Provides students with a direct understanding of the various components of personal computers used in business and industry, including software, hardware, and operations. Prepares students to take national level IT Certifications.

Jovi Sisouvong+

TRUCK DRIVING

Provides students with various truck driving related skills, including: safety practices, operation, vehicle maintenance, and non-vehicle activities. Other areas of training include: Organization, vehicle orientation, pre/post trip inspections, backing, coupling/uncoupling, road driving, map reading, trip planning, DOT and state regulations, logging, weather and road conditions, cargo handling, and more. Prepares students to pass the written and skills portion of the CDL exam.

William Carver+
Martez Farmer+

Michael Harris+
Gregory Henderson+
Steven Howell+
Christopher Jones
Jeremy Wilson
Justin Wilson

WELDING

Provides students with an entry-level competence in performing shielded metal arc, gas metal arc, flux core arc, and gas tungsten arc welding, using carbon and stainless steels. Students will incorporate both fillet and groove weldments in the 1F -2F and 1G-4G positions for sheet and plate, as well as both 2G & 6G positions for pipe. NCCER qualification/certification paths are also available.

Michael Bristol
Brenson Lawrence+
Jason Williams

+ Paroled student

In addition to providing an opportunity for higher education in prisons, as well as increased employability, TCAT plays an integral role in reducing recidivism. According to the National Correctional Association, individuals who earn a vocational certificate are 15% less likely to return to prison than those who do not. Of TCAT's twelve recent graduates, more than half were granted parole.

In addition to these programs, TCAT's MCCX Campus also offers building construction trades and culinary arts; the computer information technology program has recently been replaced by a graphic arts program. If you are interested in earning a certificate through one of these tuition-free, accredited vocational programs, send an information request to Principal Julia Gregg. *JRG*

Higher Ed. Speaks Volumes

College is an opportunity to get the word out and change lives

BRENT FRAZIER

MOUNTAIN REVIEW

First and foremost, I want to give thanks to God the Father and Jesus Christ, my Lord and Savior. Without them, none of this could be possible.

IT WASN'T LONG AGO THAT I TOOK A public speaking course here through the Roane State Community College associate's degree program. I'm not going to lie, it was a challenge for me. My first speech for the class was like a Halloween movie: a real slasher!

I remember practicing for two days straight until I could recite the whole speech. All I did was walk around the pod and rec yard talking to myself. Sometimes I had someone walk with me so I would be used to having an audience. Then when it came time for the speech, I simply forgot it. My mind just went blank! My only thought was, What am I supposed to say next? But I made it through. Well, let's just say that I got my point across. Mrs. Walls was right there to reassure me that I had done well and that I'd get better, which I did.

My next speech was so much better. I was still nervous, and I ended up walking out of the classroom to get my bearings. I believe I was taking a while, and Chris, our college coordinator, came out to get me. When he saw me, he could tell I was nervous, so he told me to just breath. Believe it or not, that actually worked. I breezed through my speech and had entertained everyone. I even made Mrs. Walls burst out laughing, so I knew I was doing pretty well.

I made it all the way to the conclusion, and that's when disaster struck. My mind went blank. All I could think was, Aww not again! I felt like Pinocchio in that Geico commercial; I even said, "Ah, ah, oh boy." When I looked at my cue cards, I could see the words, but they weren't registering for my brain to make sense of them. To make matter worse, my vision started to fade. Then it hit me: I was on the verge of passing out, right there on the spot, in class, while talking about some fast-food. But just as soon as I realized what was about to happen, somehow I forced myself to come out of the frozen state I was in and finish my speech. I remembered that I have done this before, I have overcome, and I have conquered. I was so proud of myself.

I have that same proud feeling today, and I feel the same way about everyone who came along this journey of success with me. It took hard work and a desire to get where I am today, and I honestly didn't see myself here five years ago. I am actually in college! Yea right! Get out of here! But something deep down wanted more than the life I was living. I had to make myself want it, and when this opportunity was presented to me, that was all the boost that I needed.

Thanks to the Tennessee Higher Education Initiative (THEI) and Roane State for granting me this grand opportunity to be—and feel—successful. Feeling successful is a big deal. I once felt that success was out of my grasp, but now my perspective has completely changed. I feel like I can truly make a difference and move in a positive direction, not only for myself but also for those I encounter through this journey of life. That's just what I intend on doing, so here's to a better and brighter tomorrow, and remember, education is a world worth looking into. *LMR*

education is
a world
worth
looking into.

Carson-Newman Honors Students

ROBERT PIRAINO
MOUNTAIN REVIEW

INSIDE THE MAIN VISITATION GALLERY, dozens of guests assembled before a handcrafted wood stage stained in a dark walnut and covered with a sky-blue carpet. Eight dignitaries clad in ornate academic regalia sat atop the stage while a keyboardist began playing the characteristic processional composition, *Wichtige Begebenheit*. Fourteen men then filed into the manufactured auditorium, taking their seats in the front row. These men are all residents of MCCX and constitute Carson-Newman University's inaugural cohort. They're attending a convocation ceremony that will serve to charge them in the pursuit of their calling to ministry and the completion of their Bachelor's degree in Christian Studies. Moreover, all 14 students are being inducted into the Tri-Alpha Honor Society.

Sporting a handsome cowboy hat and matching boots, Warden Shawn Phillips gave the opening remarks. He recognized the hard work of the students and encouraged them to continue on their path of transformation and pursuit of education. Warden Phillips then acknowledged the effort put in by all the staff required to make this program possible.

Dr. Phil Young, the director of CNU's prison ministry program, opened the ceremony with a prayer and introduction of the various speakers, followed by a Scripture reading by Dr. David Crutchley, the Dean of the School of Biblical and Theological Studies. He read from Romans 12:1-2:

I beseech you therefore, brethren, by the mercies of God, that you present your bodies a living sacrifice, holy, acceptable to God, which is your reasonable service. And do not be conformed to this world, but be transformed by the renewing of your mind, that you may prove what is that good and acceptable and perfect will of God.

The keyboard started a melody, and everyone stood to join in the singing of the university hymn, *God of Beauty, Truth and Goodness*. Next, the board of trustees chairperson, Janet Strevel Hayes, provided attendees with the intriguing history of the university, which was founded over 170 years ago and has gone through several name changes along the way. She explained that the institution for higher learning was founded in Mossy Creek, Tennessee, which is now known as Jefferson City. After seeing a decline in enrollment during World War I, the school bounced back and has transformed itself into a global destination for edification. She revealed that 45 states are represented in the university's current enrollment,

"Our mission as Christian educators is to help our students reach their full potential as educated citizens and worldwide servant-leaders."

alongside hundreds of international students, and alumni are dispersed in over 160 nations. Chairperson Hayes then went on to deliver the university's mission statement, saying, "Our mission as Christian educators is to help our students reach their full potential as educated citizens and worldwide servant-leaders."

Academic advisor and first-generation liaison, Annemarie Spain, then began the honor society induction portion of the ceremony. The Alpha Alpha Alpha Honor Society recognizes college students who have maintained a high academic standard and are among the first generation of college students in their family. The 14 students were each called by name to

walk across the stage while the audience erupted in applause. I'ana Knight, a recent CNU graduate and the coordinator of multicultural services, presented a certificate to each of the men and provided them with a blue & gray cord to be worn during their graduation ceremony next year.

Carson-Newman University President, Dr. Charles Fowler, provided remarks of his own. He disclosed that he is the only member of his family who graduated college, which demonstrates that no matter your background, a higher education can be the catalyst that helps you to achieve great things. The university's provost, Jeremy Buckner, lead a charge to the students, followed by the singing of the alma mater and a benediction by adjunct professor George Miller.

At the conclusion of the ceremony, attendees were given the opportunity to mingle with students and enjoy an array of refreshments, which included: turkey, ham, and cheese wraps; fresh fruit; chicken bites; dessert pastries; and beverages.

The following Carson-Newman University students were inducted into the Tri-Alpha Honor Society:

Joshua Burdin
Christopher Conway
Mark Foster
Wesley Leverett
Michael McMahan
Eric Pike
Robert Piraino
Courtenay Price
Jackie Rice
Patrick Riley
Jeremie Ritchie
Richard (Brannen) Taylor
Ralph Thompson
Joseph Wilson

A special thank you to MCCX Ed. Dept. Principal Julia Gregg for working with CNU to organize this special ceremony, to Warden Shawn Phillips and the MCCX staff and administration for their approval and support, and the members of the Carson-Newman University community who championed, planned, and executed this truly wonderful event. |MR



COLLEGE INSIDE

A newsletter about the intersection of higher education and criminal justice

The College Inside newsletter is produced by Open Campus Media and is available on your tablet's Edovo educational app. It covers a variety of topics, including college-in-prison programs, Pell Grants for incarcerated students, and career and technical education while sharing the stories of those pursuing higher education inside prisons across America.

Read more about:

- A man in custody of the Illinois Dept. of Corrections was approved for transfer to a Minnesota prison for the unique opportunity to attend law school while locked up.
- California is paying \$37 million per year for 10,000 incarcerated students to attend community college courses year, but it takes students an average time of 9 years to graduate.
- The Prison Pet Partnership allows members of the public to bring their furry friends to prison for boarding, grooming, and training. The pups go everywhere with their incarcerated handlers and even sleep in their cells! Similar programs are offered at least 290 prisons around the country.
- Adams State Univ. and the Colorado Dept. of Corrections have agreed to allow prisoners with a graduate degree serve as an adjunct professor. The initiative pays these incarcerated educators \$3,600 per class.
- A prisoner serving a 50-year sentence is pursuing his Ph.D., and the Maine Dept. of Corrections has allowed him to teach an on-campus course at Colby College, where he was paid \$6,300 for the semester.

Your Constitutional Rights to Due Process of Law

Researched and written at the Equal Justice Clinic of the Seton Hall University School of Law Center for Social Justice under the supervision of Professor Jenny-Brooke Condon.

PROCEDURAL DUE PROCESS

THE FIFTH AMENDMENT TO THE U.S. Constitution gives you the right to “due process.” This means that the federal government cannot deprive you “of life, liberty, or property” without some form of a fair proceeding. This protection also applies to the states through the Fourteenth Amendment. So, incarcerated people have due process rights whether they are held in federal prison, state prison, or local jails.

There are two kinds of “due process.” The first being “procedural due process,” which requires the government to follow fair procedures before it can deprive you of your liberty (freedom) or property. The second is called “substantive due process,” and it protects other rights, like the right to marry and the right to be a parent. These rights apply to incarcerated people, but may be limited. Here, we will focus on procedural due process.

Although people in prison lose a significant amount of freedom, they still have some protected “liberty interests.” Procedural due process is not required before you can be deprived of every right. It is only required before you can be deprived of rights that important enough to be considered “liberty interests.”

A liberty interest might exist when a statute or regulation establishes the interest. For example, if a law says that you “shall” or “must” receive good time credits (days subtracted from your sen-

tence, earned by engaging in good behavior), you may have a liberty interest in receiving those credits. If so, then the prison cannot deny you the good time credits unless it first provides you with an opportunity to challenge the denial.

If the law says that you “may” receive good time credits, which gives the prison discretion, you might not have a liberty interest in receiving the credits. Then, the prison could take away the credits without providing you any opportunity to challenge the denial.

In a case called *Sandin v. Conner*, 515 U.S. 472, 484-97 (1995), the U.S. Supreme Court held that the mandatory language in a statute or regulation such as “shall” or “must” is not enough on its own to create a liberty interest. Rather, a liberty interest will exist only if you also can show that:

- a prison’s action results in your spending more time in prison; or
- a prison’s treatment of you imposes “atypical and significant hardship,” meaning burdens that are more significant and unusual than the hardships ordinarily suffered by everyone in prison.

Sandin makes it much harder to show that you have a protected liberty interest that received due process protection.

If a court finds that you have a liberty or property interest at stake, then it

cannot be taken away by a prison unless you are first provided with a procedural "due process of law." What does procedural due process of law require?

- 1) the right to receive notice of any proposed official action that will deprive you of a liberty interest; and
- 2) an opportunity to contest (to fight against) the official action.

If you are not given notice or the chance to contest, you may have a legal claim against the prison for violation of your constitutional due process rights.

Courts decide what kind of "due process" is required in particular situations by using a balancing test established in the case *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976). Under this test, a court balances three things:

- 1) the importance of your liberty interest that is affected by the government's (the prison's) action;
- 2) the risk the government's action will wrongfully deprive you of your liberty interest, and whether an alternative action might prevent this from happening; and
- 3) the government's own interests, including the burdens on the government of having to use an alternative action.

The degree of procedural protection you must receive to protect your interest will depend on how important your liberty interest is. Outside of prison, if a court views a liberty interest as very important, then "due process" might include access to legal counsel or an interpreter or the right to cross-examine witnesses. If you are in prison and a court views your liberty interest as less important or considers the interest to be limited (for example, because of your incarceration), due process might include only the ability to share your side of the story in writing.

PRISON DISCIPLINARY PROCEEDINGS AND APPEALS

Protections from Punishment. In the 1974 case *Wolff v. McDonnell*, 418 U.S. 539 (1974), the U.S. Supreme Court addressed the due process protections a prison must provide before punishing incarcerated people with the loss of "good time credits" for "flagrant or serious misconduct." *Wolff* held that incarcerated people have a liberty interest in good time credits if a mandatory state law establishes how credits are earned. When this liberty interest exists, due process requires that a prison provide procedural safeguards before punishing someone by taking away those credits. Specifically, the procedural safeguards include:

- 1) written notice of the claimed disciplinary violation; and
- 2) a written statement of the evidence relied on by prison officials who concluded that a violation occurred.

Wolff also held that incarcerated people may have the right to call witnesses and present documents in their defense, as long as this does not threaten the prison's safety or other needs. There is no due process right to legal counsel in disciplinary proceedings.

Subsequent court decisions have described the types of notice and evidence from prisons that incarcerated people are entitled to in disciplinary proceedings. For example, a federal court in *Reeves v. Pettox*, 19 F.3d 1060, 1062 (5th Cir. 1994), held that due process was violated when an incarcerated person in Texas was punished for breaking a rule that he had no way of knowing about.

Federal courts in Illinois have rules that an incarcerated person must be informed of any information held by prison officials that is "exculpatory" (shows that the person is not guilty), and that the prison must consider that information before making a disciplinary decision. *Whitford v. Boglino*, 63 F.3d 527, 536 (7th Cir. 1995); *Chavis v. Rowe*, 643 F.2d 1281, 1285-86 (7th Cir. 1981).

In the 1985 case *Superintendent, Massachusetts Correctional Institu-*

tion at Walpole v. Hill, 472 U.S. 445 (1985), the U.S. Supreme Court addressed the level of proof that prison officials must show to punish someone who violates prison disciplinary rules. The Court explained that due process requires only "that there be some evidence to support the findings made in the disciplinary hearing." "Some" evidence is not a lot. This standard makes it very hard for incarcerated people to bring challenges in prison disciplinary proceedings.

It is not always clear what types of procedural protections may be required to protect your liberty or property interests in a given situation in disciplinary proceedings. The Constitution may require more or less, depending in the importance of your interests and the prison's needs. If you are punished in a way that is more severe than loss of good time credits, you might argue that an even greater liberty interest is at stake and even stronger procedures than the basic *Wolff* protections are needed.

Appeals. It is possible to challenge disciplinary decisions for reasons other than lack of due process. If you are in state prison, there may be a process within the prison for appealing a final disciplinary decision. Be sure to follow all internal prison rules for appealing disciplinary decisions. The requirement that you complete or "exhaust" all remedies available to you is called "exhaustion." Also, be sure to comply with any deadlines.

Once you exhaust all remedies available to you in the prison system, you can generally appeal the prison's decision as a "final agency action." The court will evaluate whether the prison's decision was reasoned and rational and whether it was supported by enough evidence. If it was not, then the prison's decision may be overturned as being "arbitrary and capricious." Different states have different processes for appealing from prison disciplinary decisions. They also have different standards for reviewing disciplinary findings as "final agency decisions."

HOUSING, TRANSFERS TO OTHER PRISONS, AND PLACEMENT IN SOLITARY

Generally, courts have been unwilling to recognize due process protections when prison officials assign people to housing or transfer them from one prison to another.

Transfers. For example, in *Meachum v. Fano*, the U.S. Supreme Court held that an incarcerated person's interest in remaining at a particular prison was not significant enough to require due process protections when the prison decided to transfer the person to another institution. 427 U.S. 215, 228 (1976). The Court found that an incarcerated person had no "liberty interest" in a particular housing assignment, and therefore no procedures were required before the transfer could take place.

Transgender People. A lower federal court recognized, however, that assigning transgender people to housing units that do not match their gender identity may present "atypical and significant hardship," triggering due process protections, even if housing transfers ordinarily do not. *See, e.g., Doe v. Massachusetts Dep't of Correction*, No. CV 17-12255-RGS, 2018 WL 2994403 (D. Mass. June 14, 2018). Procedures may be required to protect transgender people's liberty interests in these circumstances.

Solitary Confinement. The U.S. Supreme Court has recognized that placing people in solitary confinement (a "Special Housing Unit," "SHU," "administrative segregation," or "ad seg") may raise due process interests in a narrow category of circumstances. In *Sandin*, the 1995 case referenced earlier, the U.S. Supreme Court held that a liberty interest does not necessarily exist when an incarcerated person is removed from the general prison population and placed temporarily in administrative segregation. 515 U.S. 472, 485-87 (1995). The Court decided that this does not impose a "dramatic departure from the basic conditions" of an incarcerated person's sentence. But, the Court noted, if a transfer to segregation does impose an "atypical and significant hardship on the inmate in relation to

the ordinary incidents of prison life," then a liberty interest may arise. If a liberty interest arises, the person will be entitled to due process protections before the transfer can occur.

To determine whether a transfer to solitary confinement causes "atypical and significant hardship," courts examine the length of time that the person would be in solitary confinement and if the conditions are unusually harsh. The longer the time a person spends in solitary, the more likely the court is to conclude that it is "an atypical and significant hardship."

But courts disagree about what amount of time in solitary is enough to be an "atypical and significant" hardship. For example, the court in *Colon v. Howard*, 215 F.3d 227, 231-32 (2d Cir. 2000), said 305 days was an atypical and significant hardship, but in another case, the same court held that SHU confinements of fewer than 101 days could constitute atypical and significant hardships if the conditions were more severe than is typical. *Palmer v Richards*, 364 F. 3d 60, 65 (2d Cir. 2004). In *Griffin v. Vaughn*, 112 F.3d 703 (3d Cir. 1997), yet another court held that 450 days was not an atypical and significant hardship.

Some courts evaluate whether solitary confinement raises a protected liberty interest by comparing the conditions a person will experience in solitary to conditions in the general prison population. Other courts consider how conditions in solitary compare to other solitary confinement units throughout the state. Both may be relevant.

If conditions in solitary are much harsher than the general prison population or other state solitary confinement units, a court is more likely to find that a person has due process rights requiring greater procedural protections before a transfer can occur.

Supermax Prisons. Due process protections apply when a person is assigned to a super-maximum-security ("supermax") prison or unit. Supermax units are the most restrictive housing assignments. Typically, they subject incarcerated peo-

ple to isolation for 23 hours per day, with minimal contact with staff and other incarcerated people.

In *Wilkinson v. Austin*, 545 U.S. 209, 223 (2005), the U.S. Supreme Court applied the *Sandin* "atypical and significant hardship" test to a supermax prison. The Court concluded that conditions in supermax prisons exceed ordinary conditions of prison life. This means that a person has a liberty interest, protected by due process, in avoiding placement in a supermax prison. The Court applied the *Mathews v. Eldridge* balancing test to determine whether the state's procedures for determining who would be placed in a supermax prison were enough to protect that liberty interest. The prison's procedures involved:

- 1) Giving notice to the person of the prison's reason for the assignment to a supermax; and
- 2) The opportunity to rebut (challenge) the basis for the assignment in writing or through explanation at a hearing.

The Court held that these were all the due process requires before placing a person in a supermax unit.

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Killer Diet

Avoid the foods that are destroying you, and develop healthier eating habits

ROBERT PIRAINO
MOUNTAIN REVIEW

WE'VE ALL HEARD THAT A GOOD diet and exercise can lead to a long healthy life, but did you know that your current diet could be killing you? Prison food not only tastes terrible, it's loaded with "empty calories" and stripped of nutrients, making it a facilitator for weight gain and a variety of diseases that lead to premature death. The good news is that there are some modifications you can make to wake up from this nutritional nightmare and live a longer, healthier life.

Despite the general lack of physical activity for those incarcerated, and the increasing average age of prisoners, Aramark's nutritionist-approved menu offers residents a couple hundred more calories per day than is generally recommended for maintaining a healthy weight. Most of these calories come from ultra-processed and refined foods, meaning they contain little nutritional value and can lead to serious health problems. Many of the items available on the commissary fall into the same category, which means you'll want to think twice before grabbing that extra tray or pigging out on those potato chips and honey buns.

Although metabolisms vary from person to person, your basal metabolic rate (bmr)—the measure of calories burned without exercise—steadily

declines with age and high-fat foods can further reduce your base rate. Paired with a sedentary lifestyle, this is why we often see significant weight gain after the age of forty or fifty.

CALORIC INTAKE

The average American male needs a diet of 2,000 calories to maintain his weight, but highly active adults and athletes require even more. To lose weight, the average male needs to reduce his caloric intake to around 1,500 per day so he can burn more calories than he's consuming. The rule of thumb is that 3,000 calories equates to one pound. You can use this rule to determine if your diet is leaving you with a calorie surplus or deficit, but it's also important to recognize that not all calories are created equal.

Limiting your caloric intake itself isn't enough. Researchers have found that a low-fat diet (under 20g per day) with no calorie restrictions is ultimately more effective than a low-calorie diet (1,200 calories per day) that includes up to 40g of fat per day. Calories come from fats, proteins, and carbohydrates each provide different benefits as well as detriments. The proportion of calories obtained from each of these sources can make a substantial difference to your weight and your overall health, so you need to know where your calories are coming from.

When a large number of calories come from fat, especially saturated fat, the result can be deadly. In his book, *Low Fat Living*, Dr. Robert K. Cooper explains this, saying, "Even if your weight is normal, a steady diet of high-fat foods is bound to catch up with you, weakening your immune system and increasing your risk of health problems, from impotence to gallstones to heart disease and cancer." Dr. Cooper recommends limiting your calories from fat to

about 20% of the total calories you take in. This means that for someone on a 2,000 calories-per-day diet, they'll need to limit their calories from fat to around 400 or about 45 grams, at the most.

SATURATED VS. UNSATURATED FATS

Remember how we noted that not all calories are created equal? The same is true of fats. Nearly all our dietary fat can be categorized as one of three types of fatty acids: saturated, monounsaturated, and polyunsaturated.

Saturated fats are prevalent in red meats and dairy products such as eggs, butter, and cheese; certain oils are also high in saturated fats. These fats can lead to elevated levels of low-density lipoproteins (LDL) which develop plaque that clogs your arteries, increasing your risk of heart disease. Saturated fats are also a promoter of inflammation. Dr. Henry S. Lodge, author of *Younger Next Year*, explains that "inflammatory proteins are the ones that can kill you with heart attacks, strokes and cancer," and notes that "rates of prostate, colon, breast, and ovarian cancers in populations around the world are directly proportional to dietary levels of saturated fat." Dr. Cooper recommends limiting saturated fat intake 5% of your total daily calories or about 1/4 of your total calories from fat. This means you shouldn't consume more than around 100 calories (11g) of saturated fat per day.

In contrast, monounsaturated fats can help lower your LDL levels without affecting high-density lipoproteins (HDL) which help disperse cholesterol away from arteries and protect against

heart disease. These should make up the majority of the calories you receive from fat, at least 150 calories (17g) per day. No more than 1/3 of your total fat intake, about 130 calories (15g) per day, should come from polyunsaturated fats, which are essential to building cell membranes. These fats are found in grains, seeds, nuts, and soy, and you'll typically get enough of them without even trying. Unsaturated fats are the healthy fats that help fuel your body and are typically only stored for just a few hours or days.

There's also evidence that your metabolism decreases with the continual consumption of high-fat foods, making it increasingly difficult to lose weight and keep it off.

Fatty foods—especially those loaded with carbs and sugars—cause your body to rapidly increase insulin production and store the fat faster and longer.

CARBOHYDRATES

Complex carbohydrates (starches) are essentially sugar. When left unrefined, they are digested slowly and efficiently providing a steady source of glucose (blood sugar) that produces much needed energy for the body's vital functions. These are the good carbs that are found in foods like whole wheat bread and brown rice, items that are not typically available to incarcerated persons, but *organic* oatmeal and bran flakes are a good source and include lots of dietary fiber.

Most of the food served in prisons—white bread, white rice, pasta, cake, and potatoes—contains refined carbohydrates. The refining process strips these complex carbs of their vitamins and minerals and causes spikes in

"rates of prostate, colon, breast, and ovarian cancers in populations around the world are directly proportional to dietary levels of saturated fat."

- Dr. Henry S. Lodge

blood sugar. Dr. Lodge reveals that this tricks your system into overproducing insulin and digestive chemicals which begin to destroy your body. He explains that “gastric acid can burn right through your stomach wall, and insulin—the critical agent of digestion—can kill you in no time,” adding that “eating potato chips is like committing a slow suicide.” Consuming these foods cause you to feel perpetually hungry, which explains why you can gobble up fistfuls of bread and cake in the chow hall and never feel satisfied. One of the common consequences of overconsuming these refined foods is adult diabetes, but other effects include obesity, arthritis, heart disease, cancer, and stroke.

PROTEIN

Instead, look to consume food containing lots of protein. Unlike carbohydrates, which signal your body to keep eating, protein will make you feel full. Protein is an essential building block for muscle, and according to Dr. Cooper, “High-protein foods may help promote faster thinking, greater energy, increased attention to detail and quicker reaction speed.” Some of the best sources of protein include white meat chicken breast, fish, beans, and low-fat milk.

FIBER & SODIUM

Two other critical things to consider are the amounts of fiber and sodium you’re consuming each day. These substances have opposite effects on blood pressure, so the correct balance is essential to avoid serious health risks. Look to create a high-fiber, low-sodium diet to get the best of both worlds.

Dietary fiber not only helps with digestion, it can help reduce body fat and blood pressure. High-fiber diets are linked to a reduction in heart disease, colon cancer, and obesity. Unfortunately, most Americans only consume about 10g of fiber which is about 1/3 the recommended daily amount. In addition to high-fiber foods like bran flakes,

oatmeal, vegetables, and sunflower seeds, you can boost your fiber intake with the psyllium husk available on commissary (\$17 for 61 servings at 4g per serving).

On the flipside, high sodium levels can lead to hypertension (high blood

“eating potato chips is like committing a slow suicide.”

pressure) resulting in countless harmful health outcomes, not to mention bloating. Just one Ramen noodle pack includes 1,500mg of sodium, the majority of the sodium you should consume in an entire day, not to mention 7g of saturated fat. To reduce your sodium intake, only use a small portion of the flavor pack with your soup (one pack over a few days) or cut them out altogether, and don’t pick up that salt shaker. Instead, try flavoring your food with hot sauce, which only has 85mg of sodium per serving (1 tsp).

EATING HEALTHY IN PRISON

Now that you understand the way in which certain foods affect your health, you can make sure your diet isn’t killing you. In prison, it’s not easy to maintain a healthy diet, but it’s not impossible either. Unfortunately, neither Aramark nor TDOC readily provide Nutrition Facts or an ingredients list for food served in the chow hall, so it’s best to stick to natural items and those with few added ingredients, such as fruits, vegetables, low-fat milk, and plain beans. These items are nutrient rich and include essential fiber and protein that can otherwise be hard to come across. Eliminate or greatly reduce your consumption of starchy items (usually white foods) and the ultra-processed “mystery meats” that are loaded with unwholesome fillers. Most of these foods are made up of

ingredients that are taking years off your life, so proceed with caution.

Although most incarcerated individuals do not have the luxury of purchasing all their meals from the commissary, this is your best bet for developing a wholesome diet. These items provide Nutrition Facts and an ingredients list that allow you to know exactly what you're putting in your body. Using the guidelines mentioned earlier, you can develop a healthy diet that's low in fat and will leave you looking and feeling healthier than ever.

When creating a diet from commissary items, here are a few things to keep in mind: (1) Many packages contain multiple servings, so always be sure to take this into consideration when making nutrition calculations; (2) don't rely on the percent daily value (%DV) included in the Nutrition Facts because these are often based on a much higher daily fat content than is recommended; (3) instead of just considering the total calories, review the item's fat content, as well as the amount of protein, carbs, and sodium it contains.

Take a moment to review the foods you consume on an average day and consider if the health risks outweigh the temporary satisfaction. Prison already takes away years from a man, so don't let your diet take away any more. *LMR*

The information contained in this article should not be considered medical advice and is not intended to be a substitute for treatment prescribed by a doctor. Consult a physician before making changes to your diet.

Sources: *Low-Fat Living* by Robert K. Cooper, Ph.D.; *Younger Next Year* by Henry S. Lodge, Ph.D.

Both books are available in the main compound library.

Food for Thought

- There are ~9 calories in 1g of fat and ~4 calories in either 1g of protein or carbohydrates.
- Limit yourself to 45g of total fat and 11g of sat fat per day. Aim for around 30g of fiber per day and limit yourself to 2g of sodium (2000mg).
- One pound of muscle automatically burns an additional 75 calories/day; one pound of fat only burns two calories/day. Get off your bunk and hit the rec yard!
- Your risk for Type II diabetes increases threefold for every 40g of fatty food you consume each day.
- White meat chicken and fish are significantly healthier than red meat. Light tuna (3oz) has 20g of protein and just .5g of total fat, while a chicken breast pouch offers 16g of protein and only 1g of total fat.
- A single beef summer sausage (5oz.) contains: 450 total calories, 337.5 calories from fat (37.5g), 135 calories from sat fat (15g), 1,980mg sodium. This is 84% of the total fat, 135% of the sat fat, and 99% of the sodium you should consume in an entire day.
- One Ramen noodle contains: 380 total calories, 126 calories from fat (14g), 63 calories from sat fat (7g), 1520mg sodium, and 54g of carbs. This is 63% of the sat fat and 76% of the sodium you should consume in one day. Eat two packs of noodles and you're already well over your total daily intake of sat fat and sodium.

BACKGROUND

America's insatiable appetite for executions might be traced back to its English origins, where execution was a commonplace punishment for over a dozen crimes. In a twist of irony, England has abolished capital punishment, along with advanced nations like Australia and Canada and most European countries. The United States joins China, India, and nearly all Middle Eastern countries in the use of capital punishment.

Initially, executions in the U.S. were accomplished by traditional methods like hanging and firing squad. In their pursuit to find a more humane approach to executions, U.S. states began looking to novel methods. Researcher Deborah W. Denno explains that the State of New York first considered using lethal injection in 1888, but ultimately decided against it due to fears "that the public may begin to link the practice of medicine to death." Instead, it was the first state to authorize the use of electrocution, considering it "the most humane and practical method known to modern science...." In 1921, lethal gas was presented as an improved option.

LETHAL INJECTION

After the U.S. Supreme Court's decision to reinstate the death penalty, the United States reconsidered the use of lethal injection as a means of execution. In May of 1977, Oklahoma became the first state

to adopt lethal injection as a method of execution, and in 1982, Texas became the first state to perform an execution using the method. Starting with Oklahoma, states began switching to lethal injection in rapid succession. Between 1977 and 2009, thirty-nine states had adopted the method and nearly all shared the same protocol. Lethal injection is now the primary method of execution used by nearly all death penalty states and the U.S. government, although various factors have caused some states to authorize previously used methods as a stopgap.

Despite the fact that lethal injection is now the predominant process for administering the death penalty in the U.S., it hasn't been implemented without impediments. Plagued with problems from its inception, lethal injection in America has a complicated history.

Oklahoma's protocol was hastily developed by the state's medical examiner, Dr. Jay Chapman, who made clear that he "was an expert in dead bodies but not an expert in getting them that way." With virtually no scientific study or relevant medical background, he devised a three-drug protocol consisting of sodium thio-pental (a barbiturate anesthetic), pancuronium bromide (a muscle relaxant), and potassium chloride (a toxin) which was subsequently passed by the state legislature. The majority of states authorizing capital punishment simply replicated the careless protocol and language of Oklahoma's lethal injection statute rather than performing their own due diligence.

SETBACKS

Due to the controversy surrounding lethal injection, primarily related to the three-drug protocol, it should be of no surprise that by the beginning of the 21st century, the courts were inundated with myriad Eighth Amendment challenges. States offered diverse responses which led to divergent circuit court opinions. The result was the successful prompting of moratoria on executions across the country.

In one example from 2007, Tennessee Governor Phillip Bredesen signed an executive order granting reprieve to four

**EXECUTIONS BY METHOD
SINCE 1976**

1444	Lethal Injection
163	Electrocution
17	Gas
4	Firing Squad
3	Hanging

death row inmates and revoking the State's execution protocols. The order required Commissioner of Corrections George Little to study best practices in order to establish new execution protocols for the state.

After considerable research by the Tennessee Protocol Committee, numerous concerns surrounding the state's three-drug protocol were discovered. The medical examiner who developed the protocol in 1977 even admitted, "It never occurred to me when we set this up that we'd have complete idiots administering the drugs." Instead, the Committee unanimously recommended a one-drug protocol that would mitigate the risk of serious pain. Commissioner Little disregarded the Committee's findings, choosing instead to implement a newly-devised three-drug protocol.

This decision laid the foundation for *Harbison v. Little*, where a Tennessee death row prisoner argued that the state's new protocol violated the Eighth Amendment's prohibition against cruel and unusual punishment. The court ruled in the plaintiff's favor, ordering injunctive relief and holding that "the new protocol presents substantial risk of unnecessary pain; that risk was know[n] to Commissioner Little, and yet disregarded."

In the same year, the U.S. Supreme Court determined it could no longer look the other way and granted certiorari, selecting a Kentucky case, *Baze v. Rees*, to

determine the future of lethal injection. In a 7-2 plurality, the Court upheld Kentucky's three-drug protocol—the same one established by Oklahoma thirty years earlier—under the Eighth Amendment's Cruel and Unusual Punishment Clause. However, this decision, meant to quell litigation, only opened the floodgates.

Just two months post *Baze*, in June 2008, a decision by an Ohio state court in *State v. Rivera* ruled that the three-drug protocol found constitutional by the *Baze* Court violated due process. This is because, unlike Kentucky, Ohio's statute requires the drugs to "quickly and painlessly cause death." The *Rivera* court held that "the use of two drugs in the lethal injection protocol (pancuronium bromide and potassium chloride) creates unnecessary and arbitrary risk that the condemned will experience an agonizing and painful death," and prompted the state to switch to a single anesthetic drug for use in lethal injections.

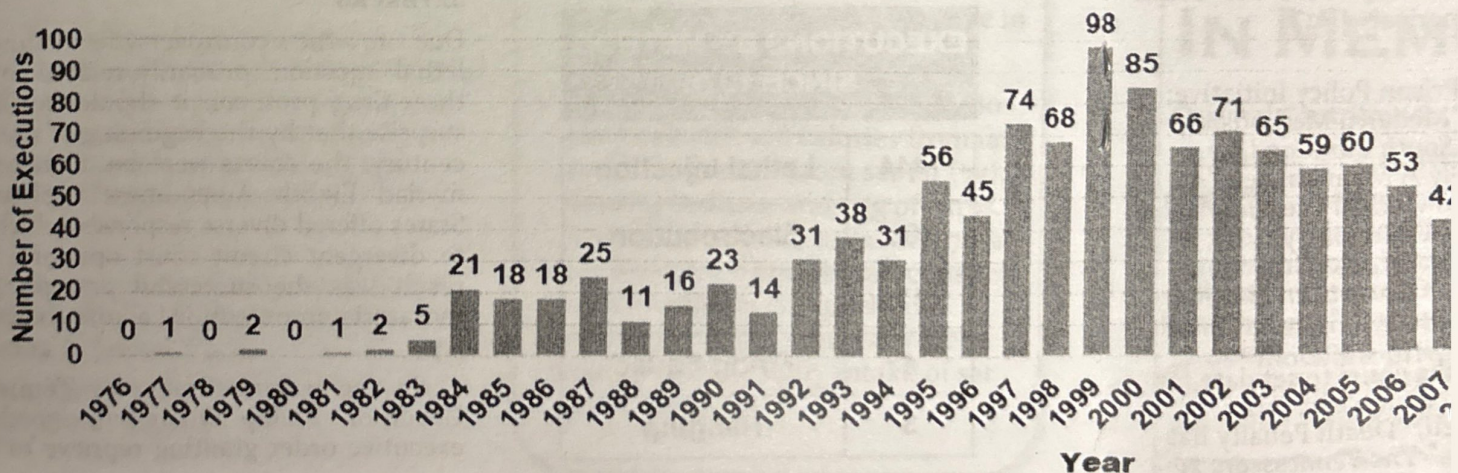
Between 2009 and 2013, a dozen states made the switch from three-drug protocols to a single-drug protocol, opting for an injection of either Sodium Thiopental or Propofol. But just a year after the changes began, problems procuring the drugs arose. European governments who oppose the death penalty began restricting the drugs from exportation to the U.S., and many pharmaceutical companies started refusing to supply their drugs for use in executions, arguing that they

manufacture drugs to save lives, not to kill them. In addition to the costs, constant litigation on the issue has led to get creative in finding ways to continue fulfilling the state's obligations. This created a patchwork of regulations between various drugs and states, which resulted in instances of expired drugs or drugs that had been contaminated during storage or unregulated compounding.

In May 2022, Tennessee Governor Lee, paused all executions in the state due to concerns with the state's lethal injection protocol. The Tennessee Department of Corrections' report by *The Tennessee Auditor* found the correct protocol had failed to follow the state's protocol for years, and condemned prisoners likely expired, compromised, or used expired drugs. Three years later, the state finalized a new lethal injection protocol, and Tennessee has resumed executions once again. The new protocol uses a single drug, pentobarbital, instead of the previously-used three-drug protocol. Ironically, just one month after releasing its new protocol, the Department of Justice announced it was abandoning the use of pentobarbital in executions due to concerns over "unnecessary pain."

Despite the federal court's findings—and new

U.S. Executions



manufacture drugs to save people, not kill them. In addition to the drug shortages, constant litigation meant states had to get creative in finding alternatives in order to continue fulfilling their executions. This created a merry-go-round between various drugs and suppliers and resulted in instances of states using expired drugs or drugs that may have been contaminated during production by unregulated compounding pharmacies.

In May 2022, Tennessee Governor, Bill Lee, paused all executions in the state due to concerns with the drugs used in the Tennessee Department of Correction's lethal injection protocol. A recent report by *The Tennessean* claims that "audits found the corrections department had failed to follow the previous execution protocol for years, resulting in condemned prisoners likely being killed with expired, compromised, or untested drugs." Three years later, the state has finalized a new lethal injection protocol, and Tennessee has resumed executions once again. The new protocol uses a single drug, pentobarbital, instead of the previously-used three-drug cocktail. Ironically, just one month after TDOC released its new protocol, the U.S. Department of Justice announced it was abandoning the use of pentobarbital in executions due to concerns that the drug causes "unnecessary pain and suffering."

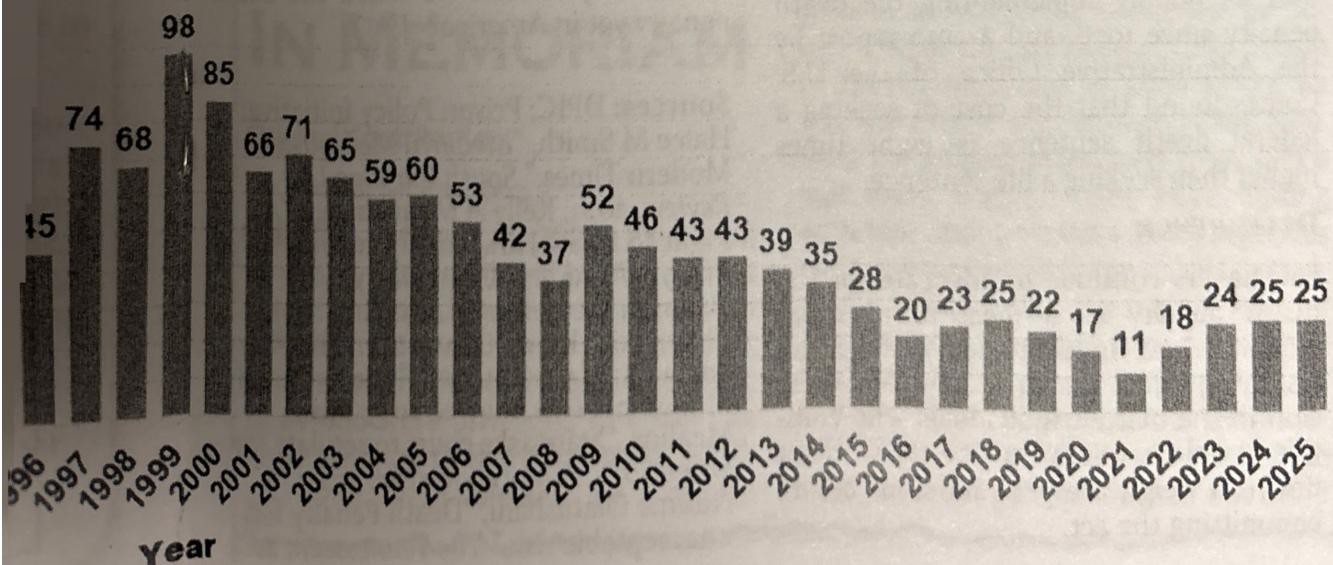
Despite the federal government's findings—and new evidence which

showed an unknown individual's DNA on the murder weapon—Tennessee moved forward with the execution of 75-year-old Oscar Franklin Smith on May 22, 2025. Travis Loller of the *Associated Press* reported that during his final moments, Smith maintained his innocence, saying "I didn't kill her" and uttered that "somebody needs to tell the governor the justice system doesn't work."

INNOCENCE

We may never know if Smith was in fact innocent, but according to research by the Washington, D.C.-based Death Penalty Information Center, 200 other death-row prisoners who have been wrongfully convicted in the last 50 years have since been exonerated. That's an average of four exonerations each year since 1973. In fact, every state that employs capital punishment has seen prisoners on death-row exonerated. Florida leads all states with a total of 30 death-row prisoners found to be factually innocent, followed by Illinois with 22. Tennessee has had three exonerations of death-row prisoners who were wrongfully convicted. If the criminal justice system has been found to have gotten it wrong so many times, one has to wonder why we continue implementing capital punishment. Even if one is to believe that the death penalty itself is justified, there's no disputing the facts that demonstrate implementing it means playing Russian roulette with someone's life.

. Executions



Ndume Olatushani spent 20 years on Tennessee's death-row before he was finally released. In a 2014 article he wrote for *The Tennessean*, Olatushani explains that he didn't earn his freedom because the system worked but in spite of it. Attorneys labored on his case for 17 years and he believes that without them fighting his wrongful conviction, he would have become

another statistic. The former death row prisoner wrote, "There is a great cost that comes with the death penalty: not only in dollars and in uncertainty for victims' families, but in the real risk of executing an innocent person."

COSTS

It is a common misconception that capital punishment serves as an economical choice, saving the state the cost of incarcerating an individual for life. In fact, research shows that capital trials are significantly costlier than the alternative due to myriad factors. One analysis of 15 death penalty states found that, on average, cases seeking the death penalty cost over \$700,000 more than those that do not. Other reports show that in Kansas, capital cases average a 2.5 times higher cost, and in Oklahoma, the cost is typically 3.2 times more expensive. Another study revealed that California has spent over \$4 billion implementing the death penalty since 1978, and a 2010 report by the Administrative Office of the U.S. Courts found that the cost of seeking a federal death sentence is eight times higher than seeking a life sentence.

DETERRENCE

Lawmakers continue to advocate for the death penalty as a measure to deter violent crime. In all actuality, it has no lessening effect on an individual's decision in the matter. Individuals who commit a violent crime do not typically sit down to weigh the pros and cons before committing the act.

A report by the National Research Council found that studies claiming that capital punishment was an effective way to deter murder was "fundamentally flawed," and a poll commissioned by the Death Penalty Information Center found that police chiefs ranked the death penalty last among ways to reduce violent crime. They also found that lack of re-

sources and programs for the mentally ill, along with ineffective prosecution were among the factors that most interfere with effective law enforcement.

If the death penalty is so effective in deterring violent crime, it is curious why the South, which accounts for

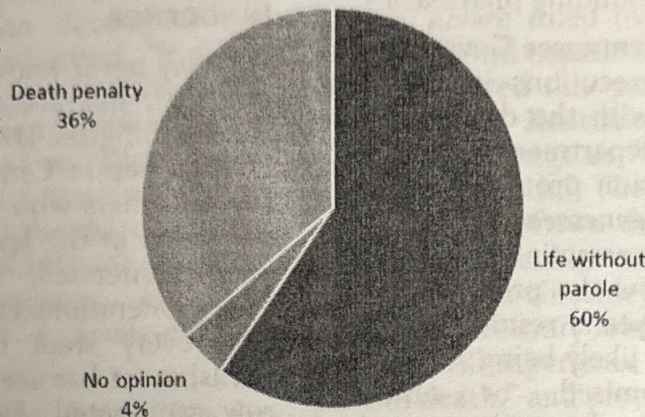
80% of the nation's executions, also consistently has the nation's highest murder rate, by far.

SUPPORT FOR ALTERNATIVES

With so many reasons to abolish capital punishment, it's a wonder that there isn't more support for alternatives. Interestingly enough, a 2019 *Gallup* poll found that a definitive majority of voters actually prefer choosing alternatives to the death penalty as a punishment for murder. Sixty percent of voters said that they think life without parole is a better option than execution. We must ask ourselves, why haven't we killed the death penalty yet in America? *LMR*

Sources: DPIC; Prison Policy Initiative; Halee M Smith, "Medevil Methods in Modern Times," *South Carolina Law Review*, 2023; Kelly A Mennemeier, "A Right to Know How You'll Die," *Journal of Criminal Law and Criminology*, 2017; Deborah W. Denno, "Lethal Injection Chaos Post-Baze," *Georgetown Law Journal*, 2014; Marlee Russell, "Life 'or' Death," *Mississippi Law Journal*, 2023; Evan Mealins, "State asks court to set date for executions," *The Tennessean*, 2025; Ndume Olatushani, "Death Penalty has unacceptable risk," *The Tennessean*, 2014.

2019 Gallup poll, U.S. voters' support



A Moment in Time

Although the *Mountain Review* has been in production for nearly four decades, only a handful of volumes have been preserved. Here, we highlight articles from past issues in an effort to share with you some of the prison's history and current topics from those moments in time.

The resulting article was written 20 years ago by Randall McPheeters, who, at the time, was a resident at Brushy Mountain site 2 (now MCCX) and previously served as co-editor of the prison newspaper. This piece, originally published in the Sept. 2005 issue, commemorates Brushy Mountain correctional officer, Wayne "Cotton" Morgan, who was slain in the line of duty. You probably recognize his name which has been immortalized in the form of the prison's street address: 541 Wayne "Cotton" Morgan Drive.

The incarcerated author gives a unique perspective on the life of Officer Morgan, who was revered by staff and residents alike. McPheeters remembers



him as "a man who believed in doing his job for the glory of God." As a Christian, Officer Morgan used his capacity in the prison system to inspire those around him and was a witness for Jesus Christ. We can only pray that more people working inside the prison walls will follow in his footsteps. *MR*

IN MEMORIAM

Original Contribution,

By Randall McPheeters

On August 9, 2005, the world was diminished by the loss of a very good man. Wayne "Cotton" Morgan is no doubt in a better and happier place, but those of us who were privileged to know him must continue in this diminished world. We who were blessed by Cotton's

witness are naturally saddened by our loss and for that we mourn. I met Cotton at Brushy Mountain in 1986 where he was the officer who worked in the gym. Over the course of the next three and a half years, I spent many hours talking with him about his days in Vietnam, his various experiences in the prison system, and — most of all — his faith in Jesus. If all correctional officers were like Cotton Morgan, there would be many more changed lives in prison and fewer re-offenders. Cotton talked about his faith every time he got the chance, but more

importantly he lived his witness.

Even through the violence and hopelessness of the war in Vietnam, Cotton seemed to remain the same God-loving person he became when, at the age of fourteen, he was saved. It was impossible to know Cotton and not see that he knew the answer so many of us seek. He was happy in his faith and at peace with the world. Cotton never judged a man by the uniform he wore; he saw the child of God in all of us and he related to that child.

It is easy for me to see how Cotton became the good person he was when I see the interviews with his family members on the news. All of us should have such a good family. They speak in terms of a time when they can forgive those who hurt them and in terms of the peace to come in heaven.

If you doubt the power of a good man or the effect one good man can have on the world, witness the huge funeral of Wayne "Cotton" Morgan. Three

thousand mourners paid their respects at Cotton's wake. Some two thousand mourners attended the funeral including 500 uniformed correctional officers from both sites of Brushy Mountain, Kentucky's federal prisons, Turney Center, and other state prisons. There were about 300 uniformed police officers and local fire department members present. There were representatives from Tennessee, Kentucky, South Carolina, New Jersey, California, Michigan, New York City and New York State, and the Royal Canadian Police. Among the dignitaries were

Senator Tom Kilby, Mayor Becky Ruppe, Governor Phil Bredesen, and various people from TDOC, ACA, CCA, TSEA, TBI, FBI, the U.S. Marshals, and the Secret Service. The United States Armed Forces were present and full military honors were performed at the funeral with an impressive helicopter fly-by. The correctional officers from the Brushy sites were able to attend thanks to volunteer correctional officers from the Bledsoe and Northeast prisons covering their shifts.

The inmates of Brushy Mountain

who attended the Thursday night services with Cotton Morgan will miss him as well as the inmates who knew him from before he transferred to

transportation. Cotton represented what all men should be and his memory will live on at both Brushy sites. During the funeral services, the inmates here at the Morgan site and (I assume) the Brushy site as well were locked in their units and put on restricted movement. Acting AW /O Rick Elmore did an excellent job of communicating with the inmates about what was going on and what

would be expected of them.

Volunteer Chaplain Randall Vespie told me he had known Cotton all through school. He could not recall once hearing Cotton smart off to anyone or say anything bad about another person. Inmate Max Davenport said, "Officer Morgan was an inspiration to all those whom he came in contact with. He will be greatly missed by all." I personally remember Cotton as a man who believed in doing his job for the glory of God. He stood for what is right and fair and we need more officers like him. ■



Wayne "Cotton" Morgan

Newest Pontiff Goes from Windy City to Vatican City

Pope Leo XIV is first to be elected from U.S.

ROBERT PIRAINO
MOUNTAIN REVIEW

HUNDREDS OF THOUSANDS OF devout Catholics filled Saint Peter's Square awaiting the selection of a new Holy Father. It was May 8, 2025 and the second day of the conclave when white smoke began to billow out of the roof of the Sistine Chapel at 6:07 P.M., signaling that the Catholic cardinals had chosen one of their own to ascend to the papacy.

Not long after, Cardinal Robert Francis Prevost appeared on the balcony overlooking the square and was introduced to the world as Pope Leo XIV, the 267th pontiff. Prevost is the first North American to be bestowed the title of pope and is only the second who is not from Europe; his predecessor, Pope Francis, was the first, coming from Argentina.

Born in Chicago in 1955, Prevost spent his childhood playing church. It appears that the future pope was called to ministry from a young age, as his brother John recalls, he pretended to be a Catholic priest and gave communion to the neighborhood kids using Necco candy wafers.

Prevost graduated Villanova University in 1977 and continued on to study at the Catholic Theological Union. He received his Bachelor of Science degree and became a canonist (canon lawyer) and seminary professor. He eventually earned a doctorate degree, after writing his dissertation while on missions in Peru. The pontiff speaks English, Spanish, and Ital-

ian fluently, and is literate in several other languages.

Pope Leo is portrayed as being thoughtful and measured. His close friend, Father Art Purcaro, who refers to him as "Pope Bob," describes him as being "down to earth," "spiritual," and "well-centered," and says that the pope cares deeply for people. Pope Leo is aligned with his predecessor and is focused on those with the most desperate need but clarifies that he is not a replica of Pope Francis.

Most of Prevost's career was as a missionary in South America. After two decades in Peru, he was naturalized in 2015 and received a dual citizenship with the United States. His decades of missions work with the poor, the weak, and the sick may be a good indication that he will place a focus on social justice. His choice of the name Leo may also reflect his desire to be a peacemaking pope; his namesake, Pope Leo XIII, is widely considered to have been a "bridge builder."

Those who know the Bishop of Rome the best say he enjoys cooking and playing Wordle and amateur tennis. Some have even proposed he might request a

**"The pope was never
ever a Cubs fan."**

tennis court to be added to the Vatican, similar to how Pope John Paul II had a swimming pool constructed. As a native of Chicago, it's not hard to believe the pope especially likes to make pizza and is a Chicago White Sox fan. His brother

John verified the pope's favorite baseball team and dismissed contradictory rumors, saying, "The pope was never ever a Cubs fan."

The East Tennessee Catholic reports that, in his first homily as pontiff, Pope Leo XIV describes the world's preference for "technology, money, success, power,

or pleasure" and calls for missionary outreach from the Catholic Church.

As the new pope begins leading the Church of 1.4 billion, Catholics and non-Catholics alike will have to wait to see what impact the Bishop of Rome will have on the world around him. *IMR*

Are You Willing?

Encouragement to release your hurt and receive hope and healing thru Christ

CHARLES JOHNSON
MOUNTAIN REVIEW

¹When He had come down from the mountain, great multitudes followed Him. ²And behold, a leper came and worshiped Him, saying, "Lord, if you are willing, You can make me clean." ³Then Jesus put out His hand and touched him, saying, "I am willing; be cleansed." Immediately his leprosy was cleansed. (Matt. 8:1-3 NKJV)

What are you willing to do in life to get what you want? How much effort do you put into yourself, your way of living, your hustle, or your habit? When things get rough, what are you willing to do? What about that first withdrawal sweat, that first cold chill or that first sign of sickness? What are you willing to do and what did you actually do? So, I pose this question: Are you willing?

Luke 10:25-28 tells us to love God above all else and to love our neighbor as ourself. Mark 8:34-37 says we should take up our cross and follow Him. So, what if

Jesus—during His time of pain, anguish, heartache, trouble, despair, and betrayal—had faltered and fumbled and gave into what others wanted or His own feelings, instead of remaining obedient to the Father's will? Jesus had to help one of His closest friends, Peter, recognize his own selfishness and guide him to making a choice that would please God (Matt. 8:31-33). We have all been like Peter who was led by his emotions and could not see God's will. God's way is perfect, true, and willing that none shall perish. Jesus gives us the perfect example to follow. We have to be willing, just as He was, to make the right choices, even if it means letting someone down in the moment (Heb. 12:1-3).

Do you know for sure who is on your side? Better yet, do you know that God is for you, He is on your side, and He is in control? Do you truly believe God and His Word that tells us He is working everything out for our good (Rom. 8:28)? I'm here to tell you that He is.

How many of us have tried to hide ourselves from God as if He cannot see us? We forget that He sees all and that He created us (Is. 29:13-16). I know I have. He, in His mercy, is loving and patient with us. But now it's time to grow closer to Him and desire Him. Are you willing to let God be God, or do you still want to be in control and are unwilling to

"God is love" and
love covers a
multitude of
sins.

be molded by the Master Potter? He was willing to form you before you knew Him, for you are fearfully and wonderfully made. Thank you, Lord!

Do you want a breakthrough or do you need a breakthrough? Are you willing to come to Jesus? Are you willing to give it all to Him? Let's go deeper and ask yourself: Are you willing to remove the things or people from your life that are holding you back from receiving your breakthrough, your miracle, and your healing (Mark 5:25-40)? Who are you allowing to influence your beliefs, the way you think, the way you pray, the way you love, and the way you follow Jesus? Are you willing to make sacrifices and put them out of your life in order to please God the way Jesus did? Maybe you just want to be a man-pleaser instead of a God-pleaser, only paying lip service; straddling the fence, as my mamma calls it.

For so long, I was like this. I would cling to Him in trouble and knew He was the answer, but I was unwilling to give Him my everything. Our everything is exactly what He wants from us. I always wanted to fit in, to be the "big shot," and to make a name for myself, but I wasn't willing to bow to the name above all names: Jesus! I was always afraid of being alone and not having anyone, and I would do anything not to be alone. I knew Jesus was with me, but that was not good enough for me. He wasn't on the phone when nobody would answer, He wasn't going through what I was, and He wasn't left on a doorstep at four years old.

This way of thinking goes to show the lack of relationship I had with Jesus and the absence of understanding I had about Him. I just wanted to go to heaven and be blessed. When it came time to choose, I wasn't willing to choose Him over my wife, over my kids, over my lifestyle, over my hurts, my pains, my trauma, my past—now *that* hurts—my sorrow, my anger, and my bitterness. Now the layers are coming off. I was not willing to deal with me and it was me that He wanted! He wanted to heal me, to set me free, and to make me whole; but that's mine. I had it locked it all away so deep that not even

I could deal with it. I even suppressed it to the point that I forgot some of it. But God, who is faithful (2 Timothy 2:11-13) and started a good work in us, will complete it.

I tried running, and my mamma stayed praying. I would call on Him, then I would go running again. God, who is rich in mercy and whose mercy is new every day, would not give up on me. Even

Jesus suffered for us, to deliver us, to heal us from our suffering, and to give us newness of life

when I had given up, He held my hand in the fire. I had to go through the valley of the shadow of death. God had a plan, and He has something for me to do. He has something for you to do too.

His Word shall not return void. The acts of reading, studying, and learning to quote Scripture for all of these years were like seeds. Some seeds fell on stony ground and others fell on thorny ground and were choked by the world. Then there was the Word, and it fell on good ground. God, who is faithful, never gave up on me. He humbled me and I was so miserable, but He knew what it would take. He was there with me just like He is there with you now. I had to say, "Lord, help me!" because I just couldn't do it anymore, and that seed produced a harvest. Out of it came "God is love" and love covers a multitude of sins. In that moment of surrender, Jesus touched me, changed me, healed me, and loved me.

So, my brothers, let me pose another question: How badly do you want it? He is willing to heal you, save you, and set you free. Are you willing to invite Him in and follow Him? Are you willing to be uncomfortable and move forward in order to grow, to be healed, and to be set free? Are you willing to have compassion even though you feel forgotten and over-

looked? Are you willing to love when you don't feel loved, when you don't feel like it, and when you're down and just want someone to love you? What if your breakthrough is right around the corner and you just need to take your eyes off yourself and how you feel and be willing to humble yourself, to love as He loves, to care as He cares, and to give as He gives? For God so loved the world that He was willing to give, to submit, for us—for you and me (Titus 2:11-14). As He is, so are we in this world. Fear has to bow, timidity has to bow, anger has to bow, along with resentment, hurt, bitterness, lust, and addiction. It all has to bow to the name of Jesus. Call it by name. Recognize and acknowledge your weakness, and be willing to cast all of your cares upon Him because He cares for you.

Do you believe He can? Here is the requirement: be willing to bring everything under His lordship, under His love. Give it all to Him and let Him set you free, for who the Son sets free is free indeed. He wants to be Lord of all. Are

you willing to make Him your Lord? He is always willing.

It's time for us to be all in for Him. Jesus suffered for us, to deliver us, to heal us from our suffering, and to give us newness of life. It is by His stripes that we are healed! There is no growth without struggle, no struggle without pain, and no pain without loss. Are you willing to lose your hurt, your pain, your shame, your sin, and your trauma, in order to gain new life, love, joy, and peace in Jesus? Then, come to Him as you are, and let Him change your life now and for eternity. So, are you willing?

I would like to invite you to join us for services and worship the LORD with us. You're also invited to join us for discipleship training, so that we can learn how to be more like Christ and walk in His love. Training is held every Saturday from 12:00-3:00 PM in Classroom C on the main compound (the first classroom on the left, before you enter the gymnasium). I love all of you. Be blessed always, in Jesus' name. IMR

Anger & Forgiveness: Part I

COURTENAY PRICE
MOUNTAIN REVIEW

ANGER AND FORGIVENESS ARE TRULY not the best of friends. Anger fights Forgiveness because Forgiveness is love. Anger hides in the shadows to ambush Forgiveness out of fear of being conquered by the love Forgiveness possesses. Anger appears to be tough but is really scared and afraid. Anger is afraid because Anger has never been touched by true love.

Forgiveness often wonders what has caused Anger so much pain. Forgiveness wants to approach Anger but is waiting for the right moment. Forgiveness has a gift for Anger—it knows this gift scares Anger the most—which is love. Forgiveness has called out for help from one

who is mightier than all things, all hurts, all situations, Jesus Christ!

Here is the prayer Forgiveness prayed to Jesus:

Thank you, Jesus, for forgiving me of my sins. Thank you for the love you exposed to this world by giving your life for all sins, including the one I am trying to reach whose name is Anger. I know that I cannot change Anger. It is only you who changes anyone. I am asking you to use me as your tool and speak through me your words from the Tree of Life, for you are the life of all. Use me as a gardener so that I may plant the seed of your Word of life inside Anger's heart, leaving the watering and warmth of the sun to the One who gives life to all.

In Jesus' name, amen. IMR

John Bunyan, Chief of Sinners

His transformation from "poor painted hypocrite" to author of *The Pilgrim's Progress*.

CHRISTOPHER CONWAY
MOUNTAIN REVIEW

John Bunyan was born in Elstow, Bedfordshire, England in 1628. He was baptized soon after birth and so grew up as a "Christian." In reality, he was anything but.

He went to school just long enough to learn how to read and write before leaving to help his father and learn the trade of tinker. A tinker is a trade that we are unfamiliar with today. They repaired pots and pans; a lowly but respectable trade.

When Bunyan was 16, his mother died and his father remarried within two months. This wasn't uncommon at the time, especially among poor people with multiple children; a man would basically marry a cook/babysitter. Bunyan seems to have not liked his new stepmother, and not long after, he enlisted as a soldier in 1644.

When the civil war was raging in England, King Charles I had illegally dissolved parliament and was ruling as a dictator. An army led by Oliver Cromwell rebelled against the king, had him beheaded, and, in 1649, declared England a commonwealth. Cromwell, a Puritan, became the Lord Protector. Bunyan served in the parliamentary army—where he had a near-death experience—before it was disbanded in 1646. Afterwards, he returned to Elstow to resume his trade as a tinker.

Bunyan married in either 1648 or 1649. His wife was as materially poor as he was

The Pilgrim's Progress

John Bunyan's classic masterpiece is an allegory of every Christian's journey from the "City of Destruction" to the "Celestial City." Each character represented in the tale is intentionally and profoundly accurate in its depiction of what we find all around us, and unfortunately, what we too often find in ourselves. Although the pilgrim in this story endures much adversity and is very nearly killed, he perseveres and prevails in the end.

but seems to have brought a rich spiritual dowry to the marriage, which included a couple of religious books. Bunyan was leading a raucous lifestyle and was known to have the foulest mouth in town, but the godly influence of his wife and her books, which he did actually read, lead to a drastic improvement in his behavior. In his own words, he became a "poor painted hypocrite."

He became convinced that his superficial reformation was insufficient and hollow.

In his autobiography, *Grace Abounding to the Chief of Sinners*, Bunyan wrote about an internal struggle that lasted some four years. This struggle had been born of a conversation overheard between two godly women as they discussed the inner working of God in their hearts. He became convinced that

his superficial reformation was insufficient and hollow.

In 1653, he joined the nonconformist church of the godly women he had overheard. It was here, under the preaching of Mr. Gifford, that Bunyan finally came to faith in Christ and moved to Bedford to

be closer to the church he had joined.

Just a couple of years later his wife died, leaving him with four young children, one of whom was blind. That same year he became a deacon in his church and began to preach occasionally. In 1667, his calling to preach was formally recognized and he was ordained. He continued his trade as a tinker while preaching—in barns, chapels, and village greens—in Bedford and in the surrounding towns.

The monarchy was restored in England in 1660, when Charles II—the son of the king who had been executed 11 years prior—returned from exile and assumed the crown. He immediately began to restore the power of the monarchy which included control of the state religion. Two years later, the Articles of Uniformity was passed, removing all Puritan pastors from their churches and making it illegal for them to preach. Bunyan was arrested multiple times for preaching; except for a brief reprieve in 1666, he spent 12 straight years in jail. Bunyan could have been released if he had promised to stop preaching, but this was something he was unwilling to do. He was determined to persevere in his disobedience to a law he considered to be unjust.

Before his incarceration, Bunyan had remarried a noble-hearted woman named Elizabeth. She cared for her four stepchildren, and Bunyan did what he could to support them from jail, making long tagged laces. He also wrote a great amount, completing around 10 works, including his famous book *The Pilgrim's Progress*.

In 1672, with the secret intent of installing Roman Catholicism as the national religion, King Charles II suspended all penal statutes against nonconformists, which, at the time, included

Roman Catholics. Bunyan was released from jail and was allowed to resume preaching. He became a licensed pastor of his previous congregation at Bedford as well as a circuit preacher.

Persecution soon ramped up again. In 1685, Bunyan executed a deed of gift-making over all his worldly possessions—which could not have been many—to his wife in the event of his death or reincarceration. He is not believed to have returned to jail, and in 1688, Bunyan died of a fever at 59 years of age, having spent 20 percent of his life behind bars. IMR

Learn More

Our next Pilgrim's Progress group study will begin after the new year, so check the bulletin board in your unit for more info.

Until then, search these titles on your tablet's Edovo app to learn more about this literary masterwork and its author:

The Pilgrim's Progress | John Piper, Desiring God

The Pilgrim's Progress: A Guided Tour | RC Sproul, Ligonier Ministries

Grace Abounding to the Chief of Sinners | John Bunyan

The Holy War | John Bunyan
Life and Death of Mr. Badman
| John Bunyan

Let your religion be seen. Lamps do not talk, but they do shine. A light house sounds no drum, it beats no gong; yet far over the waters, its friendly light is seen by the mariner.

—T.L. CUYLER, AMERICAN CLERGYMAN [1822-1909]

PEN America's Prison and Justice Writing Program Awards



SINCE THE MID 1970S, PEN AMERICA'S Prison and Justice Writing Program (PJW) has supported and amplified the work of thousands of writers who are creating while incarcerated in the United States. By providing writing resources, namely *The Sentences That Create Us*, mentorship, and audiences for their work, PJW strives to bridge access to the broader literary community. Recognizing that the freedom to write in U.S. prisons is a critical free expression issue of our time, PJW leverages the transformative possibilities of writing to raise public consciousness about incarceration and justice, and supports the development of justice-involved literary talent.

THE PEN PRISON WRITING AWARDS

This program was initiated in response to the 1971 Attica Prison Riots as PJW's founding program. Each year, hundreds of writers submit unpublished work in the genre categories of **Poetry, Fiction, Essay, Memoir, and Drama (Playwriting/Screenwriting)**. Winners are published in an annual anthology, are invited to work with a designated mentor, and are awarded cash prizes of \$300, \$200, \$150, and \$75 for First Place, Second Place, Third Place, and Honorable Mention, respectively. Some winners are also featured in *Break Out*, an annual public celebration of the year's award winners, staged by well-regarded authors, actors, and activists in the New York City community.

Submission period is from August 1 - December 31, 2025.

Entries are accepted from anyone incarcerated in a federal or state prison, county jail, or other detention center. Submissions received after December 31 will be considered for the following year's awards. Send copies when possible because manuscripts will *not* be returned.

Submission Guidelines:

- Only unpublished work is eligible for consideration.
- Manuscripts should be typewritten or legibly handwritten.
- Only one entry per category is allowed, except in Poetry, which has a 20-page limit.
- Submissions for Fiction, Essay, Memoir, and Drama may not exceed 25 pages. (Book-length submissions are not allowed; please send a short excerpt of no more than 25 pages). Judges are not required to read beyond these page limits.
- Please include a title and genre category on the first page of each individual submission to ensure the submission is judged correctly. Internal reviewers will assign genre categories for all unmarked submissions.
- Include a brief cover letter with your name, address, identification number, the titles, and genre category of each entry.

Mail submissions to this address:

PEN America

Attn: 2026 Prison Writing Awards Entry
120 Broadway
26th Floor North
New York, NY 10271

The Sentences That Create Us: Crafting a Writer's Life in Prison is a dynamic handbook including guidance, resources, and advice on the art of writing. Drawing from over fifty contributors, most themselves justice-involved, this manual is both a directive to sharpen your writing practice and a source of inspiration about what it means to be a writer in community with other writers. A hardcopy of the book is available in the MCCX library and a digital version is available on your tablet's Edovo app. A free hardcopy can also be requested via mail.

Inside the Ring

The world of professional wrestling has something for everyone.

BRANDON DOYLE
MOUNTAIN REVIEW

CAN YOU SMELL WHAT THE ROCK IS cooking? Nearly every person has watched wrestling in their lifetime. Some loved watching Triple H. and others preferred watching "Stone Cold" Steve Austin. Hulk Hogan had his "Hulk-omaniacs," and if you're old enough, you might remember cheering on the "Superstar" Billy Graham. But then what happens? You grow out of it, it no longer interests you, your favorite wrestler retires, or you realize it's scripted and stop watching. It is a shame when anyone loses interest, and even I have done so before. However, if you are not watching wrestling right now, you are missing out. Allow me to explain why you should be watching wrestling today.

Let's go ahead and get the main argument out of the way. There have been countless times people have said, "I don't watch that stuff—it's fake!" Nothing frustrates me more than the dreaded F-word. Is it scripted? Yes. Predetermined? Yes. Choreographed? Sure. But is it fake? Absolutely not!

Professional wrestling is full of talented, athletic individuals who put on a spectacle of entertainment. The key word is entertainment. Many of us will enter-

tain ourselves with *John Wick* marathons even though it's scripted, predetermined, and choreographed; we sit back watching reality shows all day knowing they're anything but reality. You are willing to suspend your belief for these movies and shows, so why can't you suspend your belief for professional wrestling? What makes it so different? Truth be told, if you don't watch wrestling because you call it the F-word, you're simply making a shallow excuse.

Now, perhaps you don't watch it because your favorite wrestler is no longer around. One resident recently told me that when Shawn Michaels retired from wrestling, he retired from watching it. Some of you may have a similar story, but there are many wrestlers to easily root for today. If you like trash talkers, there is the fan favorite L.A. Knight. Maybe you like the ones doing the crazy flips; both World Wrestling Entertainment (WWE) and All Elite Wrestling (AEW) are filled with high-flyers such as Rey Fenix and Will Ospreay. Perhaps you prefer the no-nonsense wrestler

that shows up, beats people down, and leaves. If so, you might like Jon Moxley or Jacob Fatu.

Oh, you like the women wrestlers? Well, there has never been a time like there is now for gorgeous women putting on high-caliber matches, with the likes of Tiffany Stratton or Knoxville native, Bianca Belair. In addition, do not think there are too many new wrestlers, because you can still see Chris Jericho, Rey

Well, there has never been a time like there is now for gorgeous women putting on high-caliber matches with the likes of Tiffany Stratton or Knoxville native, Bianca Belair.

Mysterio, Randy Orton, and Jeff Jarrett in the middle of the ring. No matter what the style of wrestler you enjoy, the talent pool is deep enough to find a new favorite.

Maybe you don't watch wrestling because you think it's not as good as it used to be. That might be your opinion, but you are wrong. You're just nostalgic for the wrestling of the 80s and 90s, but professional wrestling has never been bigger or better than right now. There is more wrestling to watch on TV today than there ever has been, thanks to the competition between WWE and AEW.

With more wrestling comes more storylines. There have been good ones, like Steve Austin taking on the McMahon family; there have been bad ones, like Mae Young falling in love with Mark Henry. Today's narratives are less comical and have a more serious edge. Over the past four years, the biggest storyline is that of Roman Reigns. Reigns was the "head of the table" as he ran WWE, dominating competition and holding the organization's most coveted title for 1,316 days, all with the help of his family faction, The Bloodline. Another plot involves the current WWE Women's Champion, Tiffany Stratton. Stratton gained the title within a year of her WWE debut, showing viewers that she is not just a "flash in the pan" and proving herself against top competitors like Charlotte Flair and Trish Stratus.

These storylines are nothing without their big moments and matches. Recently, fans were able to witness Goldberg's retirement, as his final match for the WWE Heavyweight Championship was broadcast on cable TV. On one Friday night *Smackdown* airing, there was an incredible four-way tag team ladder match full of shock and awe. AEW has its crazy moments too, from Adam Page burning Swerve Strickland's house down to wrestlers having death matches to Toni Storm and Mariah May causing shock with a bloody kiss. You just never know what might happen next!

Things may not be as "wild wild west" as they were in the 90s, but that's be-

cause wrestling has evolved. Today's matches are of better quality and the athleticism is unmatched. However, you can still find rowdy hardcore matches, especially in AEW. The storylines today are not nearly as ridiculous as they were decades ago, but I think that's a good thing. While there is still talking in the ring and backstage, the main focus is on in-the-ring action. So, let go of the good ole days' mindset and trust the wrestling of today, brother.

If you're still not convinced you should watch wrestling, let me leave you with these three simple words: John freaking Cena! 2025 will be his final year, and Cena has been running wild ever since capturing the WWE World Championship in April. He intends on retiring by the end of the year, and he's giving the wrestling world his final run and doing it as a bad guy. Everybody should tune in just to watch the future Hall of Famer's farewell tour. After all, he is the last real champ.

Listen, wrestling is the thing to watch. It may be predetermined, even predictable at times, but treat it as an action-packed reality show. I assure you that you will enjoy it more than you think you will. Don't live in the past, live in the now. Find a new favorite wrestler and watch the retirement of John Cena. Now, if you're not down with that, I got two words for ya! *IMR*

WHERE TO WATCH

WWE NXT: Tuesdays @ 8 p.m.
on CW (antenna only)

AEW Dynamite: Wednesdays
@ 8 p.m. on TBS (Ch. 12)

WWE Smackdown: Fridays @
8 p.m. on USA (Ch. 11)

AEW Collision: Saturdays @ 8
p.m. on TNT (Ch. 13)

Poems from Prison

Original poetry from ALCCX

My Life Today is What I Have Made

FRIEDRICK STEVENS

My life today is what I have made,
The consequences of the games I played.
Seeing one-way so not to be swayed,
Running bad plays trying to get paid.
My life today is what I have made.
It is time to wake-up and shake-off the haze.
Time to remember just how I was raised.
Come back to my senses and step out of this crazed
Life that I have made so broken and frayed,
Weathered and grayed, rancid and decayed,
Charred and blazed, confused and dazed.
Burdened and enslaved to my selfish ways,
Lost and afraid walking the edge of the blade.
Black as a cave....Stepping into the light,
So I could be saved,
My life today is what I have made.
Walking now the path that has been laid,
On the map that's been displayed
Without the past, it could not be today,
Without the struggles that shape life's clay,
Without that journey I never could say,
I am today the man who was saved,
My life today, of course, is what I have made

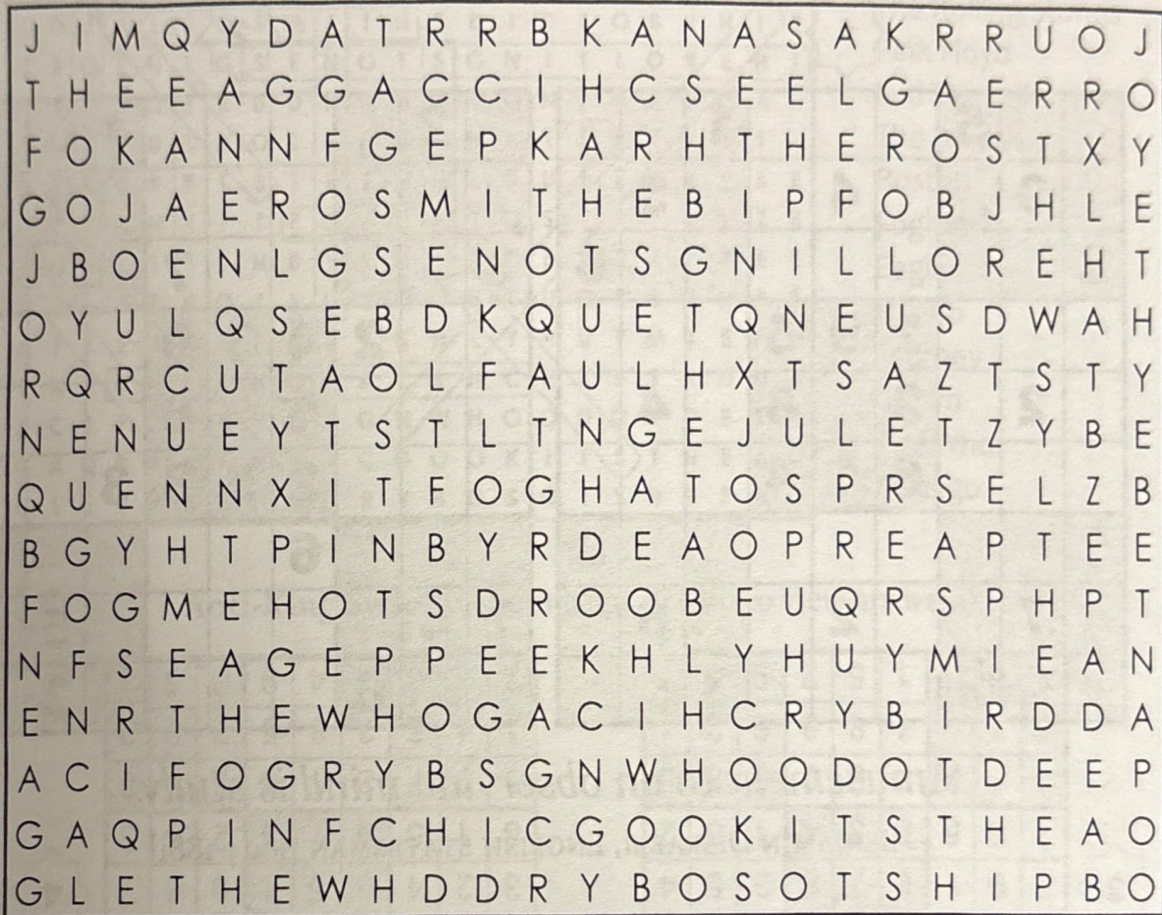
**"Poetry is the art of substantiating shadows, and of lending
existence to nothing."**

—Edmund Burke, English orator and statesman [1729-1797]



Classic Rock Word Search

Answer these trivia questions to create a word search list to find in the puzzle grid below, or search the grid for words that answer the questions.



What classic rock bands sang these songs?

Carry On Wayward Son _____

Slow Ride _____

Come Sail Away _____

Take It Easy _____

Dream On _____

Under Pressure _____

Gimme Shelter _____

Wheel in the Sky _____

Hey You _____

White Room _____

Immigrant Song _____

Who Are You _____

Mr. Tambourine Man _____

You're the Inspiration _____

Peace of Mind _____

Answers on page 37

RESIDENT RESOURCES

TN STATE OFFICIALS:

Governor Bill Lee

Governor's Office
State Capital, 1st Floor
Nashville, TN 37243-0001

TDOC Commissioner Frank Strada

Rachel Jackson Building
320 6th Ave. North, 4th Floor
Nashville, TN 37243-0465

Tennessee Probation & Parole

Suite 300
Parkway Towers
404 Robertson Pkwy.
Nashville, TN 37243

TN CORRECTIONAL FACILITIES:

Bledsoe (BCCX)

1045 Horsehead Rd.
Pikeville, TN 37683

DeBerry Special Needs Facility

7475 Cockrill Bend Industrial Rd.
Nashville, TN 37209-1057

Hardeman County (HCCF)

P.O. Box 549
Whiteville, TN 38075

Mark Luttrell (MLCC)

6000 State Rd.
Memphis, TN 38134

Morgan County (MCCX)

P.O. Box 2000
Wartburg, TN 37887-2000

Northeast (NECX)

P.O. Box 5000
Mountain City, TN 37683

Northwest (NWCX)

960 State Route 212
Tiptonville, TN 38079

Riverbend (RMSI)

7475 Cockrill Bend Blvd.
Nashville, TN 37209-1048

South Central (SCCF)

P.O. Box 279
Clifton, TN 38425-0279

TPW (Women's)

3881 Stewart Ln.
Nashville, TN 37218-3302

Trousdale (TTCC)

140 Macon Way
Hartsville, TN 37074

Turney Center (TCIX)

1499 R.W. Moore Memorial Hwy.
Only, TN 37140-4050

Turney Center Annex (TCIX Annex)

P.O. Box 182
Clifton, TN 38425

Whiteville (WCFA)

P.O. Box 679
Whiteville, TN 38075

WTSP (Women's)

P.O. Box 1150
Henning, TN 38041-1150

NATIONAL RESOURCES:

AFSC Prison Watch Program

89 Market Street, 6th Floor
Newark, NJ 07102

afsc.org

An advocacy program monitoring human rights abuses in U.S. federal and state prisons. The program promotes national



and international attention to mass imprisonment, and the use of torture and isolation in US prisons. Publishes several titles available to prisoners.

**American Civil Liberties Union (ACLU)
National Prison Project**
915 15th Street NW, 7th Floor
Washington, DC 20005

aclu.org/issues/prisoners-rights

The National Prison Project of the ACLU is dedicated to ensuring that the living conditions and care provided to people incarcerated in our nation's prisons, jails and detention centers comply with the requirements of the U.S. Constitution, federal law, and international human rights principles, and to addressing the crisis of over-incarceration in this country, primarily through class action litigation and targeted advocacy.

**Citizens United for the Rehab of
Errants (CURE)**

P.O. Box 2310
Washington, DC 20013-2310

curenational.org

Focuses on analysis of prison issues and working with the friends and families of prisoners to bring about prison reform. Write for local information.

Lewisburg Prison Project

P.O. Box 128
Lewisburg, PA 17837-0128

Free legal bulletins related to prisoner rights.

**National Center on Institutions and
Alternatives (NCIA)**

7130 Rutherford Rd.
Baltimore, MD 21244

ncianet.org

Assists incarcerated people in assessing their chances for parole and developing strategies that will increase their likelihood of obtaining parole release. NCIA's Criminal Justice Services group has extensive experience preparing clients for sentencing in Federal Court where they advocate for alternative options and sentencing mitigation.

ACCOUNTING

As of the July 10, 2025
Inmate Council meeting

Interest Account:

\$119,233.⁵⁴

Cable Account:

\$2,571.⁵¹

Special Rec. Account:

\$0.⁰⁰

The Inmate Council meeting is held monthly and is attended by staff and unit representatives.

It is broadcast on channel 44;
questions must be submitted and
approved in advance.

Prison Policy Initiative

P.O. Box 127
Northampton, MA 01061

The Prison Policy Initiative is a national organization that produces cutting edge research to expose the harms of mass incarceration. We send in a quarterly newsletter containing all our publications and will mail incarcerated people any titles they would like to read. We also welcome requests for national or state-level data on a range of issues related to mass incarceration including but not limited to communication-related topics, probation and parole, prison and jail population data and demographics, and women and gender.

Tennessee Innocence Project

700 Craighead St., Suite 300
Nashville, TN 37204

tninnocence.org

The Exoneration Project

Exoneration Project Intake
311 N. Aberdeen St., 3rd Floor
Chicago, IL 60607

exonerationproject.org

Authorized Methods of Execution by State

Alabama. Lethal injection unless prisoner chooses nitrogen hypoxia or electrocution

Arizona. Lethal injection for persons sentenced after 11/15/92; those sentenced before may select lethal injection or lethal gas.

Arkansas. Lethal injection unless "invalidated by a final unappealable court order" and then the execution shall be by electrocution. In March 2025, nitrogen gas was approved for use in executions by the Arkansas Legislature.

California. Lethal injection unless prisoner requests lethal gas.

Florida. Lethal injection unless prisoner chooses electrocution. If these methods are found to be unconstitutional, then any constitutional method will be administered.

Georgia. Lethal injection is the sole method. (On Oct. 5, 2001, the Georgia Supreme Court held that the electric chair was cruel and unusual punishment and struck down the state's use of the method).

Idaho. Lethal injection is the primary method; firing squad will be used if lethal injection is unavailable. (On July 1, 2026, a bill goes into effect making the firing squad the primary method of execution and lethal injection the secondary method.)

Indiana. Lethal injection is the sole method.

Kansas. Lethal injection is the sole method.

Kentucky. Lethal injection is used for those convicted after March 31, 1998; those convicted before may select lethal injection or electrocution.

Louisiana. Lethal injection, nitrogen hypoxia, or electrocution.

Mississippi. Authorizes use of nitrogen hypoxia if either lethal injection is held unconstitutional or "otherwise unavailable"; then authorizes electrocution if nitrogen hypoxia and lethal injection are held unconstitutional or "otherwise unavailable"; finally authorizes firing squad if nitrogen hypoxia, lethal injection, and electrocution are held unconstitutional or "otherwise unavailable."

Missouri. Lethal injection or lethal gas.

Montana. Lethal injection is the sole method.

Nebraska. Lethal injection is the sole method. (Electrocution was the sole method until the Nebraska Supreme Court ruled the method unconstitutional in February 2008.)

Nevada. Lethal injection is the sole method.

North Carolina. Lethal injection is the sole method.

Ohio. Lethal injection is the sole method.

Oklahoma. Authorizes nitrogen hypoxia if either lethal injection is held unconstitutional or "otherwise unavailable"; then authorizes electrocution if nitrogen hypoxia and lethal injection are held unconstitutional or "otherwise unavailable"; finally authorizes firing squad if nitrogen hypoxia, lethal injection, and electrocution are held unconstitutional or "otherwise unavailable."

Oregon. Lethal injection is the sole method.

Pennsylvania. Lethal injection is the sole method.

South Carolina. Electrocution, firing squad, or lethal injection.

South Dakota. Lethal injection is the sole method.

Tennessee. Lethal injection for those whose capital offense occurred after Dec. 31, 1998; those who committed the offense before that date may select electrocution by written waiver. If lethal injection is held to be unconstitutional or if the lethal substances are unavailable, then electrocution will be used. If both lethal injection and electrocution is held to be unconstitutional, then "any constitutional method of execution" will be used. (Tenn. Code Ann. §40-23-114)

Texas. Lethal injection is the sole method.

Utah. Authorizes firing squad if lethal-injection drugs are unavailable or if lethal injection is held unconstitutional. Prisoners sentenced to death before May 3, 2004 may choose firing squad.

Wyoming. Authorizes lethal gas if lethal injection is held to be unconstitutional.

U.S. Gov't & Military. Lethal injection is the sole method.

Remaining states are non-death penalty states.

Source: Bureau of Justice Statistics, *Capital Punishment 2011*; updated July 10, 2025 by Death Penalty Information Center; provided by Prison Policy Initiative.