

## Crushing Butterflies Under Iron Boots

Since 1961, when the Single Convention Treaty on Psychotropic Drugs was signed by all member states of the United Nations at the urging of the United States, 26 million people have been arrested for marijuana throughout the world. Thirteen million of those were charged in the USA. What started as a trickle of cannabis &offenders& in 1961 rose to over 150,000 arrests in 1969; 380,000 in 1979; between 300,000 and 400,000 each year up to 1993, when arrests soared upwards every year under Bill Clinton and the Newt Gingrich Congress. There were 704,812 arrests in 1999. Under George W. Bush, numbers have risen virtually every year to reach a staggering 771,608 in 2004. Sentences being imposed in 2006 for cannabis offenses are longer than ever before. Of the 771,000-plus arrested in 2004, over 100,000 will serve some jail time, and tens of thousand will serve long, hard time for growing, selling, and even possessing (buying) cannabis. Any time in jail is heartbreaking for those imprisoned, their families, and those who love them. It is a crime against mankind that millions have been made to suffer pernicious punishment for living a peaceful and honest lifestyle with cannabis.

While we celebrate the incredible powers of cannabis, it is easy to forget the tens of thousands doing long, hard time. We're about to remember them.

&bull; &bull; &bull; &bull; &bull;

Weldon Angelos was an aspiring rap producer from Salt Lake City who made a few bucks selling marijuana. His label, Extravagant Records, boasted Snoop Dogg among its initial clients. That they'll ever make a record together is unlikely, however, because Angelos &ndash; a.k.a. #10053-081 &ndash; has recently begun serving a 55-year sentence for a pot bust. His new home is the federal penitentiary at Lompoc, about 175 miles northwest of Los Angeles. His projected release date is November 18, 2051.

Angelos's crimes were that during 2002 he made three half-pound pot sales to an informant working as an undercover narc. According to the informant (whom even the prosecution pictured as an unsavory character), during one of the sales Angelos had a gun in his car's front seat console, and during the other two he wore a gun in an ankle holster. Angelos has consistently denied that, saying he never took his guns from the safe in his apartment. Even the informant admitted that at no time were the guns brandished. At no time was he threatened. In 2003, a year after the third buy, Angelos was arrested. When police searched his apartment they found several guns locked in a safe, money, and a small amount of marijuana.

The Assistant US Attorney in the case, Robert Lund, offered Angelos a plea bargain that would have given him 15 years. Angelos turned it down and went to trial. Lund, who had it in his discretion to charge Angelos with just the pot sales &ndash; as the guns were never alleged to have been used in the commission of them &ndash; instead charged Angelos with three separate offences of using a firearm during the commission of a drug felony, three drug sales, several drug possessions and money laundering. In all, Lund managed to blow the small pot deals into 20 separate felonies. Angelos was found guilty on 16. At sentencing, Lund insisted that the gun charges be stacked, and their sentences served consecutively, rather than concurrently, which gave Angelos five years mandatory on the first and 25-years mandatory on each of the others. He was given one additional day on the 13 money laundering and drug counts.

US District Judge Paul Cassell reluctantly meted out the 55-years plus one day mandatory sentence, calling it &ldquo;unjust, cruel, and even irrational.&rdquo; He also called on President Bush to intervene and commute the sentence down to what he thought would be a reasonable 18 years. This past January 9th, the 10th Circuit Court in Denver upheld the sentence after Angelos's attorneys appealed it on the grounds that it was cruel and unusual. They are now considering their legal options but have vowed to continue the appeal process. Technically, Angelos is serving time for guns. In fact, without the small cannabis sales, there would have been no federal case against him at all: a pound-and-a-half in pot sales by a person with no criminal record isn't what they go after &hellip; normally. It does happen, and Angelos is the proof.

With that in mind, and as a reminder of just how brutal our government can be, we present ten of the worst pot sentences currently being served, that Cannabis Culture can find.

&bull; &bull; &bull; &bull; &bull;

1) Douglas Lamar Gray

#115332 &ndash; Alabama State Penitentiary, St. Clair Correctional Facility. Life without parole. Sentence begun on July 1, 1992. No date of release.

52-year-old roofing contractor Douglas Lamar Gray had a good business going in Moulton, Alabama during the 1980s. As many as a dozen men were on his payroll during peak season. He had a young wife and baby boy. They owned their own house and had nothing but a good life to look forward to. Gray had no vices to speak of, and a history that was only marred by a burglary he'd committed at 17 &ndash; for which he'd done a couple of months &ndash; and two more burglaries committed when he was 21. Convictions so old they were not in the Alabama state computer system when he was arrested.

To relax, Gray liked to smoke marijuana. In 1989, a guy he knew offered to sell him a pound (the state claims it was a kilo) of weed for a good price. Gray said okay and agreed to meet at a local motel. They met, he paid the man \$900, took his reefer and left. What Gray didn't know was that the guy was working for the Morgan County Task Force. Gray would later discover that the snitch was a felon with more than two-dozen convictions who had been released specifically to work as a narc &ndash; and that he'd been paid \$100 for the deal.

According to sketchy reports, Grey's car was followed from the motel meeting by several police cars. He managed to ditch the weed before he was caught. Gray imagined he'd get off because the police didn't find any marijuana; at the worst, he thought he'd have to do a little time for the pot, so when the prosecutor offered him a plea deal he turned it down and decided to take it to trial.

At trial Gray was found guilty, not of possession or attempted possession, but of trafficking. That still shouldn't have brought too much time. But horribly, he was sentenced to life without parole under Alabama's Habitual Offender Act, a sentence meted out because of the burglary convictions 15 and 19 years earlier. After his imprisonment his wife tried to commit suicide. All of Gray's appeals have been turned down. He'll grow old and die in prison. "Life behind bars is a lot of punishment for being set up on a pound of pot," he told The November Coalition in a letter in 2000.

#### 2) Vernon C. McElroy

#102606 &ndash; Alabama State Penitentiary, St. Clair Correctional Facility. Life with possibility of parole. Sentence begun on Nov. 5, 1981. No date of release.

Little is known about 58-year-old Vernon Cleve McElroy. In 1981 he was caught with 20 hemp stalks. He had a prior too old to be looked up in the Alabama computer system. He might never have been known to exist at all except that in 1991, when NORML's Executive Director, Allen St. Pierre, was brand new to the organization, he received a letter from McElroy. A short correspondence ensued, during which McElroy claimed to be incarcerated at a maximum-security state prison in Alabama with several other men who were all serving life sentences for pot.

Using that as a lead, CC tracked McElroy down at the maximum facility at St. Clair and spoke with the Alabama prison system's media representative Brian Corbett about him. Corbett confirmed that McElroy has been in since 1981. "But don't say it was just for pot" Corbett cautioned, reading a list of offences for which McElroy had been sentenced. They included possession of marijuana, marijuana trafficking, receiving stolen property and defacing the identification of a motor vehicle. The several convictions, coupled with McElroy's earlier conviction that the state cannot identify, led to the life sentence.

All of the crimes for which McElroy was sentenced occurred on the same day, during the same bust. What it looks like happened was this: Someone approached McElroy and asked if he could get him some weed. McElroy couldn't, but thinking the fellow an idiot instead of a snitch, he went out and cut 20 eight-foot ditch weed stalks. He brought them to the fellow, who said he had no money to pay for the dope but could give McElroy the stolen car he'd just heisted. McElroy accepted and blacked out the vehicle identification number (VIN) on the car door, at which point he was arrested and all of the charges followed.

Because he was not sentenced to life without parole, McElroy has a chance to one day be free. He had his first parole hearing in 1992; his second chance is later this year.

#### 3) George Martorano

#12973-004 &ndash; Federal Bureau of Prisons, Coleman Penitentiary, central Florida. Life without parole. Entered prison in 1984. No release date.

George Martorano entered the federal prison system in 1984 when he was 34 years old. He's 56 now. Tall, good looking, rugged, he has not let the years, the cells, or the injustice break him. If anything, they've made him stronger. Martorano was born to Raymond (Long John) Martorano, a Philadelphia mobster, in 1950. His godfather was the Philly mob-boss Angelo Bruno.

But rather than growing up Mafia, both his dad and Bruno insisted that Martorano would never be dirty. Unfortunately, Martorano found that being clean in business didn't really pay the bills and when a chance to run shipments of marijuana from Florida up to Philly came his way, Martorano took it. "I ran pot for three years" he told City Paper, the Philadelphia alternative weekly, in March 2005.

In 1980, when Martorano was beginning to run truckloads of pot, Bruno died, leading to a mob war that stretched from Philly to South Jersey. It was bloody. Within two years more than a dozen mobsters had been killed, and the feds thought that George's father was in the thick of it. But he was untouchable at that time, so they turned their attention to the son, and in 1982 he was arrested in a Holiday Inn in North Miami and charged with running an international narcotics smuggling ring that moved marijuana, cocaine and manufactured meth and heroin.

His attorney advised him to plead guilty to the marijuana charge &ndash; there were 2,000 pounds of evidence &ndash; with the idea that he'd get 40 months, the length of time a parole board recommended he serve. Unexpectedly, the judge sentenced him to life and had him shipped off to the super maximum pen at Marion, Illinois, where he served two years in solitary before being moved to general population in a New York facility. During that time there were hints that if he gave up what he knew about the Philly mob things might change for him but he claimed &ndash; and still claims (according to people he's been in touch with) &ndash; that he had nothing to share, as he was never part of the mob.

During the past 22+ years, Martorano has become an accomplished writer, penning more than 20 books. He teaches yoga, counsels suicidal inmates and is an officer of the Coleman chapter of the National Association for the Advancement of Colored People (NAACP). Last year the parole board passed his conviction to President Bush for review with a recommendation for clemency, but there has been no response as of yet.

#### 4) Shirley Womble

#09330-017 &ndash; Federal Bureau of Prisons, Marianna Penitentiary, Marianna, Florida. 25 years for Conspiracy to Distribute Marijuana. Began serving on February 25, 1992. Release date: September 20, 2013.

Shirley Tucker Womble was 44 years old when she began serving her sentence for Conspiracy to Distribute Marijuana and she won't be out until she's 65. That's if she only completes 85% of her mandatory 25 years. Her husband Willard, convicted of trafficking marijuana, won't get out until six years after that. Of course, she might want the distance, as it was his pot sales that brought them both down. The Womble's owned an auto-sales business that brought in money, but Willard liked extra cash. According to a profile of Womble from the Human Rights 95 organization (HR95.org), she regularly tried to get her husband to stop putting their business and family in jeopardy but he wouldn't quit.

The extent of Shirley's involvement in the "conspiracy" consisted of counting some money that Willard had earned from marijuana sales and being present on a few occasions when Willard met with co-conspirators" notes HR95. Nonetheless, the government charged her with being the marijuana organization's bookkeeper. Since being jailed, Womble has undergone several serious operations, and her health is not good. Prior to her 25-year sentence, her record was spotless. She'd never even gotten a traffic ticket.

5) Irma Estella Calderon Alred

#03436-017 - Tallahassee Penitentiary, Tallahassee, Florida. 30 years and 4 months for Marijuana Conspiracy. Began serving on December 12, 1994. Release date, September 28, 2020.

According to court records, "From 1984 until 1994, a group of individuals, known as the Alred Organization in Holmes County, Florida, engaged in an extensive marijuana distribution conspiracy involving thousands of pounds of marijuana. They primarily purchased the marijuana in the Texas/Mexico area and transported it by vehicles to Holmes County, where it was sold. The principal source for obtaining Mexican marijuana was defendant-appellant Irma Alred, who was Irma Calderon in the mid-1980s when the conspiracy began. After delivering approximately 300 pounds of marijuana to co-conspirator Charles Douglas Mixon in Holmes County and remaining there until it was sold, she became an active participant in the organization."

In early 1994 the Alred Organization was busted and nine people were subsequently indicted. Two served two years, one served seven, one served nine and the rest got no jail time. In all, the court held Irma Alred responsible for a total of 2,899 pounds of marijuana - lousy Mexican brick - over a 10-year period. Irma got the time because the others, including her husband, made deals with the government, leaving her holding the bag.

6) Calvin John Treiber

#03999-046 - Florence Federal Penitentiary, Florence, Colorado. 29 years for Conspiracy to Distribute Marijuana, other marijuana counts. Began serving on February 4, 1994. Release date: September 2, 2017. (Treiber served nearly 18 months in a local jail prior to his federal sentencing.)

In an operation the FBI dubbed "Operation Reggae North", Calvin Treiber, a Rastafarian, his wife Jodie Israel-Treiber and 24 others were indicted in November 1992 and charged with possession of marijuana, possession with intent to distribute, conspiracy to distribute, money laundering and a host of other counts. The government alleged that the group had moved hundreds of pounds of Mexican marijuana to Billings, Montana over a 10-year period. Found guilty on several charges, Treiber was sentenced to 29 years, while his wife Israel - who played a very minor role, if any - was sentenced to 11. She was fortunate enough to be granted clemency by then-President Bill Clinton in his final days in office, but Treiber didn't have the same luck.

In 1996, Treiber (who is now 46), along with two others from the conspiracy, appealed on the grounds that they should have been allowed to present a religious-use defense as cannabis use is sacramental to Rastafarians. On February 2, 1996, the 9th Circuit Court of Appeals responded that subsequent to the Religious Freedom Restoration Act of 1993, Rastafarians had the right to present such a defense. However, in writing for the court, Judge John T. Noonan, Jr. noted that while a religious defense might protect against simple possession, the RFRA could not be applied to charges of conspiracy to distribute, possession or money laundering. "Nothing before us suggests that Rastafarianism would require that conduct", Noonan wrote.

#7) Clyde Edward Young

#03933-003 - Yazoo City Federal Penitentiary, Yazoo, Mississippi. 26 years for Possession and Conspiracy to Distribute Marijuana and Career Criminal Enterprise. Began serving on February 1, 1991. Release date: June 23, 2013.

In a true horror story from the old south, Clyde Edward Young, his wife Patricia, their son Clyde Young Jr. and three of their other children were given sentences of 26 years, 24 years and eight months, 15 years, 10 years, five years and three years, respectively. These sentences were handed down in a case that involved little marijuana, no money, and three witnesses who should have been doing jail time.

The Young family, Clyde and Patricia with their eight kids, lived on the border of Mississippi and Alabama. Their property was surrounded by the property of local wealthy businessman, J.P. Altmire. Altmire tried to buy the Young place. They didn't want to sell. Altmire didn't like that and began a campaign of harassment against them that included writing letters to "lawyers, prosecutors and the local sheriff branding the family a bunch of troublemakers" according to Mikki Norris and Human Rights 95, who profiled them on the HR95.org website.

The harassment led to an August 1988 bust of Clyde Young Jr. who was charged with growing marijuana on Altmire's land. But in a thorough and apparently brutal search of the Young home following the bust, no drugs were found. Nonetheless, a year later the Young house was again raided and several members of the family were arrested. At their indictment it was revealed that drug residue, a scale, and a notebook containing names

were found in an earlier 1986 raid at a hunt club owned by Clyde Young's mother.

Though there was apparently little or no marijuana found that could be tied to the Young's, at trial there were several witnesses that testified that the Young's were marijuana dealers. Among them was the local police chief's son, then facing serious time for several drug convictions, and a witness facing 40 years for trafficking and who is now serving time for perjury. The Young's were convicted. Patricia was paroled on April 22, 2005 after serving more than 14 years. Their children have all been released. Only Clyde Sr. remains inside.

8) Olen Maffett Pound

#09064-042 &ndash; Montgomery Federal Penitentiary, Montgomery, Alabama. 20 years for Continuing Criminal Enterprise. Started serving on February 27, 1990. Release date: May 28, 2006.

It's nearly incomprehensible that people get put in prisons for drug offences in which there are little or no actual drugs. But to be convicted of a Continuing Criminal Enterprise in that sort of case &ndash; particularly when the charge is brought against someone with no priors &ndash; is beyond the beyond. Yet that's what happened to Olen Pound.

Pound and his friends used to buy pot for each other. It went on for years. No large amounts, nobody really making anything, just an excuse for friends to get together. Whoever could make the score would. But in 1989 one of the friends was popped in Memphis, Tennessee, turned snitch and set up one of the others. The rest tumbled like dominos, each one ratting out as many as they could, and each time they bleated, Pound's name came up as one of their crew. Police tried and failed to set up a buy from him, and resorted to raiding his home in rural Mississippi, ransacked it and came up with one-tenth of a gram of pot, on the strength of which they arrested Pound and his wife.

Based on the word of the snitches, the police charged them with involvement in a total of 300 pounds of cannabis, for which a first timer would normally get five years &ndash; the sentence meted out to his wife. But the prosecutor decided not to go for attempted possession or possession with intent to distribute. Instead he went for the jugular: Continuing Criminal Enterprise. Pound was hit with the automatic 20 years. Incidentally, the government got to seize the Pound's property &ndash; on which he'd build a recreational park business worth \$1,000,000, and another \$250,000 in general assets: cars, house, personal property and so forth. Oh, and none of the others were ever prosecuted.

9) Charles Fred Cundiff

#09400-017 &ndash; Coleman Federal Penitentiary, Coleman, Florida. Life without parole for Marijuana Conspiracy and Career Criminal. Started sentence on January 8, 1992. Release date: Never.

In 1976, as a 30 year old, Charles Cundiff was busted for possession of a pound and a half of weed and paraphernalia. Eight months later, while out on bail, he was busted again, this time for selling a half-pound. He was subsequently convicted of felonies on both busts and got two years on each, served concurrently. He served seven months and stayed clean for nine years. But in 1985, he was busted again, his third felony. This time it was for growing 100 marijuana plants. He served 47 days and got three years probation.

Then, in the early 1990s, he and some friends were convicted of a conspiracy to traffic in marijuana, and Cundiff was held responsible for 2,273 kilograms. Worse, there were two guns found in his car shortly after his arrest, and the prosecutor decided to ask for, and subsequently receive, a Career Criminal Enhancement to the sentence, which would otherwise have been about 22 years. The enhancement was granted and Cundiff got life.

10) Steven Roger Treleaven

#08656-023 &ndash; Florence Federal Penitentiary, Florence, Colorado. 20 years for Conspiracy to Manufacture Marijuana. Started serving on November 30, 1992. Release date September 1, 2009.

Mandatory minimums and a prior felony cost Steven Treleaven an extra 10 years. During the late 1980s Treleaven began growing marijuana, primarily to provide his brother, who suffered from AIDS, with a medical supply.

Unfortunately he didn't do it alone; he had two partners, and not all of the marijuana was being used for medicinal purposes. When busted, the three were charged with conspiracy to manufacture a total of 3,698 plants, each of which was assigned a weight of 1000 grams. Under mandatory minimums, Treleaven, found guilty of possessing more than 3,000 kilos of marijuana, was given a mandatory 10 years. A prior conviction for cocaine possession doubled that. His brother died during Treleaven's first year in prison.

&bull; &bull; &bull; &bull; &bull;

Those 10 snapshots aren't nearly enough. Scott Howard Walt is into year 11 of 24 at the Tucson Federal pen for possession of marijuana and intent to distribute, in a case where the only marijuana was found on an acquaintance who claimed Walt was a pot boss and he was just a courier. It worked out for the government as they were able to seize Walt's assets, and it worked out for the busted fellow as he wound up with only one year.

Then there's Steve Williams in year 12 of 24 for conspiracy to distribute marijuana. Like most of the others, the case against him began when someone came looking for pot and wound up getting busted and turning informant. As in many of the other cases, there never was any marijuana physically, or even via ledger, telephone or any other way, connected with him, just plain snitching.

Then there's the Avery family, headed by John Paul Avery, who were found to be growing 1,250 plants in an underground grow room in Kentucky in 1994. Story is, when Avery's son-in-law and a friend were busted by the DEA for the grow room, they took the heat off themselves and pointed fingers at John's family. Avery got 20 for an ongoing criminal enterprise and is expected to see daylight again in 2012.

Perhaps the topper of them all, though it isn't strictly related to marijuana, is the case of Tyrone Dwayne Brown\*, serving life in Texas. Known on the street as T-Baby, Brown was a hell-raiser and a thug as a young teen. Regularly sent to special schools and juvenile jails for car-theft and a host of other crimes, at 17, he was busted for aggravated robbery. He got 10 years deferred for that, one of the conditions of which was peeing in a cup for drug tests. Two months into the program he failed and had his probation revoked. At his court date on the probation violation the judge decided he'd had enough and sentenced him to aggravated-life. Though it wasn't marijuana that caused his initial problems, Brown may well be the only guy in the whole country sentenced to life for failing a urine test.

The list goes on. If it weren't for public outcry, some of the people who've been given the worst sentences would be sitting until their children's children had children. Will Foster got 93 years in Oklahoma for a small pot grow that came an informant's tip he was a big time meth manufacturer. There was no meth, of course, and media light forced the state to release him after four years. Jimmy Montgomery, also of Oklahoma, got 110 years for less than two ounces on a first-time bust. A paraplegic, he had a gun under his wheelchair seat when he was busted at home, one he'd inherited from his father, a former cop. The issue of his medical problems forced Oklahoma's governor to shorten the sentence to 10 years and have him serve it at home rather than force the state to care for a paraplegic for 110 years.

Don Clark was nailed with a life sentence as "the man who taught people to grow pot in the Florida swamps". The government charged him with responsibility for 1,000,000 plants, but got real lucky and was released in just under 10 years when Bill Clinton gave him clemency, due partly to public outcry.

James Geddes also got lucky when enough people pointed out the injustice in his case. Geddes was busted with a friend and charged with cultivation of five plants. He refused a plea, took it to trial and lost. Geddes was sentenced to 150 years: 75 for the cultivation and 75 for possession of the same plants. That was also in Oklahoma, home of marijuana hell. He served more than 11 years before the state decided that perhaps 150 was excessive for five plants and let him out on early release.

These are just a few of the horror stories, and don't even begin to touch the sentences people are serving for meth, crack, cocaine, LSD and every other substance the US government has felt it has a right to ban, all in the name of protecting us from ourselves.

Don't forget them. Don't ignore them. No one deserves this kind of time for non-violent offences.

• • • • •

\* Tyrone Brown was given a conditional release by Texas's Governor Rick Perry in early 2007.

For more information on prisoners with excessive sentences, please visit:

[www.Famm.org](http://www.Famm.org)

[www.November.com](http://www.November.com)

[www.Hr95.org](http://www.Hr95.org)

[www.Candoclemency.com](http://www.Candoclemency.com)

Read the book *Busted: Drug War Survival Skills* by M. Chris Fabricant to help mitigate any charges or difficulties that you may encounter while being involved with the cannabis culture.

## About the Author

Source: <http://petergormanarchive.com>