

Ohio “Old-Law” Prisoner Seeks Aid of Journalism Students and Activists to Address Sentencing Disparity

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My name is Jason Goudlock (pronounced *Good•lock*), and I’m a 41-year-old incarcerated African-American who has been imprisoned in Ohio as a first-time offender since my arrest in November of 1993. I’m serving an indefinite term of six to 25 years, in addition to a nine-year firearm specification sentencing enhancement, for aggravated robbery and felonious assault. I am trying to call attention to a sentencing disparity that affects me, as well as a small minority of other Ohio inmates who were sentenced under the state’s pre-July 1, 1996, indefinite sentencing guidelines, commonly referred to as the “old law.” These guidelines require offenders convicted of serious crimes to go before the Ohio Parole Board to be considered for release upon serving the minimum (front) portion of their indefinite term, which is determined by the offender’s sentencing judge.

On July 1, 1996, Ohio Senate Bill 2(SB2) replaced the old-law, indefinite sentencing guidelines with a modernized set of definite guidelines, commonly referred to as “new-law” guidelines. With the exception of offenders convicted of criminal offenses related to murder, the new law guidelines eliminated SB2 offenders from having to go before the Ohio Parole Board to be considered for release. In addition to significantly curtailing release consideration hearings, the

new-law guidelines also significantly decreased the length of the terms of incarceration that SB2 offenders could be sentenced to. For instance, under the old-law guidelines, an offender convicted of a first-degree felony, excluding murder related convictions, could be sentenced to an indefinite term of either five to 25 years, six to 25 years, seven to 25 years, eight to 25 years, nine to 25 years, or 10 to 25 years. Under the new-law guidelines, however, a SB2 offender convicted of the same first-degree felony can be sentenced to a definite term of either three years, four years, five years, six years, seven years, eight years, nine years, or 10 years, which clearly makes the SB2 new-law guidelines drastically less punitive than the old-law guidelines that I was sentenced under.

That the new-law sentencing guidelines weren’t applied retroactively to old-law offenders, the state of Ohio can subject old-law offenders to disproportionate prison terms. This inequality contradicts the provisions of the Fourteenth Amendment of the United States Constitution, which declares: “No State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States; nor shall any State deprive any person of Life, Liberty, or Property, without Due Process of Law; nor deny to any person within its jurisdiction the Equal Protection of the Laws [emphasis added].” This injustice, shortly after the enactment of the new-law guidelines, prompted old-law offenders to give notice that they were going to stage a statewide work stoppage with the intent of shutting down Ohio’s prison-industrial economy, fueled by inmate labor. With millions of dollars hanging in the balance, state officials agreed to remedy the injustice.

In 1998 Ohio appeared to be honoring concessions it made to old-law offenders. Through the Ohio Parole Board, the state began releasing large numbers of old-law offenders under its then-newly revised Parole Board Guidelines, which were used as a measuring tool to calculate a suggested range of time that an offender should serve. Once a significant number of old-law offenders were released, however, the Ohio Parole Board reverted back to issuing excessive sentencing continuances for reasons that seemed arbitrarily contrived. My experience provides an example.

In October of 2007, as a classified Security Level 5B inmate (the most serious), I went before the Parole Board for the first time and received a sentence continuation of 36 months. In 2010, as a Security Level 5A inmate (a less restrictive status), I went before the Parole Board for the second time and received a significantly shorter continuation of 14 months. At my second hearing, I was also told by the hearing panel that if I stayed out of trouble during my 14-month flop, I would be recommended for release at my next hearing. In 2011, as a Security Level 4A inmate (a further reduced security status), I went back before the Parole Board for the third time and, as promised, was recommended for release. But three months later

the Parole Board's oversight committee, the Central Office Board Review, reversed course and gave me an increased sentence continuation of 15 months.

Despite my disappointment, I continued to stay out of trouble and was able to further reduce my Security Level. In December of 2012, however, now classified at Security Level 3, when I went before the Parole Board for the fourth time, I was given another increased continuance of 24 months. The 24-month continuance, however, was rendered by a two-person hearing panel that consisted of a former prison warden, Marc Houk. In 2006, Marc Houk was the then-warden of the Ohio State Penitentiary and he was caught by the Ohio State Highway Patrol attempting to frame me for allegedly vandalizing a prison service elevator. The elevator, as discovered later, contained inside it Houk's customized motorcycle (See "*Unveiling the Shadowy Past of Ohio Parole Board Member Marc Houk: A Story of Injustice*" at FreeJasonGoudlock.org).

In October of 2014, classified as a Security Level 3 inmate and after speaking publicly about the unjust behavior of Marc Houk, when I went before the Parole Board for the fifth time, I was given another increased sentence continuance, this time, for 60 months! The Parole Board rationalized their decision by claiming that my "institutional conduct" and "rehabilitation program participation" wasn't suitable enough to warrant my release. Their rationale, however, was meritless due to the fact that they knowingly constructed it with erroneous records and fabricated conduct reports. These fabricated reports are still in my prison case file today (See "*Black Lives Matter: ODRC and Ohio Attorney General Michael DeWine Swindle an Inmate*" at FreeJasonGoudlock.org).

The same Parole Board that gave me a 60-month continuance in 2014 is the same Parole Board that, in 2006, released inmate Roger Snodgrass. Snodgrass killed a man during the 1993 prison uprising at the Southern Ohio Correctional Facility. After having served 13 years of his old-law sentence of five to 25 years, then-Ohio Parole Board spokesperson Andrea Dean explained the release of Snodgrass by stating that he had "served more than the minimum" portion of his prison sentence and had "compiled a good work history in prison" (See Cleveland Plain Dealer, September 4, 2006, National Section; page A1; John Caniglia).

As I have thoroughly outlined in all of the above, Ohio's dual-law criminal justice system is functioning unjustly. My efforts to call this injustice to the attention of the media, elected officials, and organizations, however, have led nowhere. So, now, I ask for the help of righteous people who believe in upholding the principles of justice for all, and I do so in the hope that you will find my account of egregious acts of injustice worthy of being explored and exposed, by way of your impassioned agendas to make the world a better place. Your help could improve not just my life, but the lives of many of the others who are being silently tortured by Ohio's discriminatory, inhumane, dual-law criminal justice system.

In closing, I want to thank you for reading this far. I invite you to contact me with any questions or concerns.

Sincerely,
Jason Goudlock

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Jason Goudlock is a progressive writer embedded in the struggle against the repressive United States prison industrial complex. He is also the author of the novel Brother of the Struggle, as well as the subject of the forthcoming film documentary Old-Law Con: The Jason Goudlock Story. If you would like to offer him support on his quest to attain his freedom and justice for Ohio old-law prisoners, you can contact him at the following:

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Learn more about Jason Goudlock and his struggle for freedom at freejasongoudlock.org.