



## UPAN Newsletter

Volume 8 Number 12 | DECEMBER 2021

*"Empowerment and Growth Through Knowledge and Unity"*

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### Project Avary Youth Enrollment – Intro to BOPP Part 5, Case Action Plans

*Timely Timpanogos Topics* More Vocational Courses for Women?

### Recommended Reading – Escaping Depression – Holiday/Christmas Cards

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**Next Meetings:** Monday, January 10, 2022 6:30 p.m. **Topic:** Family meeting. **Meeting Location:** Virtual Zoom Meeting. Free/open to public – link <https://bit.ly/3vqQjiA> **Following meeting, Monday, February 14<sup>th</sup> 2022**

**UPAN continues virtual meetings at this time. Also available, as usual, on our Facebook page afterwards. All UPAN Meetings and those posted on this page are free and open to the public.**

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**Disclaimer: Formulate your own opinions about the information presented. This information is presented for the reader's enlightenment and evaluation.**

~ ~ ~ **From the UPAN Family to everyone on the inside** ~ ~ ~

TA Barron said, "Every piece of the universe, even the tiniest little snow crystal, matters somehow. I have a place in the pattern, and so do you. Thinking of you this holiday season!" The UPAN Family

"It's not how much we give but how much love we put into giving." Mother Theresa

Christmas, my child, is love in action. Every time we love, every time we give, it's Christmas. D. Evans

### **Project Avary Online Support Group is Enrolling Youth for 2022**

Do you have a child or know a child who has been affected by parental incarceration? If so, please refer them to Project Avary's Online Support/Leadership Groups! The application is easy to fill out and we are currently enrolling new youth for 2022. The groups are fun and all who are enrolled receive a scholarship for the full 6 weeks, so there is no cost to attend. For more information and our application, please visit us at: [www.projectavary.org/onlineprogram](http://www.projectavary.org/onlineprogram)

## **Introduction to the Utah Board of Pardons & Parole –**

### **Part 5 – CASE ACTION PLANS, AGGRAVATING, & MITIGATING CIRCUMSTANCES**

Adapted by Molly Prince from an unpublished document created by the Community Outreach Committee for the Board of Pardons and Parole & information directly from the BOPP website [www.bop.utah.gov](http://www.bop.utah.gov)

*UPAN has been an original member of the Outreach Committee for the Utah Board of Pardons & Parole since 2016 after the Legislative Audit of the BOPP was released. Other organizations who have consistently been involved in this committee designed to address issues that are related to Utah's BOPP include the ACLU of Utah and the Disability Law Center.*

Beginning in July 2021, UPAN has been sharing information about the Utah Board of Pardons & Parole in separate parts each month (except November). This final article of the series focuses on Case Action Plans, Aggravating, and Mitigating Circumstances that the Board uses in decision making.

**Case Action Plans.** A Case Action Plan (also known as CAP) is identified when you first enter the prison, after initial intake and assessments are done. It is our understanding that it is created with the case manager and includes your input as the incarcerated person. It is based on the offense and issues identified that are important for rehabilitation and change.

A well-written CAP identifies your risk factors and needs. You likely have heard about your LS/RNR assessment being done. This is an assessment that identifies risk factors and needs that should be addressed in order to reduce the likelihood of re-offense. Your CAP should also have action steps for you to take while incarcerated in response to those risk and need areas. You should work with your case manager to create an effective CAP and do your best to make progress in efforts to achieve these goals and reduce your risk factors, so you are prepared for parole. For example, if substance use is a factor in your life that leads to making poor decisions or criminal behavior, participate in a program that addresses substance abuse.

**Explain in writing or at your hearing** how you will continue to address these factors from your CAP in the community. The prison is a community with opportunities for pro-social and anti-social behavior. Things that you do to help improve your community and yourself while there suggest what you are preparing to do when released. During your hearing explain what you are doing to improve and provide documentation when possible.

Evidence of progress may include:

- Successful completion of programs that reduce risk factors
- Good behavior (none or few disciplinary write ups)
- Participating in treatment as needed /required
- Self-improvement (GED, vocational training, etc.)

- Work and/or volunteer efforts
- Recommendations from Case Managers and Therapists
- Professional assessments

#### **Aggravating Circumstances**

Aggravating circumstances are factors that increase the severity or culpability of a criminal act. The Board will look at these when making a decision. The following are examples of aggravating circumstances.

- Offense caused substantial financial loss to victim(s).
- Offense caused substantial physical or psychological injury to the victim(s).
- Offense characterized by extreme cruelty or depravity.
- Offense involved two or more victims.
- Offense involved activity which continued over a significant period of time.
- Repeat offenses or violations demonstrate previous willful inability to comply in less restrictive setting.
- Individual's validated mental health, psychological, psychosexual, or psychiatric evaluation indicates current treatment needs cannot be met in a community-based setting.
- Individual has demonstrated intentional failure to attend or to participate in appropriate educational, vocational, or treatment programs.
- Individual has demonstrated intentional failure to obtain and/or maintain verifiable lawful employment.
- Individual has demonstrated regular association with individuals engaged in criminal or unlawful behavior.
- Individual has demonstrated continued exploitive, aggressive, or harmful behavior toward others.
- Other aggravating factors.

#### **Mitigating Circumstances**

Mitigating circumstances are factors that lessen the severity or culpability of a criminal act. The following are mitigating circumstances considered prior to sentencing, while on probation, or on parole.

- Individual has engaged in the voluntary screening process in county jail or prior to sentencing to prison such as LSI.
- Individual has paid restitution and/or made good faith effort to begin repayment of restitution to the victim.
- Individual has demonstrated compliance with all pre-trial conditions.
- Individual is engaged in community-based supervision and/or treatment services consistent with a validated risk and needs assessment.

- Individual's current living environment is stable and supportive of offense-specific interventions which do not enable continued criminal or unlawful conduct.
- Individual is engaged in positive, supportive, pro-social relationships.
- Individual is engaged in positive, supportive, pro-social community activities.
- Individual has implemented positive educational or employment plans.
- Individual with prior offenses has demonstrated ability to remain crime-free, with a gap of 2+ years since termination of previous probation, parole, or completion of sentence of incarceration in jail or prison
- Other mitigating factors include those while in prison, such as compliance with CAP, accomplishment of recommended treatment, educational, and work programs, good behavior, having a good release plan and positive support system in the community, etc.

If applicable, you can present documentation in your blue packet or in the hearing of how the mitigating factor(s) apply to you at the current time.

NOTE: The parole hearing is not an opportunity to re-litigate the conviction or to raise objections to evidence/ statements/ testimony that were accepted during the court process. It is over and the Board is not the place to appeal or change anything that has gone before.

You have the right to appeal a conviction or to seek post-conviction relief. The Board will proceed with the existing court sentence unless or until the court enters a new order. For example, if you did not raise concerns about the pre-sentence report during sentencing, the matter is waived. See 77-18-1(6).

You may submit statements in writing before the hearing. You may also submit information in writing or verbally at the hearing.

*UPAN hopes that this series of articles about the Utah Board of Pardons & Parole has been useful to you in better understanding how the Board works. We hope that it helps you understand how to prepare for your Board hearings from the moment you enter prison.*

**"Kindness is like snow. It beautifies everything it covers." –Kahlil Gibran**

### *Timely Timpanogos Topics*

#### **UDC is Examining the Disparity in Vocational Courses Offered to Women Versus Men**

By Molly Prince

In a November 9, 2021 Salt Lake Tribune article, Becky Jacobs wrote about the disparity and lack of vocational courses offered to women in Utah State Prison compared to what is available to male inmates. Davis Technical College offers these courses in the Draper prison where women are housed. This came into public awareness in legislative committees earlier this summer and fall.

Jacobs writes that the relatively new Director of Programming for UDC, Anndrea Parrish, was surprised and troubled when she learned of this difference in opportunities offered to female inmates by Utah's prison system. She quotes Dir. Parrish as saying, "Those particular programs seemed stereotypical gender types of programs, and I thought we should be doing better for our female population." The UDC and DTC only offering education for jobs historically filled by women does play into gender stereotypes and has the result of limiting opportunities for women. It funnels women into lower-paying jobs that make it difficult to rise out of poverty when they return to the community.

##### **Vocational course options for women are limited.**

Courses in culinary arts and business administration are offered to both men and women in USP. However, male prisoners who qualify to take vocational courses while incarcerated also have the choice and opportunity to enroll in welding technology, automotive technology, and

CNC (computer numerical control) machining, which uses computer-controlled tools to create parts."

Ms. Jacobs reports, "This discrepancy came up at legislative hearings in recent months, and leaders at Davis Technical College, which provides the courses, and the Draper prison told The Salt Lake Tribune in late October that they are aware of the situation."

Welding is a position that is in high demand in Utah according to the Utah Dept. of Workforce Services (DWS) website, with an average hourly wage of over \$20. On the other hand, secretaries and administrative assistants earn an hourly median wage of \$17.68, according to online data from DWS.

##### **Davis Technical College wants to expand programs.**

The Tribune article states that Dan Powers, DTC's Corrections Program Manager said that DTC wants to expand its classes to more women and has brought the issue up with the Department of Corrections in the past. He is quoted as saying that there is a lot of interest. "We would love the opportunity to provide what would be considered traditional male career and technical education programs to the women. Gender equity is certainly a big piece for us," he stated in the article. But DTC does not have the authority to determine which programs are offered to which parts of the incarcerated population. That is up to Corrections.

Darin Brush, President of Davis Technical College, has said that they want to offer welding for women, as well as offer other nontraditional occupations, for women to “create more equity and parity.” He said that female students in the community at its Kaysville campus are showing increased interest in learning the craft of welding.

Dan Powers told the Tribune that DTC has also looked at offering courses in automation and robotics for female inmates, “because we see the high pay, high wage jobs that are available.”

Some students releasing from prison have continued their education at DTC after being released. It becomes more than just a job, it is a continuation of a new way of life, a successful life.

### **Challenges for women re-entering after prison.**

When women re-enter the community, they take on a large number of immediate responsibilities that require a stable and reliable income. Many will be participating in continued care or aftercare therapy which costs money. Many will be reconnecting with their children and working to establish a home for them. This is an expensive undertaking.

It is impossible to raise children and rebuild a life on the minimum wage of \$7.25 in Utah. Even making \$15 an hour is not a livable wage for someone trying to raise several children. According to the Living Wage calculator <https://livingwage.mit.edu/counties/49035> a living wage for one adult raising one child in Salt Lake County is \$30 an hour. A living wage for one adult raising no children is considered \$15.

### **Director Anndrea Parrish is concerned and doing something about this.**

Dir. Parrish stated that the Division of Programming is in the process of researching this in order to figure out which programs will be offered to which inmates in the new state prison, which will open next year.

Parrish took the role of Director of Programming for UDC at the beginning of 2020, as the coronavirus pandemic began. She told Tribune reporter Jacobs that she “can’t

speak to the decisions that my predecessors made and why they chose the set of vocational offerings that they did.” She surmised, “They probably were dealing with their own constraints and challenges and political issues or policies at the time.”

Parrish said that UDC has been “a little bit bound by sort of the hands-on programs, such as the welding or the automotive trades” due to the age of USP and the space available. She suggested that in the new prison, which is fully wi-fi enabled, courses like coding and project management, as well as CDL courses could be considered.

Parrish has taken the first step in figuring out the best way to correct this problem - doing their homework. She reports that Programming has hired an intern whose full-time job is to figure out the big picture of why there is a gender gap and figure out if they are “providing the best set of services to individuals who are going to return to the community.”

Specifically, Parrish told the Tribune that her team “is doing a market analysis to see which jobs are not just growing and available, but are also industries willing to hire employees with a felony record and to provide family-supporting wages.” This research is expected to be complete by the end of the year. At that point they will formulate and make recommendations to the Executive Director of UDC and the director’s team. It is important that they get this figured out prior to the move to the new prison.

Parrish is quoted as saying, “I think we really want to let the data lead out and make sure that we’re making good decisions that are going to benefit our population and are going to line them up to succeed, because they have enough barriers that they’re facing.”

### **Other programs offered male state inmates in Utah**

Uintah Basin Technical College has a construction program available to state inmates, who are all male, housed at the Duchesne County jail.

Snow College teaches construction and culinary arts at CUCF in Gunnison, which also only houses men.

## **Recommended Self-Help Books for Incarcerated and their Families**

compiled by Molly Prince, LCSW

December is a busy month for many, a lonely month for many, and a month that people often review the past year and think about what we want for the future. It is very hard for both our incarcerated loved ones as well as our families in the community due to the separation incarceration imposes, and now, the increased limitations in visiting due to COVID, particularly contact visiting where hugs or hand holding used to be permissible. This month’s list of recommended self-help reading will hopefully provide ideas for books that will be useful to both incarcerated folks and families.

***Emotional Stability During Incarceration*** by Shashi K. Agarwal, M.D. ISBN 13- 978-1977985460. Dr. Agarwal was a medical doctor formerly incarcerated in a federal prison camp for a financial crime. He personally faced difficult emotions and physical ailments during his imprisonment. He also witnessed the extreme emotional turmoil that many others experienced. He wrote this book for his fellow prisoners, to help them keep their sanity during the hard times, to help them keep their heads high despite the mistakes they have made, and to help them live in the moment and move forward and have faith in a better future. He began writing the pages

that became this book while in prison, from his own experience and research he was able to do. Spending time in the prison system is associated with health and mental health problems. This book provides some self-help pathways to achieve better emotional stability when incarcerated. It includes inspirational quotes and ideas for affirmations. The author identifies the negativity and problems associated with unhappiness and incarceration and then devotes the bulk of the book to solving these problems. The areas he covers include anger, anxiety, confidence, contentment, enthusiasm, faith, gratitude, guilt, happiness, hate, hope, jealousy, kindness, loneliness, love, sadness, serenity, shame, and stress.

***The Courage to Soar Behind Bars.*** By Patrice Weber. ISBN-13 978-1947035065. Written in 2019, *The Courage to Soar Behind Bars* presents the personal stories of fifteen women, written in their own voices from behind the walls of the Tallahassee Federal Correctional Institution. This unique collection takes you on a journey where strength of character and courage overcome adversity. Where the hardships of daily life are forged into power tools of creativity. Where struggles of the past are turned into stepping stones that march through a world of indifference into a brighter future. Each woman's story is an account written in her own words. Their stories are at times heart-breaking, but leave the reader impressed and uplifted by the fortitude of these inspiring women. Women who would not yield to misfortune. Women who would not give up or give in. Women with the courage to soar behind bars.

***All I Really Need to Know I Learned in Kindergarten.*** By Robert Fulghum, ISBN-13 978-0345466396. Essays on life that will resonate deeply as readers discover how universal insights can be found in ordinary events. More than thirty years ago, Robert Fulghum published a simple credo—a credo that became the phenomenal #1 New York Times bestseller *All I Really Need to Know I Learned in Kindergarten*. Today, after being embraced around the world and selling more than seven million copies, Fulghum's book retains the potency of a common though no less relevant piece of

wisdom: that the most basic aspects of life bear its most important opportunities. Here Fulghum shares musings on life, death, love, pain, joy, sorrow, and the best chicken-fried steak in the continental United States.

The little seed in the Styrofoam cup offers a reminder about our own mortality and the delicate nature of life . . . a spider who catches (and loses) a full-grown woman in its web one fine morning teaches us about surviving catastrophe . . . the love story of Jean-Francois Pilatre and his hot-air balloon reminds us to be brave and unafraid to "fly" . . . life lessons hidden in the laundry pile . . . magical qualities found in a box of crayons . . . hide-and-seek vs. sardines—and how these games relate to the nature of God. In the editions since the first publication of this book, Robert Fulghum has had some time to ponder, to reevaluate, and to reconsider, adding fresh thoughts on classic topics including a short new introduction.

***Breaking the Chain of Low Self-Esteem 2<sup>nd</sup> Ed.*** By Marilyn J Sorensen, PhD. ISBN-13: 978-0966431582. To understand how your self-esteem issues work and how to strengthen them is one of the most meaningful tasks in life. Low Self Esteem (LSE) is the core issue of most people who seek therapy, yet it remains widely misunderstood. This powerful book is one of the best books on self-esteem I have read. It completely explores all aspects of this devastating condition in easy-to-read language and simple stories that are easy to relate to. It covers how and when low self-esteem develops; specific symptoms that accompany LSE, the depth of fear and anxiety that LSE sufferers experience; the patterns of self-defeating behaviors that accompany LSE; the emotional turmoil caused by LSE: the extremes in behavior that are visible in LSE sufferers; negative and irrational thinking patterns of those who have LSE; the ways in which LSE creates chaos in relationships; and the overall severity of LSE and how it stifles creativity, curtails ambition, kills dreams, and promotes a sense of hopelessness and helplessness. It gives practical exercises and things to do to assist in alleviating the effects of LSE and finding new ways to cope that can result in a future of improved self-esteem.

**"And that, of course, is the message of Christmas. We are never alone. Not when the night is darkest, the wind coldest, the world seemingly most indifferent..." Taylor Caldwell**

### **Darkness to Hope**

By Craig Smith, LCSW

Think back for a moment about the darkest place you've ever been. For some of you, this isn't too far back at all. Perhaps you're even in that darkness right now. Recall how hopeless you felt. How badly you wanted just a small glimmer of light to help you get through the next 5 minutes of despair or temporary relief from anxiety. If you've been to this place before, you can probably understand why some people run out of energy to push through another day in search of the hope.

If you're reading this right now, it means you haven't lost. You're still fighting. It means you've lived through those dark moments and gained proof and knowledge that it does in fact get better. I don't say it gets great - only that it gets better.

Now go there. Go to those feelings of relief, the return of hope, the belief in a better tomorrow. Try to feel in your soul those same feelings of gratitude that you weren't still in complete darkness and wake up that same

gratitude today. Even if it was the smallest light, there was some. Enough for you to get out of bed, or go to the store, or eat a small meal.

These feelings are important to remember because the darkness may return and you are going to need to rely on these memories to keep going. The ones of your own personal evidence that you can make it. Of all the analogies of darkness becoming light; (you know the one

of the seed planted underground and the caterpillar using darkness to become a beautiful butterfly) those don't compare to the proof of you actually living through it firsthand.

You are capable of amazing things. Just keep taking it one day, one minute, and one moment at a time.

\* \* \* \* \*

## **The Gift That Can't Be Wrapped**

By Warren Rosenbaum

What can I give you for Christmas?  
This question has haunted my mind,  
I may be a prisoner's family,  
Or the person who is prison-confined.

Inmates and their caring families  
Struggle with conventional living,  
The usual gift exchanging,  
Has barriers to holiday giving,

We struggle to find an item,  
Something that lasts all year,  
A gift that will be meaningful,  
Something to use and revere.

But material gifts are prevented,  
Prison rules abound,  
There must be something that works,  
Those rules that a gift gets around.

Suddenly I have an idea,  
I'll put it in a Christmas card,  
The gift of "Service to Others,"  
An item the rules haven't barred.

This gift can also be practiced,  
By thoughtful prison personnel,  
The Board of Pardons and Parole,  
And legislators as well.

A gift that can change their life,  
And impact others too,  
Helping others with problems,  
As they struggle and transit through.

This gift to help troubled people,  
Share empathy as they confide,  
Be the gift of service to others  
Reap rewards from the help you provide.

**"The holiday season is a perfect time to reflect on our blessings and seek ways to make life better for those around us." Unknown**

## **Couple of Smiles and Maybe a Laugh**

If you measure the circumference of a pumpkin and divide that by its diameter, what do you get? Pumpkin pi ~~ What is a turkey's favorite song? I'm Dreaming of a White Christmas ~~ What do monkeys sing at Christmas time? Jungle Bells ~~ Why was the candy cane so expensive? Because it was in mint condition.

Managing to have a positive Christmas spirit under incarcerated circumstances, no doubt – you cats are cool. Ed.

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## **Utah Prisoner Advocate Network.**

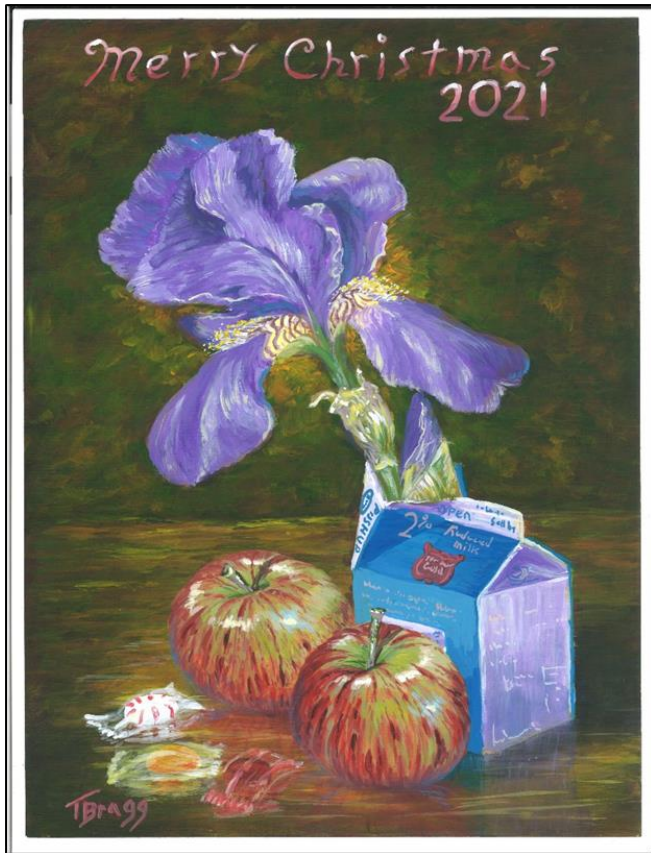
Director, Co-Founder & Treasurer: Molly Prince  
Director of Communications: Shane Severson  
Director of Sex Offense Policy Issues: Faye Jenkins  
Director of Women's Issues: Gayle Dawes  
Director, Medical/Mental Health Issues: Wendy Parmley  
Director, Board of Pardons Issues: Ernie Rogers  
Director, Newsletter Editor: Warren Rosenbaum  
UPAN Volunteer Coordinator: An Bradshaw  
Inmate Newsletter Volunteer Coord; Deon Corkins  
Holiday Card Program Coordinator: Audrae Rogers

### **Our Contact Information:**

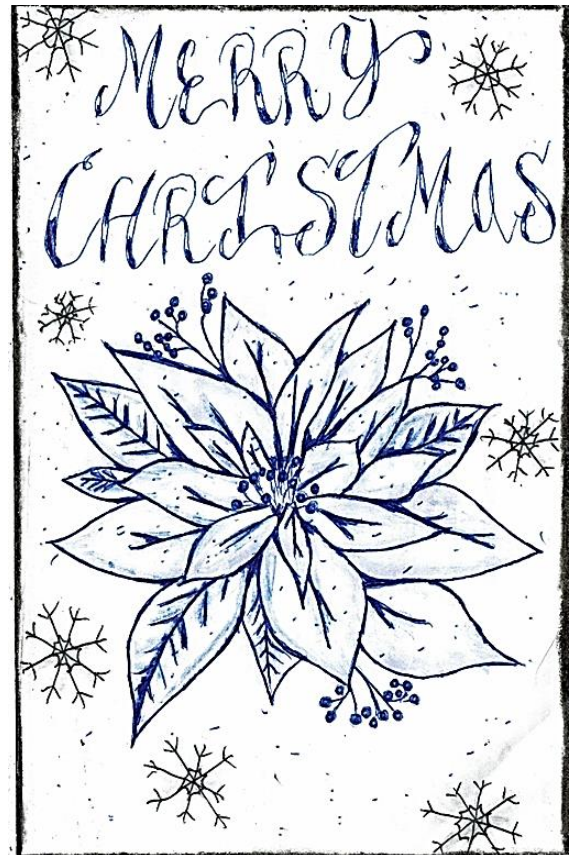
Utah Prisoner Advocate Network  
P. O. Box 464, Draper, UT 84020  
Website: [UtahPrisonerAdvocate.org](http://UtahPrisonerAdvocate.org)  
Email: [Utahprisoneradvocate@gmail.com](mailto:Utahprisoneradvocate@gmail.com)  
Facebook: [Facebook.com/UtahPrisoner](https://www.facebook.com/UtahPrisoner)

**"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." Margaret Mead**





Traditional – 1st Place Still Life –  
Joy in Simple Things – Troy Bragg



Traditional 2<sup>nd</sup> Place Tie –  
Blue Poinsettia – Joseph Yazzie



Second Place Tie – Little Boy's Christmas Prayer  
Pedro Rodriguez

## The Little Boy's Christmas Prayer

Oh, LORD, this is my Christmas prayer. As the world is worsening, my heart starts to be afraid. I want to live long enough to admire the creations of Your hands, but with too much evil around me, I don't think I got a chance.

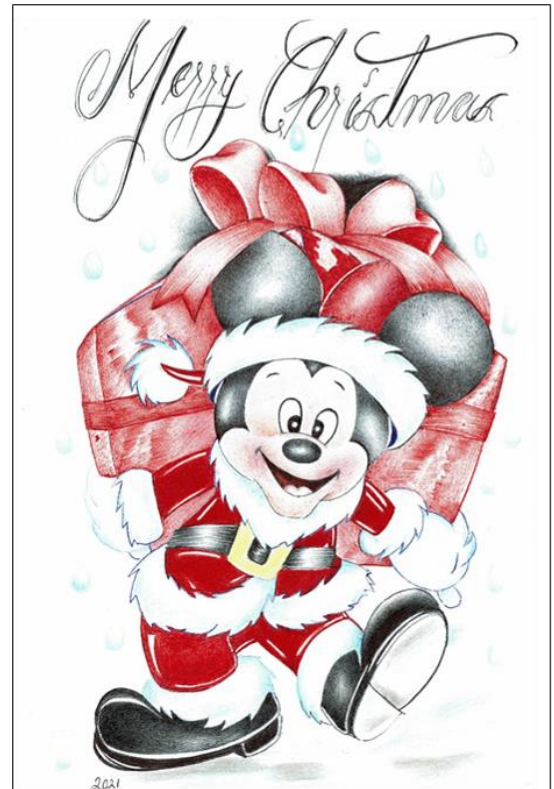
Please tell me how to survive. I'm just a little boy who wants to enjoy life; but living in these conditions my heart is falling apart. All I want is to see everybody happy and for myself to die when I get old. I trust in your power to turn evil into good. But to make this happen we must follow You. Obey your commands and love will heal us all. Once you said you care about me.

Please hear my prayer and don't forget my pleas. Your love can destroy evil and bring me joy and peace.

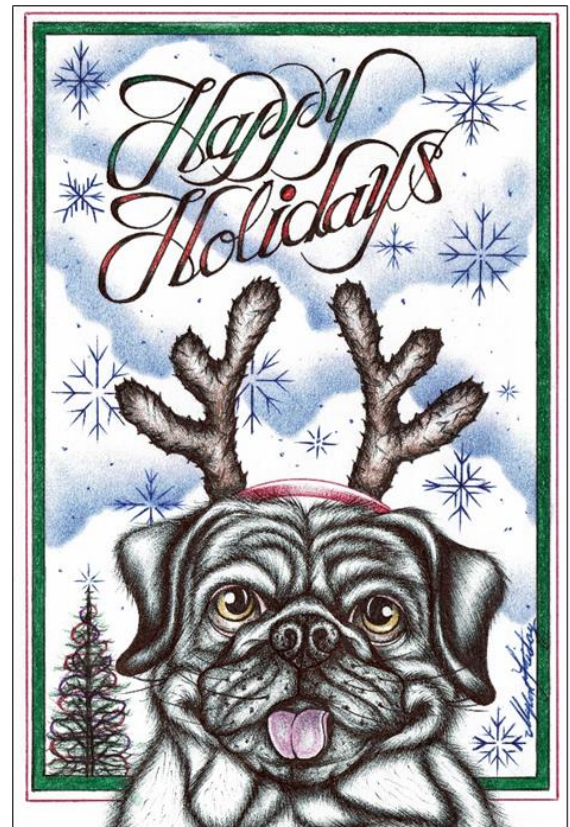




Religious 1<sup>st</sup> Place – Praying Hands  
and Praying Wings of a Dove  
– Noe Rodriguez Serrato

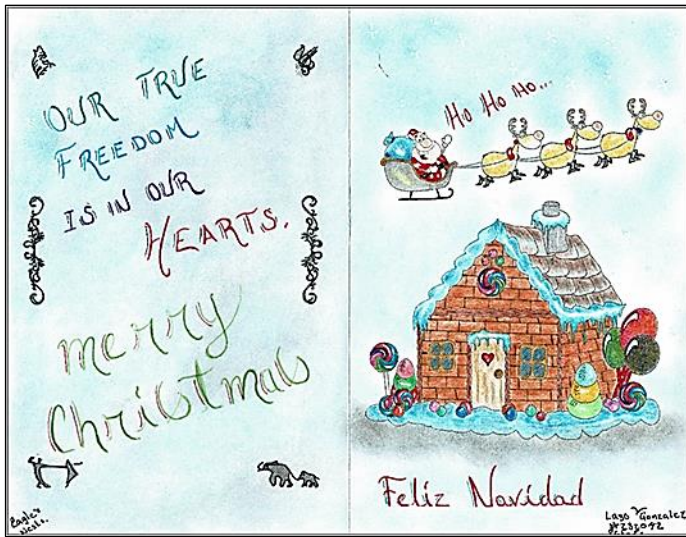


Contemporary 1<sup>st</sup> Place Tie – Santa Mickey Mouse  
– Benjamin Arriaga Luna

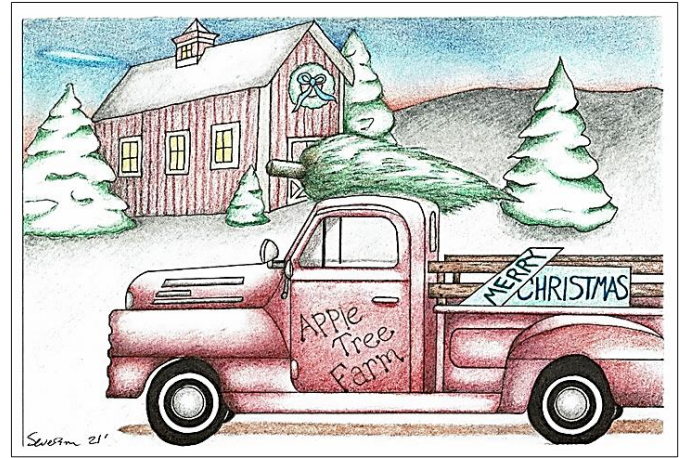


Humorous 2<sup>nd</sup> Place – Santa's Sleigh Dog  
– Myron Friday





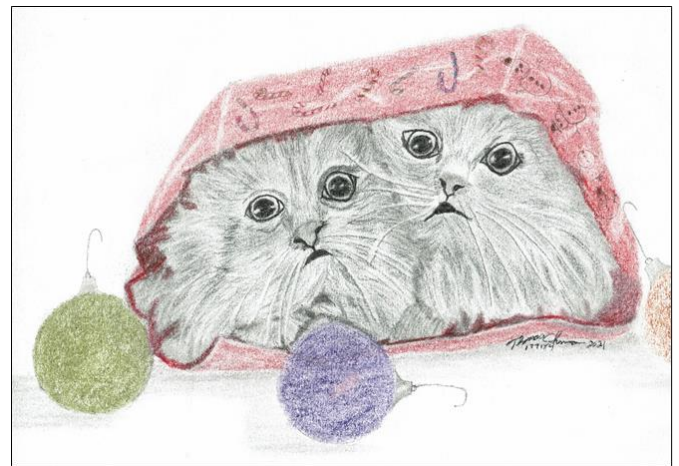
Humorous 1<sup>st</sup> Place – Feliz Navidad  
– Eladio (Layo) Gonzalez



Contemporary 1<sup>st</sup> Place Tie – Country Christmas  
– Chad Severson



Traditional 2<sup>nd</sup> Place Tie – Merry Christmas Night Scene  
Kristopher Buck



Contemporary 2<sup>nd</sup> Place -- Kitties in a Bag  
– Thomas Chrisman

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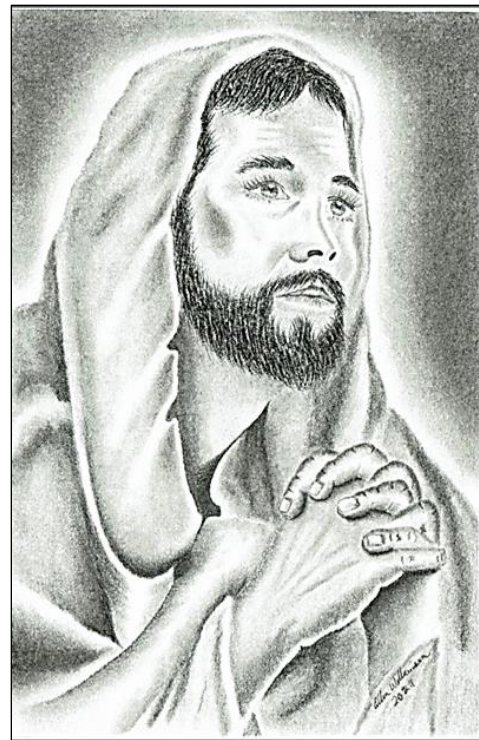
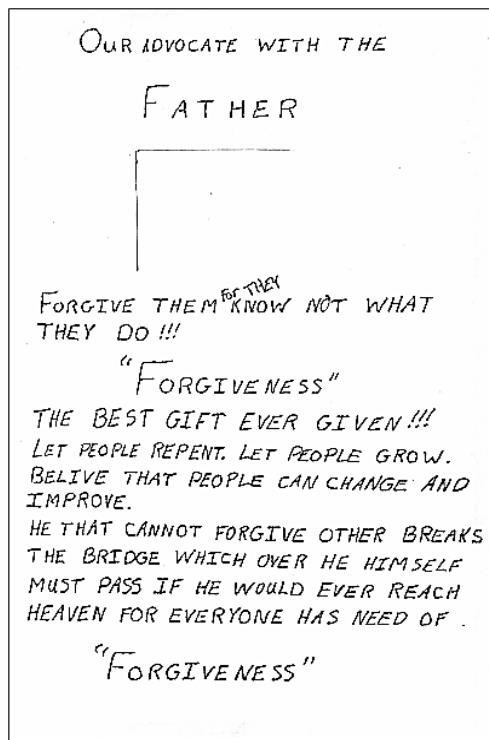
**“A holiday is an opportunity to journey within.” Prabhas**

**"Santa Claus is anyone who loves another and seeks to make them happy, who gives himself by thought or word or deed in every gift that he bestows." Edwin Osgood Grover**

**“You can tell a lot about a person by the way they handle three things: a rainy day, lost luggage, and tangled Christmas tree lights.” – Maya Angelou**

**“Three phrases that sum up Christmas are: Peace on Earth, Goodwill to Men, and Batteries not Included.” –Unknown**

**Mrs. Santa says to Santa Claus, “Tis the season for snow, and also for rain, Dear.” Ed.**

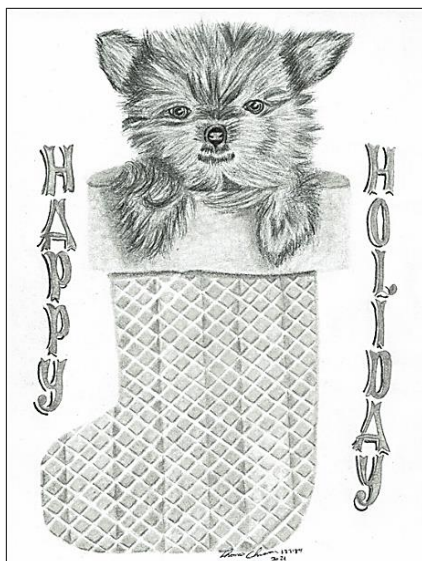


Our advocate with the FATHER - - - Forgive them for they know not what they do!! “FORGIVENESS” The BEST GIFT EVER GIVEN!!! Let people repent, let people grow. Believe that people can change and improve. He that cannot forgive others, breaks the bridge which over he himself must pass if he would ever reach heaven, for everyone has need of “FORGIVENESS.”

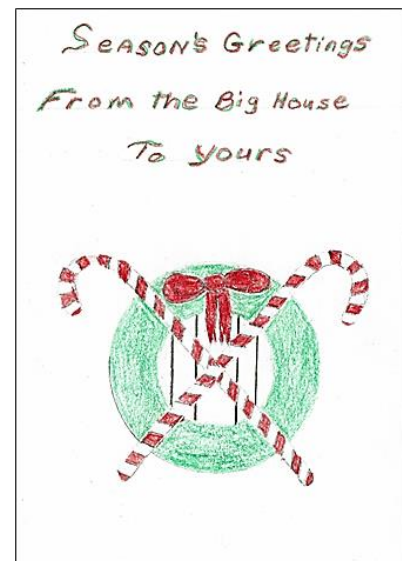
Religious 2<sup>nd</sup> Place Tie – Forgiveness – Allen Williamsen

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### Two Honorable Mention Awards



Contemporary – Thomas Chrisman  
Puppy in a Stocking



Humorous – Dennis Townsend  
Season's Greetings From the Big House

Three Honorable Mentions were not suitable for publication for various reasons. Some could not be reproduced successfully. Keep'em Klean. Avoid negativity or political subjects. Ed.

**“And now we welcome the new year. Full of things that have never been.” – Rainer Maria Rilke**