

[REDACTED]
Heather Levelle/ DK8736
[REDACTED]

Jonas Caballero, Legal Advocate
[REDACTED]

February 24, 2022

Dear Jonas Caballero,

Thank you for giving me the opportunity to write this letter and share my personal experience as a person living with a DBI sentence. You have my permission to quote me and refer to me by name in your submission to the UN.

When a person violates the law, a court determines what rights and privileges that person will lose and for how long. The rights of incarcerated people have been debated in the courts for decades. As a result, it has been determined that we, the incarcerated, are entitled to several basic human rights, but these rights are put to the test every day in Pennsylvania's state prisons.

I was raised to believe that the United States of America is the greatest country in the world. While our nation has a checkered past, part of our history has always been reaching for noble ideals and striving to do better in our attempts to reach these lofty goals. The Constitution protects its citizens by outlawing cruel and unusual punishment, what is commonly referred to as inhumane treatment. Our nation is currently out of sync with this ideal when it comes to the treatment of incarcerated people serving a sentence of Death By Incarceration (DBI).

In 2005 I was arrested for a horrible crime in which a good friend lost his life. I immediately felt a deep sense of shame and guilt for my role in his murder, a feeling that nothing I'd ever experienced could have prepared me for or helped me to navigate. Before I was ever sentenced to DBI, I knew I had to change everything about myself. I couldn't live with the person I'd become.

In the nearly 17 years since that tragic night, the reality of my sentence has taken on many different meanings during my personal journey toward redemption. As much as my guilt and shame try to force me to accept my sentence, there is an uneasiness at the core of my being that never goes away. DBI says that no matter what I do, I will never be released from prison. I must balance the enormity of my victim's suffering, as there are a countless number of people who do suffer as a result of my actions, with the redemptive reality of the human experience.

To eliminate a person's hope for a future is a violation not only of human rights, but also a person's basic right to dignity. Living in a prison with no hope of release has opened my eyes to the obvious degradations, including having no privacy in my living space or my personal communications with family and loved ones, living with a fear of speaking of or writing about my experiences or showing a heightened level of emotion in front of prison officials for fear of retribution or retaliation, and constant room and strip searches even though I've lived my entire time at this prison with no infractions to justify their ability to continue to search me in this aggressive manner.

There are also the not so obvious violations of my rights as a woman. Not to be able to express my remorse to my victim's family, not to look into their eyes and witness them expressing the pain that I caused. Not to be able to have children, to express my sexuality or to fall in love. Not being able to fulfill my duty as a daughter to care for my Mother as she was dying, not to be able to hold her hand and tell her how much I love her, not being able to attend her funeral and grieve with others who loved her.

There is a deep sense of frustration knowing that I have something valuable to offer a society in desperate need of help, but having been adjudicated irredeemable. I spend my days here helping others with their issues of addiction and mental illness, codependency and their inability to take personal responsibility for their actions and their lives with the hard earned wisdom I gained from battling with these same demons myself. The women I do time with and the corrections administrators all agree that I am an excellent candidate for commutation and a good risk for release, but the odds of a woman getting released through the commutation process in Pennsylvania are not good.

Dealing with the emotions this reality creates causes mental health issues that I can not always manage by myself. The lack of adequate mental health resources, particularly the lack of any resources during the continuing covid restrictions, exacerbates this deficiency. My hope comes from the efforts of people willing to look past the stereotypes and labels at the people, the human beings, serving DBI sentences. My faith keeps me sane.

I believe nobody should serve an indeterminate sentence such as DBI. Each of us should be evaluated on a regular basis, beginning after 10-15 years, to determine a course of action that will bring us closer to our eventual release back to the community. Rehabilitation should be the goal of every sentence handed out in Pennsylvania. People should not be viewed as something to throw away and forget about. Sentencing goals and structure can help move us away from the purely retributive system currently in place.

Please contact me if there is ever anything I can do to move the effort to end DBI sentencing in Pennsylvania forward. Thank you for all that you do.

Best regards,

A handwritten signature in blue ink, appearing to read 'Heather Lavelle', with a long, sweeping underline.

Heather Lavelle