

**“This Used To Be a Black College”: Narratives of Deprivation
and Agency in A Kansas Women’s Correctional Facility**

By

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Abstract

In 1897 African-American educators in Kansas opened the state's second black college as part of a broader initiative to bring educational and economic opportunities to black communities in the wake of *Plessy vs Ferguson* (1896). By the 1970s the campus was converted to a women's correctional facility. Today, it houses over 900 incarcerated women. This research explores how experiences of deprivation are brought to bear on incarcerated women of color in this college-turned-prison through phenomenological and structural violence approaches. While "deprivation" has become one of the most prevalent models used by prison officials to address disciplinary infractions among incarcerated populations, this work redefines deprivation as a punitive mechanism that differentially affects people of color inside and outside of prison. Based on nine months of fieldwork in the women's prison, and several narratives collected from incarcerated women, I retrace the process of becoming deprived to show how communities lose access to their individual and collective contexts over time, and how they work to recover these histories, from a space of confinement. I examine how women of color go about reasserting their histories, accessing inclusive rehabilitative opportunities, and constructing alternative historical narratives from within a space of deprivation. My work weaves the narratives together with a critical analysis of the American carceral state to tell a story about human suffering in the aftermath of the failed "era of rehabilitation," which has seen an escalation in the policing of communities of color and a steady withdrawal of funding and support for education and rehabilitation. I argue that deprivation is not isolated or restricted to instances of discipline within the prison. Rather, it is a process that begins to unfold long before women enter the prison and is compounded and transformed by the conditions of imprisonment, especially among women of color.

Dedication

Thank you to Aisha, Hope, Nora, Wanda, Luna, Miel, Sonya, Amber, and Rose, for gracing me with your storytelling and your poetry. It is each and every one of you who drives me to dismantle a system intent on hiding you and your gifts

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Introduction

In 1897, African-American educators Edward S. Stephens and Elizabeth 'Izie' Reddick worked with Booker T. Washington to open the second black college in Kansas. The 112-acre campus, properly named the Topeka Industrial and Education Institute was known locally and nationally as "Western Tuskegee." Washington visited the school and gave lectures to the public as part of a larger initiative to bring educational and economic opportunities to black communities in the wake of *Plessy vs Ferguson* (1896). By 1919, however, the college was taken over by the state of Kansas and renamed the "Kansas Industrial Institute." Not long after, the college would undergo a series of transformations that would render it almost unrecognizable. Like many of the early promises of Reconstruction, the college went from being a structure that promoted the advancement of people of color through education and industrial training, to one of isolation and deprivation.

The campus of the college is the site of my research on women's education and incarceration. On an early morning in winter 2017, I parked my car in the visitor's lot of the old Industrial and Education Institute in Topeka, Kan. I left my phone, wallet, and purse in the trunk like I had been instructed to do during my correspondence with officials in previous months. Making my way to the large red and beige brick buildings, I climbed the flight of stairs to the entrance. I nodded at the officers and began removing my shoes and jewelry. I placed my belongings on the conveyer belt where officers thoroughly inspected them. I waited for the officer to signal before I walked through the metal detector. I put on my shoes and jewelry, and waited for another officer to buzz me in. I walked through a heavy metal door that slammed shut behind me, and then another, and one more after that. I walked down the winding hallway lined

with barbed wire and entered into the open space engulfed by 30 feet of fence. I am buzzed into the second building on my left, passing officers with women in handcuffs, and other women who are walking freely with books in their hands. I walk quickly down a long dimly lit hallway, and am again, buzzed into another section of the building. I enter the last room down another long, but fairly better lit hallway. I took a seat at the table and waited for Nora to be escorted in.

These moments to and from my research site helped me better understand the intricacies of this disciplinary mechanism. Individuals who enter this space are required to demonstrate their compliance by giving up elements of themselves and surrendering their freedoms to the broader system of discipline and control. Individuals may be rewarded or punished based on their ability to perform compliance by surrendering to these acts of deprivation. Along the way I also shed parts of my belongings and surrendered my body to search and seizure in order to demonstrate my compliance and gain inside access. Being here means hiding certain parts of yourself from view, or surrendering them altogether.

Soon Nora and I are chatting from across the table. “This used to be a black college,” she reminds me matter-of-factly. I heard this assertion from many of my research participants before and after. Nora is one of over 200,000 women living in confinement in the United States, which is home to one-third of the entire world’s female prisoners. While Americans make up 5% of the world’s population, they constitute 25% of global prison populations (Alexander, 2010). Between 2000 and 2001 the number of women in federal and state prisons increased from 85,044 to 103,674 between 2000 and 2011 (Carson & Sabol, 2012). And today, roughly 219,000 women and girls are incarcerated in the United States.

My research explores how deprivation is brought to bear on the experiences of incarcerated women of color in this college-turned-prison through phenomenological and

structural violence approaches. While prisons claim to equalize difference through the labeling of women as “inmates,” I show how histories of deprivation, marginality, and oppression predate incarceration and how these experiences continue to operate within the space of incarceration, differentially shaping access to opportunities.

Through personal narratives collected from 79 prisoners over 9 months, I retrace women’s struggles with inequality and marginality and examine how women of color go about reasserting their histories, accessing inclusive rehabilitative opportunities, and constructing alternative historical narratives from within a space of deprivation. I weave the narratives together with a critical analysis of the American carceral state to tell a story about human suffering in the aftermath of the failed “era of rehabilitation,” which has seen an escalation in the policing of communities of color and a steady withdrawal of funding and support for education and rehabilitation.

Deprivation plays a key role in the management of incarcerated spaces, and is being used to discipline bodies in direct and subtle ways. The goal of the prison is to discipline and control prisoners during their stay. Prisoner infractions therefore represent a dysfunction in the disciplinary mechanisms of the prison (Cao 1997). Deprivation is one of the most prevalent models used by prison officials to isolate and control variables that lead to disciplinary infractions. It is important to point out that the aim of the deprivation model is not humanitarian, but rather, is intended to help officials perfect their disciplinary techniques and exercise maximum control over the space. In carceral and criminal studies the deprivation model assumes “inmate aggression is the product of the stressful and oppressive conditions within the prison itself” (Cao, 104). Officials examine “prison-specific” variables that might serve as deterrents to “inmate adjustment” (Cao 1997, 104) including prison crowdedness, security level (which

correlates with level of control over prisoner behavior and movement), length and type of sentence, access to relationships, among others.

My use of deprivation aims to capture how vulnerable communities lose access to their individual and collective contexts over time, and how they work to recover these histories, from a space of confinement. In this research, therefore, I redefine deprivation as a punitive mechanism that differentially affects people of color inside and outside of prison. I argue that deprivation is not isolated or restricted to instances of discipline within the prison. Instead, it is a process that begins to unfold long before women enter the prison and is compounded and transformed by the conditions of imprisonment, especially among women of color. The goal of this process is to keep certain communities in check by withholding or removing access to elements that are integral to personhood and wellbeing. Therefore deprivation must be understood as the long process by which individuals and communities *lose access* to opportunities, goods, rights, and services, but also, to relationships, individual and collective histories, and rehabilitative environments and resources. Therefore this research investigates the process of becoming deprived.

This research examines three forms of deprivation: one form of deprivation made visible through individual narratives; the second, which is made visible within the actual, physical space and the history of the space in which they are confined; and the third form of deprivation, which is made visible through an in-depth analysis of the history of incarcerated spaces in the United States.

Research Questions

During my fieldwork I noted deprivations that centered on resources, relationships, and, historical representations of women of color in any capacity other than as “inmates.” These

deprivations were evident in labor compensation policies, the makeup of prison staff and officials, hiring practices among prisoners, library and book club reading selections, among others. I noticed that women in the prison desired to uncover and examine their histories, and worked to access opportunities that would help them during and after their incarcerations. Their efforts are complicated by the erasure and disappearance of critical knowledge about the history of the prison and women of color in the prison more broadly.

The more I spoke with women in the prison the more I found myself asking: *What constitutes deprivation for incarcerated women of color in Kansas prisons? How do they respond to deprivation within the prison, and how do they navigate it?* Through an in-depth analysis of the narratives and of the American carceral state, this research aims to also answer *how deprivation is reproduced in incarcerated spaces across the United States.*

It is important to take into account the deprivation that each prisoner has likely faced since they were children, and how it transforms within this space. Their narratives also help to elaborate on experiences that women, particularly women of color, have during their stay of incarceration. Through each narrative, I was able to see elements of deprivation in almost every individual answer, leading me to get a glimpse into how control permeates every level of their lives in this space.

To answer these questions I draw from phenomenology and structural violence approaches. Together these approaches allow me to investigate the more subtle ways that deprivation unfolds in the lives of these women and to connect their experiences of deprivation together in a more holistic way. It also gives me insight into the ways women cope with their realities and the strategies they develop to navigate the prison space. Most importantly, these

approaches give room for women's voices while also situating their experiences in broader social, political, and economic contexts.

I am aware of my privilege in this space, as a white, educated, CIS woman. I recognize that my position allows me to document what is happening to people who do not have access to disseminate documentations of their own suffering. At the same time I do not aim to speak for these women. Instead, my goal is to connect their words and experiences to the larger forces that create deprivation in structurally vulnerable and marginalized populations. To do so, I retrace the production of disciplinary infractions while working to make the mechanisms that produce structural violence in incarcerated spaces more visible.

Drawing attention to the deprivations of incarcerated women of color is limited by the same obstacles that these women face in their everyday lives. Women of color prisoners occupy intersectional identities that are marginalized by public discourses and state policies (Farmer, 2003). Legally, these violations are not being framed as violations of protected rights, and in fact, there is not a universal agreement on what rights a prisoner has, especially in regard to addressing deprivation. Although there are many court cases which state the government's required attention to upholding prisoner rights, there are just as many cases which contradict their findings. This lack of cohesion across the justice system becomes visible as elements of structural violence, especially considering that people of color are punished disproportionately by the justice system.

Literature Review

I began by developing a firm understanding of the literature on mass incarceration, especially through the scholarship of Angela Y. Davis and Michelle Alexander, but also, and not limited to, Marie Gottschalk, Bruce Western, and Manning Marable. These historians, lawyers,

political scientists, and scholars highlight how American incarceration has been structured to intentionally contain and disappear communities. As Dr Alexander's research finds, the American carceral state is a continuation of Jim Crow laws, and continued efforts much works towards exposing how legal justifications for oppression are nuanced within current American policy and practice.

In looking at the prison system as an institution constructed to create a housing place for the loss of liberty, I looked at how the loss of liberty is defined by Gresham Sykes as, "the loss of liberty, goods and services, sexual relations, autonomy, personal security as the basic deprivations associated with prison life" (Pogrebin and Dodge, 531). Sykes emphasized how important it is to enable incarcerated populations to gain access to liberty restoring activities. "To supplant outside losses, many inmates [prisoners] strive for outside normalcy by creating relationships...[and] creating social structures based on family..." (Pogrebin and Dodge, 531). In looking at how incarcerated women reaffirm their own identities, I looked at a study completed by Giallombardo (1966), who examined how "Women alleviate the pains of imprisonment by developing kinship[-like] links with other inmates [prisoners]" (Pogrebin and Dodge, 532).

"Stress" is exacerbated in incarcerated spaces. Thus it can be assumed that incarcerated populations are at greater risk, thus it is necessary that prisoners be provided with immediate access to learning opportunities, mental health services, and mechanisms that counterbalance the pains of deprivation. The Stress Process Theory is used to examine life course perspectives and significant life events, in the context of trauma.

which can be personal (sexual victimization) and/or historical or social structure (world war/unfair policies and practices) which influence the life course trajectories of individuals. The Stress Process Theory informs the Life Course Theory by emphasizing how the magnitude of a single adverse event or the stacking of cumulative events influence individuals' life course subjective experiences, including later life mental well-being (Pearlin, 2005).

Individuals who have experience with one or more difficult periods of chaos or a large change, combined with the stressful condition of institutional confinement, are exposed to heightened risk of adverse mental well being (Maschi T, Viola D, Morgen K, 858). Incarcerated populations tend to report one or more difficult periods in their life, which correlates with statistics that prove women who are incarcerated report higher levels of mental illness, addiction, and trauma, and need greater access to opportunities that will enable them to cope with the pains of imprisonment.

According to Cathryn Chappel, whose research focuses on post-secondary educational opportunities for incarcerated populations reveals that the American public supports revoking funding based on fears perpetuated by conservative policy makers.

There are persuasive counter arguments against limiting or denying education for prisoners. First, imprisonment involves assumption of public responsibility for an inmate's nutrition, shelter, physical health, and mental health—including education. Second, there is a false dichotomy between support for students from working or middle class families and providing support for inmates seeking to improve themselves. Third, research studies repeatedly finds that prison education reduces recidivism rates and thus improves public safety (Chappell, Cathryn 148-169).

And of course, an education for which a prisoner 'pays' through incarceration entails a far greater personal cost than tuition could possibly represent. No one ever decided to prison in order to obtain a free college education (Lockard & Rankins-Robertson, 2011). There is an ongoing social fear pervasive in media, books, and other mediums, which embody "these legal exclusions and educational disenfranchisement [which] relies on a moral order of entitlement, or what Loïc Waquant terms "a restricted compact order for the deserving" (Loïc Waquant, 139). Considering 70% of US prisoners are people of color, this means that the configuration of exclusion conforms to historical US patterns of social recourse denial on the basis of race (Bureau of Justice

Statistics, Census of State and Federal Correction Facilities Washington”, (D.C: US Department of Justice, 2005, 5, Table 16).

Bruce Western’s book, *Punishment and Inequality in America*, examines how “large-scale imprisonment by the end of the 1990s concealed significant poverty and inequality from official statistics by locking up so many...with little schooling” (Western, xii). Western asserts the penal system only deepened inequality for marginalized communities, especially African Americans, by further diminishing life chances among disadvantaged groups. Similarly, Gottschalk notes, “about half of the growth in U.S. incarceration since the 1970s has been fueled by removing more African Americans from their communities” (Gottschalk, 19).

Bruce Western unpacks the historically unrealistic data surrounding the calculation of American unemployment. “The prison boom makes a new contribution to the invisibility of the poor in a profound way. Imprisonment conceals “criminal offenders” by removing them from the poor communities that feed the penal system” (Western, 87). The profound “social exclusion” they experience significantly undermined any gains made within individual communities, and that of the Civil Rights Movement. The invisibility of jails, prisons, and the penal system as a whole hides the depth of inequality increased by incarceration. The disadvantaged poor who are sentenced to prison are “literally invisible because the penal population is omitted from the data sources used to track economic trends” (Western, 87).

Prison work programs are not considered employment according to the Census Bureau, because prisoner work within prisons does not satisfy paid employment. Prison labor does not satisfy work programs for the following three reasons. One, prison work programs are not covered by minimum or industrial relations laws; two, prisoners’ standards of living are not improved by work in prison industries; and finally, prisoners are not free to quit their jobs and

search elsewhere (Western). Thus, the Census Bureau is able to exclude incarcerated populations as working populations, and is able to reserve “the employment classification for those in paid jobs on the open labor market” (Western, 88). Because incarcerated populations participate in conducting labor, but do not satisfy the necessary components to be labeled as such, these communities are rendered invisible for the purpose of official statistical analysis on American unemployment. Their time in prison effectively stops their lives in multiple ways, but especially in terms of education and developing a work record (Tonry, 2012).

Through inaccurate statistics on joblessness, the United States has been able to limit accessibility to the actual number of people who are out of work. This, of course, most dramatically affects communities of color. “In 2000, the conventional jobless rate for young white men was 10.6%...” (Western, 89), but when the penal population is figure in, that number rises to “12.0%” joblessness for young white males. “Between 1980 and 2000, the number of young Hispanic men grew from 25,000 to 130,000. By 2000 the penal population accounted for 30% of all joblessness among Hispanic males aged 22-30. This level of incarceration lifts the conventional joblessness from 10.3% to 14.3% in 2000” (Western, 88-89). And for African Americans, “22.9% of young black men were out of work, roughly double the jobless rate for whites...joblessness [for African American men]...rises to 26.7% in 1980... and between 1980 and 2000, the population of young black men increased from 110,000 to 285,000... (Western, 90), and adjusting for incarceration rates, “32.4%” (Western, 91) of African American men are out of work.

While they are in prison, prisoners do not count as unemployed. Western and Beckett (1999) have shown that U.S. labor-force participation statistics (especially unemployment figures) are distorted by a failure to take into account those who are incarcerated. “As the

unemployment rates sank to historically low levels in the late 1990s, jobless rates among non college black men in their twenties rose to their highest levels” (Western, 97), while incarceration rates soared, especially for African American women and men. Bill Western’s research is of great importance because I saw this reflected in my fieldwork as well. As women are required to have “work duty” in this space, they are paid between 40 cents and \$1.05 per day. This book is what made me realize I needed to include a question about work positions in the prison for my interviews.

Dr Tanya Erzen’s research on educational programing and religious programing in prisons inspired me to further examine how resources are allocated within confined spaces. Her book, *God in Captivity*, is an accumulation of research, interviews, and hands on experience within the prison system. Dr Erzen travels all over the United States to determine how and to what extent religious freedoms are available to incarcerated individuals, paying special attention to Faith-Based Institutions and the ability of their founders to evade conspicuously violating First Amendment rights, under the banner of spirituality. Erzen provides insightful accounts of what happens to the individuals who do not wish to identify as evangelical Christian, and how that affects their access, while also providing deep insight into the mechanisms of Heart Change.

Reading Paul Farmer’s book *Pathologies of Power* helped me to unpack the historical vastness of structural violence. His research in both Haiti and, specifically, his research in Russian prisons were critical in making visible other elements of structural violence, which exist in American prisons today. In order to further examine the carceral state as it stands today, the history of incarceration and race in America must be tethered. Paul Farmer approaches the study of inequality and its impacts on vulnerable groups through the lens of structural violence. Farmer grounds his ethnographic research in “a historical understanding of the large-scale social and

economic structures in which affliction is embedded” (Farmer, 305) in order to elucidate a the necessity of investigating history, anthropology, and biology, especially focusing on the history that which is purposefully omitted from the dominant narrative. In order to fathom the level of suffering within incarcerated spaces, it is salient to explore the histories of penal institutions, where structural violence is exerted systematically over time. Paul Famer has coined the term Triple Axis of Suffering to describe a “hierarchy of suffering” that exists, and works along lines of gender, race, and socio-economic status.

In examining the high levels of the destruction of coming of age rituals, Paul Farmer’s scholarship encouraged me unpack and question mechanisms put in place by the state, that are perceived as being ‘helpful’ or to be ‘rehabilitating. Specifically focusing on “mechanisms through which large-scale social forces crystalize into the sharp, hard surfaces of individual suffering.” Such suffering is structured by historically given (and often economically driven) processes and forces that conspire—whether through routine, ritual, or as is more commonly the case, these hard surfaces—to constrain agency” (Farmer, 11-12). Life choices are structured by racism, sexism, political violence, and grinding poverty” (Farmer, 12, and thus must be examined as such.

The podcast *Pod Save the People*, especially the episode “Lifting Others Up”, (January 2 2018), was salient in adding to my findings. Wes Moore of Robin Hood is interviewed and provides information on the status of Rikers Island. Although it is in the process of being deconstructed, the current reality there cannot be forgotten. Robin Hood attempts to shed light on how 80% of people who will sleep on Rikers Island tonight have not been convicted of a crime, but are unable to pay exorbitant bail amounts. This violates a person’s 8th amendment, and

encouraged me to further examine how current penal policy visibly affects the most vulnerable communities.

Dr. Jessi Lee Jackson's article, "Situational Lesbians & the Daddy Tank: Women Prisoners Negotiating Queer Identity and Space 1970-1980" provided an in-depth analysis of the framework of female prisoners' sexuality, and their ability to create queer spaces within incarcerated spaces. In looking at how lesbians, and perceived lesbians, have been discriminated against, Jackson provides context as to how to demystify sexuality within prisons. She finds that the creation of queer spaces in prisons resists the state control over the bodies of predominately women of color, have challenged state racism and institutionalized discriminatory practices. In demanding that scholars examine the profound history of queer spaces and equality in carceral spaces, she provides an in-depth history on the treatment of 'butches and femmes' behind bars. Her research encouraged me to reflect on alternative ways to determine levels of deprivation within incarcerated spaces.

Radhika Coomaraswamy conducted the United Nations Report on Violence Against Women in U.S. Prisons, *United Nations Human Rights Commission*, 1999. She found that prisons, jails, juvenile detention centers, and ICE facilities violated the United States Constitution, as well as the minimum standards required for the treatment of prisoners internationally. She elaborates on the international legal framework, which maintains civil liberties for incarcerated peoples globally. In attempting to unpack the complex web of legislation in the United States courts, and to combat the rampant abuses that take place in incarcerated spaces, Coomaraswamy suggests better training for officers, increased privacy for incarcerated populations, and steps towards ending sexual violence in prisons, especially against women.

Drawing attention to the violations against incarcerated individuals and communities can be a challenge. Like states' rights, 'tough on crime', becomes 'right on crime', becomes 'smart on crime' (Erzen, 169). "The current legal process often obscures the reality, and forgets that most people in prison have also been victims. Over 85% of women in prison, for instance, report experiences of domestic violence and sexual or physical abuse" (Erzen, 135). The legal term, "Victim", has two meanings. "The first is the victim of an assault, rape, or some other cruel, malicious treatment. The second is a collateral victim, who endures the loss of another" (Erzen, 131). The term 'victim' tends to denote physical, mental, or emotional suffering. The creation of the Victims Rights Movements exacerbated how Americans view incarceration and punishment, and would encourage harsher punishments and greater expansions of deprivation in incarcerated spaces.

The victims' movement came to power in the 1970s, and its foundation is in retributive and punitive methods. The victims' movement has been notoriously utilized as a "powerful weapon in the arsenal of proponents of the law-and-order agenda" (Gottschalk, 77). Penal conservatives have been successful, where other Western countries have not, in successfully framing victims' rights against the rights of offenders. This concern over victims' rights was guided by

a strong belief that offenders should be punished based on how much punishment they inflict on society and on individual victims; that victims should be given more power in decisions about prosecution and sentencing; and that the criminal justice system exists largely to satisfy the victims' desire for justice, memorial vindication, and revenge (Van Dijk, 117).

The conservative victims' movement desired to regenerate the images associated with crime, by stating that they were addressing the "imbalance between the rights of the accused and the rights of the innocent" (Gottschalk, 79), thus expounding upon the rights of victims', and at the cost of

the rights of those who are accused. As it is true that people of color predominately make up the prison population, it can be assessed that the conservative movements aimed to dehumanize and demonize people of color as the *accused*, while assuring that whites were making up the majority of *images* of victims. “Crime control policy was seen as a zero-sum game; you were either “for victims” or “for criminals,” there was no middle ground” (Tonry, 9).

Until the 1960s, minimal funding was actually spent for the usage of crime control. The passage of the Omnibus Crime Control and Safe Streets Act in 1968, called the “master plan for the national war on crime” (Gottschalk, 85), created the LEAA (Law Enforcement Assistance Administration), which was under the banner of the Justice Department. This Act was implemented in order to “fund projects that would improve the criminal justice system’s handling of victims and witnesses” (Mawby & Gill, 118). With the funding provided from the Johnson administration, “it gave state and local law enforcement authorities enormous discretion to use federal funds as they saw fit without providing them with a coherent definition of and attack upon the crime problem” (Freeley & Sarat, 47).

This funding was predominately spent on “huge shopping sprees as they [police task forces] purchased all kinds of policing and military hardware and established special units, most notably swat teams... its budget blossomed from \$63 million in 1968 to nearly \$1 billion-a-year in its heyday in the 1970s” (Gottschalk, 86). The LEAA was a pivotal factor in the creation of not just a victims’ movement in the United States, “but a very particular kind of victims’ movement, one that viewed the rights of victims as a zero-sum game predicated on tougher penalties for offenders” (Gottschalk, 86). The LEAA would also provide funding for special training and educational conferences in regard to dealing with victims; these conferences would lead to the birth of the National Organization for Victims Assistance (NOVA, 1975).

Those most involved with NOVA were also heavily intermeshed within the LEAA. By providing critical funding to NOVA, LEAA transformed the department from volunteer based, into a 'professionally staffed organization'. Although this organization originally fostered its goal around marginalized populations and refused to take a stance on the death penalty, conservatives were still able to lobby and affect decision making and funding, thus enabling them to determine which groups through NOVA would receive benefits. By controlling the national agenda on crime, the conservative victim movements created a dominant model determining that victims' rights would be deprived, if the accused were not deprived of theirs.

As Marie Gottschalk argues, "the contemporary women's movement in the United States helped facilitate the carceral state" (Gottschalk, 115). "Ironically, some of the very historical and institutional factors that made the U.S. women's movement...more successful in gaining public acceptance and achieving its goal for women were important building blocks for the carceral state" (Gottschalk, 115), which emerged at the same time during the 1970s. Conservatives were able to manipulate the message and the goals of feminist movements, through the help of the LEAA. "Feminists generally ignored how U.S. history is littered with punitive efforts to address violence against women and children that ended up idealizing the nuclear family and motherhood and emboldening political conservatives" (Gottschalk, 163). The victims' movement, the LEAA, and the anti-rape movements transformed the structure of early mass incarceration.

In order to make it easier to arrest alleged rapists, the feminist movement merged with the 'tough on crime' and law and order movement. The LEAA offered funding for rape crisis groups, and lobbied for control over these groups. In successfully recasting the "feminist definition of rape as a political issue into the problem of an individual victim" (Gottschalk, 125),

more attention was given on the ability to successfully report attacks to the police, then to be able to access treatment of health services after sexual assault. “The report found that law engagement and other institutions successfully resisted reforms introduced to help rape victims” (Gottschalk, 125), and in doing so, “it recommended the establishment of new local programs and procedures so as to improve the treatment of rape victims by the authorities and increase the likelihood of successfully prosecuting the case” (Gottschalk, 125), rather than providing social welfare to victims of abuse.

With the help of funding from the LEAA, “the government successfully absorbed many of the [previously] independent rape crisis centers and services” (Gottschalk, 125), which would lead to an increase in reporting of crimes, therefore more arrests, but would cause a decline in programs available to victims. “By 1981, only 200 to 300 independent rape crisis centers were still in operation, compared to 600 to 700 five years earlier...by the mid-1980s, about half of all centers surveyed did not engage in any political action work, excluding lobbying” (Gottschalk, 126). Thus it appears that the government did not absorb the victim help centers to cause a decline in rapes or sexual violence, or to aid victims, but to cause an increase in number of arrests. The lack of diversity within the feminist movement in the United States points to the lack of sensitivity towards women of color as victims of rape. “The early anti-rape activists tended to play down or ignore how the charge of rape had been used historically to reinforce white supremacy and the color line in the United States” (Schechter, 40). The early anti-rape activists were typically white, middle-class women, who did not seek advice or guidance from marginalized women, and seemingly “viewed the state as an institution that, if properly reformed, could be counted on to control violence against women” (Gottschalk, 129).

Today, black women make up 8% of the entire US population (Pod Save the People, It's Such BS, Dec 5) and constitute "29% of all female victims of domestic violence and homicides" (Pod Save the People, It's Such BS, Dec 5). There is accumulating evidence that "battered women themselves are at greater risk of being arrested for domestic violence under mandatory arrest policies" (Gottschalk, 160). These policies also put mothers at risk of losing their own children, because they have reported acts of violence within their homes. This was the case for some of my research participants.

Women have become the fastest growing prison population in the United States since 1995 (Gottschalk, 161). The Bureau of Justice statistics found that "imprisonment rate of black women is twice that of white women"(Pod Save the People, It's *Such BS*, Dec 5). Furthermore, African American women who are, or have been incarcerated, experience disproportionately higher rates of sexual abuse cases, compared with women who have not been incarcerated. Critics of the mandatory arrest policies and no-drop policies argue that zero tolerance policies actually disempower women, especially those who have histories of being abused.

In 1982, the Reagan administration proposed that the Sixth Amendment to the Constitution include: "Likewise the victim in every criminal prosecution shall have the right to be present and to be heard at all critical stages of judicial proceedings" (Erzen, 131). Although it was not passed, "Forty-nine states and the federal government have passed provision giving extensive rights to victims" (Erzen, 131). And after 1991 victim impact statements could be used in death penalty cases.

In the court battle, *Payne v Tennessee*, "Chief Justice William Rehnquist argued that evidence about the impact of a murder on the family of a victim could be used in deciding whether to impose the death penalty. In his dissent to *Payne*, Justice John Paul Stevens asserted

that victim impact statements serve no other purpose than to encourage jurors to decide in favor of death rather than life on the basis of their emotions rather than their reason” (Erzen, 132).

Law professor Robert Ferguson “argues that articulation in court of the pain and suffering of the collateral victim, the mourning survivor, has a transferring purpose. Everything the victim records about the pain felt is meant to increase the pain to be inflicted on the convicted offender...the role of reason in conviction gives way to an emotional narrative in favor of punishment...and no amount of suffering by the prisoner is enough to appease the victim” (Erzen & Ferguson)

Methods

Researchers of the carceral state must make it a priority to include the voices of incarcerated women of color in their research. I aim to demonstrate methodologies for approaching research on incarceration by expanding and elaborating on different aspects of deprivation, which focuses on incarcerated women’s narrative, and through structural violence approaches. It is necessary that a method be implemented to study deprivation in its most subtle forms, but voices of those suffering under the deprivation must be given precedence.

I utilize phenomenological interviewing, which I argue bears meaning on participants lived experiences. By drawing on phenomenology and structural violence approaches, this research connects case studies on deprivation and incarceration with my own fieldwork on women’s experiences with deprivation in incarcerated spaces. I argue that the current models of assessment, deprivation and imported, have not only *not* helped assess the needs of women of color, but furthermore limited their opportunities, which is why my methods require attention to these kinds of assessments. I am pursuing a structural violence approach and closely examining the violence that is nuanced, hidden, even couched within state policies and practices. This

research connects individuals' articulations of their own agency, experiences, interests, and suffering within the carceral state, with that of a critical analysis of the American carceral state.

This process is important because these current methods are a continuation of the limitations of women's potential, placing them at a higher risk, and revoking privileges that would allow women to empower themselves. I argue these methods are not just limiting, but depriving. There are also discrepancies in gender, as women are placed at an increased vulnerability in prison, and are more likely to be punished than their male counterparts. The assessments and categories are devastating to these communities, because it differentially exposes women to violence. These assessment models and the programs they produce miss the subtle ways violence becomes enacted, and suffering becomes inflicted, on vulnerable groups.

Because of the limitation on women's potentials in this space, it is their "right" to receive certain opportunities according to US law, but current methods in place are keeping women from properly accessing and engaging with these opportunities. Structural violence approaches help answer the questions about experiences of deprivation among women of color in Kansas prisons. This research helps to unmask and uncover what the methods are that are keeping women from accessing opportunities.

I began by developing a firm understanding of the literature on mass incarceration, especially through the scholarship of Angela Y. Davis and Michele Alexander, but also, and not limited to Marie Gottschalk, Bruce Western, and Manning Marable. These researchers and activists highlight how American incarceration has been structured to intentionally contain and disappear communities. As Dr Alexander's research on "racial cast" elaborates, the American carceral state is a continuation of Jim Crow laws, and it is necessary to further expose how legal justifications for oppression are nuanced within current American policy and practice.

My next step was to craft and then initiate a pilot study within an incarcerated space. My ideas floated around questions of age, marriage, educational experience, alleged crime, but also beyond arbitrary survey questions, engaging with whether or not they felt, *from their own experiences and perspectives*, that they had entered, or were forced into a plea agreement; accumulations of how individual women initiate bonds across this space, when connections are discouraged; and how arbitrary rules continue to shape the interventions and resources to which they have access.

My initial pilot study was meant to examine the relationship between educational level and prison sentence harshness, but the more I spoke with the women at this location, and other incarcerated people in the United States, the more I realized I was not being reflexive enough in my own research. I began to realize that culminations of deprivation were evident in each and every answer. These interactions encouraged me to listen differently, and to hear what they were not saying in between expressions of trauma. As was always a focus of this research, I wanted to know what it is the participants would like to “discover, to learn about, or to explore”, which always evoked responses of overwhelming excitement. Aisha, whose story I explore in detail in Chapter 6, expounds upon her thoughts on education.

“[education] That is where I have to start. And today is a day, one of them days, where education is the most important thing to me right now. I have a whole lot of misprints in my life. I need to learn by experience...teaching moments. Every experience is a teaching moment, life is a teaching moment. You can go anywhere, do anything... that is the biggest downfall, doubting yourself...I don't need that.”

The more women I spoke to about their experience, the more I found myself asking, *How long has it been since someone asked them what they liked to read about, or to learn about?*

I found that I was able to make the richest connections with my participants when I started the interviews off with, “Please remember that this is your space to answer each question

as *you* see fit—maybe that is a one word answer, maybe that is an extensive-drawn out response—either way, this, is *your* space.” I wondered if each participant knew how nervous I was, not of them, but of accurately representing them, their words, and their trauma. I wanted to clutch the hands of each of my participants and thank them for their gifts, but that felt shallow, ineffectual even. I wanted to throw a temper tantrum, rip from the walls the tattered promotional posters reminding us all that ‘inmate access is forbidden in private bathrooms’—as if they had forgotten—and as each participant calmly retold their trauma to me, trenched in-between laughter and their own memories—*what right did I have to cry in front of any one of them, to break down*— just in bearing witness to the trauma through their storytelling and poems, having not actually seen it myself. I sat down in many different, uncomfortable chairs, and I listened to storytellers, poets, philosophers, and mentors, relive their histories in various cramped rooms, some with windows to the world, most without, and at night, when I laid in my own comfy bed, I wondered how many of them could not find sleep, either.

I drew heavily on phenomenological interviewing. The narratives were collected over several sessions and physically transcribed. To analyze the narratives I began by listening to and rereading the interviews collected between my time at the prison. During this process I rearranged the narratives, providing context to their stories, while working to maintain their original content. I listened to hours of audios, trying to determine whose stories would fit into the page requirements of my thesis. I barely even scratched Luna’s story, who is serving “150 months” (12.5 years) for a non-violent crime, who wanted me to know: “I like meditation and dreams. You know self wellness”—the foster care system will not allow her son to see her until he has phased out at 18; he is 9-years-old. Should I have shared more about Miel? She is serving 74 months (6 years) for failing to register as a drug offender. She is the mother of four, who told

me: “they said it was going to be a maximum of 25 years... I got a downward departure¹, and the judge showed leniency on me. I was pregnant.” Agnes, who is 55, arrived in this prison at 36, and is serving “300 months, 25 to life for Murder in the First Degree”, but is anticipating her first parole hearing in 2024. She killed her abusive husband, to rescue her three young sons from his reign. As we discussed, they are all grown men now. And how can I leave out sweet Sonya, who did her chemotherapy treatment in prison. *Do you know how achingly, physically ill someone feels when they have chemotherapy injected into their body?*

Each and every narrative is as important as the next. Every single narrative uncovers small, every day acts of violence that take place in incarcerated spaces. Each narrative is unique, but it is shared amongst a population that has now reached 2.3 million. I chose these particular narratives, because they give the reader a sense of continuity, which eases the reading process. I reviewed each narrative for recurring themes. I noted the prevalence of the association between storytelling and trauma. I found these five themes were most commonly present in the audios and were commonly used by my participants. “Trauma, learning, longing, books, time.” It is interesting, you know; all of the women I spoke with, when they spoke of their future, they spoke in terms of months, “I have 55 months”; “I have a minimum of 300 months.”; “I got 8 months”; “I have 240 months”. “Months are easier to count than years, you know?” –Sonya

After collecting narratives over a period of nine months, I began correlating the narratives to history, as I was also conducting an in-depth analysis of the American carceral state in between my interviews. Aisha was first incarcerated during the 80s, where the war on drugs and crack cocaine heavily targeted black bodies. Miel was caught with marijuana and paraphernalia

¹ Downward departure is used in criminal law to refer to ‘departing downward’ from the applicable sentencing guideline range, for a statutory minimum sentence. Typically a lighter sentence. A request for downward departure is typically made by motion and is often referred to as a downward motion.

in a Drug Free Zone, and was originally given 25 years because they were in a school zone; Policies for increasing surveillance in areas which are considered Drug Free Zones has been expanded heavily in predominately black communities since the 1970s. What this essentially created was a structure which increased drug penalties, often equating non-violent drug charges to murder charges. As I continued to collect their narratives, I kept making connections as to how the policies I was studying were reflected in actual practice.

When working within the parameters of a carceral state, especially when striving to access a population that is in suffering, but is also actively being hidden, there are always going to be innumerable and unforeseeable challenges. The carceral state itself is a massive challenge. There are three defining features of the American carceral state, the sheer size of its prison and jail population; its continue and growing reliance on harsh, degrading sanctions; and the persistence and centrality of the death penalty (Gottschalk). With a continued commitment to a long-term goal of prison abolition, and an understanding of the importance of power imbalances, intersectionality, and freedom of movement, my research aims to draw links between the historical suffering within these spaces, in relation to mechanisms of structural violence. However, I was still surprised and exhausted by how challenging the process of accessing correctional spaces would be.

I first began my research by conducting one-on-one interviews with incarcerated women at a Kansas prison. In doing this, I learned that there was an extensive waiting list for a bookclub. Although this bookclub was not of much interest based on the chosen material, it was, at the very least, a space for conversation and communal gathering. The booklist was restricted to romantic fiction, which did not interest the majority of the women I interviewed, albeit they remained on the waiting list, which in spring 2017, stood around 200 women. As the women I interviewed

expressed their desire to be in a bookclub based off of their interests, rather than one that depicted people of color as the object of desire, I began to question what resources were made available, and how difficult it was to get resources physically into this space.

I completed a volunteer training course and undertook an extensive IRB approval process. I noticed small, but visible mechanisms of deprivation within the prison. Whether it was the visible, metal, concrete “cage” ‘for those exhibiting mental illness’—where prisoners are chained to a chair, which is behind bars, but in the communal, TV room, where other prisoner sit on hard, plastic chairs, sans the chains—or in noticing that the toilet was within arms-length from prisoners’ pillows. In attempting to access this incarcerated space, I came across multiple hurdles put in place by a system which claims its seeking to protect vulnerable populations. In assuming my participants would be overwhelmingly illiterate, or at a “low reading ability”, the International Review Board repeatedly rejected my consent forms due to their ‘necessary high level of comprehension’, which I argue, stood at a sixth grade reading level, as is required in all governmental documentation in the penal setting. After receiving a second deferral, which stated:

There is concern that your consent letter may be written at a high reading level. The informed consent letter needs to be written at a 6th grade reading level. Instead of words like withdraw maybe use words like "quit." Phrases like “protection for human subjects participating in research” *may not be readily understandable to an inmate population.* Please edit your consent form. (IRB Deferral)

And for the third deferral I received,

The consent form includes research jargon that may not be easily understood by someone who is not familiar with research methods. Words like “bibliotherapy, mixed methods, and qualitative/quantitative” should be changed, and instead use layperson language to describe your research procedures (IRB Deferral).

Although my consent form defined these terms, the International Review Board did not allow me to explain these terms, instead it demanded I edit the words down so that it “may be easily understood by an inmate population.” I believe removing any of those terms would provide less

than enough information for my participants to determine whether or not they would like to participate. The language used by the IRB is utterly exclusionary in assuming that incarcerated populations are unable to understand documents at fourth-sixth grade reading levels, even though all governmental documents in the prison are at at sixth grade reading level, as stated by prison staff. Another hurdle that presented itself was the *assumed* violence and bad behavior of my participants.

In the second IRB Deferral:

What is your procedure for handling a group member who may become upset or disruptive? Will you be alone with the participants, or will a prisoner employee be present? The IRB is requesting that you set group rules so all participants are aware of what type of behavior is expected within the book club, and how it will be handled if there is a disruption (IRB Deferral).

Although rules are of course important, they already exist in this space. Rather than being just another person exerting power over them, creating more rules for them to follow, I asserted that any *extra* group rules should be created by the groups.

After meeting with the IRB review board in person, they again brought up the assumed probability of my population being illiterate, and demanded that I edit my language to be at that of a fourth grade level. Even though all governmental documents in the American prison system are required to be at a sixth grade reading level. After months of deferrals and edits, my research was finally approved with minimal time to complete the research I had been advocating for throughout my MA career. From my own observations, the IRB committee that I met with, is made up of 6 white males and 9 white females. It is consistent with the dominant narrative, but it is a continuation of power imbalances where a majority white group makes decisions about the access that a predominately non-white population has.

In assuming an incarcerated population would be unable to participate in this activity, engaging in reading groups based off of their own stated interests, it dismissed the probability that this population is actively seeking a space to discuss material based off of their interests. In regard to the usage of the International Review Board's language, it is important to assess how the decisions being made limits and impacts women in prison, particularly women of color. This tension exhibited itself in my own research. As I engaged with these women, and got to know them as human beings, I realized that the women wanted more than what they were being given credit for desiring. "I want more programs about not coming back here, and people that are here for a long time, they need programs, too... How much time do you really want from a person?" I found that the attitudes that assumed my participants would be limited in their ability was misplaced. Their perception of women of color is shaping the interventions and strategies available to already marginalized prisoners. So furthermore, incarcerated spaces must be assessed in accordance to these methods that deprive incarcerated women of obtaining resources. These assumptions of women of color are riddled with biases, and it appears that its being perpetuated from the top level, which has the most control in who will access what privileges. In constricting the opportunity to grow, which is expected by ignoring deprivation, inequality is being reproduced in a space which is already marginalized and vulnerable.

But of course the IRB was not the only problem that presented itself. It is important to acknowledge that there are barriers secured to make entering and studying these spaces as difficult as possible. Almost as if encouraging researchers to not pursue field work in these spaces. The indisputable control of the state to manufacture perceptions of prisoners and their experiences— people, places, resources, representation, health, wellbeing, and even speech—and to conjure their memory for the public to see, without reference to the original acts of violence,

such as indeterminate sentencing, three strike laws, police bias, and so on—plays a prominent role in the production and reproduction of regimes of terror. “The public perception of incarcerated women remains largely influenced by fictional film or TV dramas, reality television, or new stories that reduce complex relationships and circumstances to twenty-second sound bites” (Jacobi, 41) “A substantial body of research documents the role of media—especially television—in construction perceptions of crime and public images of the criminal, and subsequently shaping attitudes, everyday interactions, and public policy” (Heitzeg, 13). Due to television series like , *Locked Up*, *Cops*, and others, the public perception of crime has been shaped by images created by Hollywood. “The public depends on the media for its picture of crime” (Dorfman & Schiraldi, 2001 p 3) “These media representations have real consequences. TV news coverage of crime reflects and reinforces what Glassner (1999) calls the “culture of fear”... (Heitzeg, 14) which causes people to overestimate the crime rate, and “indicate personal fear of victimization” (Heitzeg, 14).

Through broad and terrifying generalizations of the ‘violent offender’, ‘the criminal’, and ‘the super-predator’, depicted as predominately people of color, and white victims, the historical particularism of given populations and situations is erased and replaced with singular, “official” narratives that actively aim to exclude alternative voices. Within the spaces produced through their absences, “the social imagination populates its “metamorphosing images of evil” (Taussig 1984:468), spreading geographies of blame across neighborhoods, cities, and regions. This is visible in statements made by the FBI claiming that the biggest threat to American national security was the Black Panther Party in the 1950s, which vilified the black resistance movement, and today, when the current Administration is intent on a resurgence of ‘tough on crime’ politics. This distortion of communities, cultures, and histories implies the impossibility of challenging

the status quo because the mimesis presents “an optic which perceives the everyday as impenetrable, the impenetrable as everyday.” (Taussig 1984:497, Ghazali, 2017:57).

The media has aggressively contributed to the exaggerated public fear of crime by promoting simplistic solutions based on emotion rather than on sound policy decisions. Stephen Pfohl (2007) warns that social constructions always push alternative ideas and perspectives to the periphery. “As such, the images and stories that circulate in the media, for instance, are haunted by what they excluded” (Leavy, 131). And as Bruce Western has researched, “long-standing fears about crime and other social anxieties may form the backdrop for the growth in imprisonment” (Western, 48).

Currently, the American Correctional Association uses the term "indigenous model" to represent the method to hypothesize if a prisoner will incur disciplinary infractions based on prison security level, indeterminate sentence, and length of sentence as factors of determination. I argue that the very usage of this term ignores the past histories and peoples who identify with this term. By appropriating the term, "indigenous", it also ignores individuals who are in prison who identify as “indigenous”. I instead have termed the “indigenous method” as the “deprivation method.”

Through invisible signs, such as black women making up 4% of the American population yet double that of the white women prisoner population, and unspoken references to implicit biases, and gestures, especially through policy and practice, the absence of prisoner suffering in the dominant narrative has become a force of terror capable of manufacturing and reproducing subjugation. But how does one know what is absent or what is unspoken? Timothy Mitchell has noted, “any attempt to write about the everyday use of violence against the powerless faces the problem of evidence,” (Mitchell 2002:153). The data that is needed to inform analyses of

oppression is rooted in histories that have been methodically erased by the very forces researchers are trying to investigate and capture in their works.

Summary of Chapters

The First chapter examines the history of mass incarceration and the Prison Industrial Complex. I provide context by exploring how race has always been an historical factor in incarceration. In the second chapter, I analyze court cases to examine justified violations of prisoners' amendment rights to see which mechanisms of inequality reproduce themselves and how. I investigate current methods, deprivation and imported, implemented to determine probability of prisoner infractions, and how these methods actively reproduce deprivations that women face outside of prison along lines of socio-economic status and race.

The third chapter theorizes the physical space of the prison, playing close attention to its historical transformations. In looking at this space as a prison space, a reading space, a monopolized white space, and a space of inequality, I explore how reproductions of outside deprivations are reproduced. For the fourth, fifth, and sixth chapters, I look at how deprivation takes shape before women enter an incarcerated space and after. The fourth chapter is Nora's narrative, which highlights access for Native American women's educational and economic opportunities, as well as the difficulties of being a young, poor mother forced to make decisions based on what she is being deprived of.

The fifth chapter is Hope's narrative, which expounds upon the trauma that women experience in county jail and in prison, and how support networks dramatically affect a person's experience in confinement. The sixth chapter is Aisha's narrative. This chapter highlights how women's life outside of prison is shaped even further by the deprivation of resources and skill building opportunities allotted to them in this space.

Chapter 1: Mass incarceration and the Prison-Industrial Complex

The first thing I would say is, that people of color and poor people, are not looking for a less expensive way to be punished. Which seems to be part of the driver around mass incarceration, is the cost, and I know understand the value of that discussion to bring conservative folks to the table. But if we are not having a values driven discussion about a criminal justice system, that offers redemption and transformation, all we are going to end up with is a new version of what we already have today... the first thing I urge people is not to skip over, why are we doing what we are doing, but what else should we be doing? If you look at the civil rights era and all the gains we made around employment, education, equality, enfranchisement, all these things have been eviscerated by our criminal justice system, to anyone who has been involved in the system...²

Introduction

In 1972, less than 350,000 people were being held in prisons and jails across the United States, compared to 2.3 million people today (Alexander). Bruce Western argues that the prison boom is significant, mostly for its effects on social inequality. In examining the effects of mass incarceration, it is pertinent to understand that social stratification has always been an aspect of the American carceral state. Structural violence occurs over time, and it infiltrates governmental systems which incite power and control over marginalized, incarcerated populations. Structural violence occurs when instances of violence are broken down into small-scale, everyday acts of violence, which leads to the reproduction of violence across time and space. In assessing how incarceration has become a major institutional presence in the lives of African Americans, and other people of color, it can be understood as a mechanism of systematic imprisonment aiming to control whole groups of the population. “In 1979, the juvenile incarcerated population numbered 71,922 compared to 108,931 in 1999” (Western, 39), showing an increase of nearly 40%, [although] the adult prison population soared by “430 percent” (Western, 39). When people of color are disproportionately incarcerated, it can be assessed that these numbers are most

² Martin, Glenn. “This is Personal”, *Pod Save the People*, November 21, 2017, Podcast

representative of already marginalized communities. “From the time of the first prisons, the aim of redemption always dialed with the rationale of efficiency, control, and profitability” (Erzen, 43).

The most marginalized and vulnerable in communities are the main victims of structural violence. “A violence which has thus far defined the analysts of many seeking to understand the nature and distribution of extreme suffering...the poor are not only more likely to suffer, they are also more likely to have their suffering silenced” (Farmer, 25). Structural invisibility is utilized in incarcerated spaces as a systematic erasure and disappearance of societies poorest and most marginalized communities. In an attempt to manage society, mass numbers of communities are being closed off from public and official life. The notion of incarceration as punishment, which I discussed earlier in the chapter, reinforces and provides justification for the invisibility of suffering of incarcerated populations in public discourse.

Mass imprisonment is a new approach, not just to manage crime, but to manage society (Simon, 2007). Social geographer Ruth Wilson Gilmore writes that mass incarceration is inextricable from the dismantling of systems of mass access to education, health care, social services, and jobs. “The construction of prisons for mass incarceration revolves problems associated with surplus populations, surplus capital, and surplus state power” (Gilmore, 2015). Gilmore goes on to explain that “the state built itself by building prisons fashioned from surpluses that the newly developing political economy had not absorbed in other ways” (Erzen, 6).

Thus prisons must be examined as “partial geographical solutions to political economic crises, organized by the state, which is itself in crisis...she claims that California’s prison [system] is a “prison fix” to a problem of fourfold surplus: capital, land, labor, and state

capacity” (Wilson Gilmore, 26). Within incarcerated spaces human value and worth are defined and distributed. These processes including making decisions about what human beings in incarcerated spaces deserve, and who is responsible for providing them. Punishment is the project of incarceration, not rehabilitation. As states withdraw funding from prisons, these spaces are being filled with astronomical numbers of people, and most often, people of color.

A study looking at the specific example of New York’s Stop and Frisk law found that “28% of whites in 2006 and 41% in 2008, compared with 46% of blacks in 2006 and 56% in 2008” were arrested. Yet, only 1% of cases were weapons found, but at higher rates among whites than among blacks and Hispanics” (Tonry, 51). American sentencing laws and policies ensure harsh punishment for those accused of committing crimes related to violence, guns, or drugs, in which African Americans, and other people of color, are disproportionately more likely to be arrested. Effects of racial profiling are pervasive in looking at the demographics of the American prison system. Mass incarceration has now become a principle vehicle of the reproduction of racial hierarchy in our society. One major function of the criminal justice system is the regulation and control of marginalized social groups such as African Americans (Tonry, 100-101). Tonry’s findings are evidenced in the new era of mass incarceration, where African Americans are eight times more likely to be incarcerated than whites (Western, 3).

Since the late 1990s, “anti-prison activists and scholars have adopted the concept the “prison-industrial complex” to explain the complex web of overlapping interests that together have driven three decades of prison expansion” (Sudbury, 18). “The concept derives from the “military industrial complex”, a term coined by Dwight D Eisenhower to describe the conjunction of an immense military establishment and a large arms buildup” (Sudbury, 18), where corporate interests became clear behind the U.S. actions in the Cold War. Although, the

term “prison-industrial complex” was coined by urban theorist Mike Davis in 1995 to describe a multibillion dollar prison-building boom in California that, he argued, rivals agribusiness as the dominate force in the life of rural CA and competes with land developers as the chief seducer of legislators in Sacramento (Davis, 260). Prison expansion increased as the result of interlocking economic and political forces, which “enabled radical intellectuals to explain the apparently illogical willingness of politicians to continue to spend billions of dollars on a failed social policy despite evidence that the prison buildup has no positive impact on public safety or fear of crime” (Sudbury, 18).

Once solely a burden on taxpayers, the so-called prison industrial complex is now a source of corporate profit, governmental agency funding, cheap neo-slave labor, and employment for economically depressed regions (Heitzeg, 17). The prison-industrial complex has two major factions, “first that “penal Keynesianism”, or what Mike Davis calls “carceral Keynesianism,” is serving as an economic stimulus package for local communities hit hard by deindustrialization ...second that powerful economic interests are promoting the penal state in order to line their own pockets” (Gottschalk, 29). “Activists, organizers, academics, and those directly impacted have popularized the terms Prison Industrial Complex to refer to the creation of prisons and detention centers as a perceived growth economy in an era of deindustrialization and as” (Hereth, Kaba, Meriners & Wallace, 244) a set up of symbiotic relationships among correctional communities, transitional corporations, media conglomerates, guards’ unions, and legislative court agendas” (Davis, 2003:107).

Prison expansion is driven by the multiple and overlapping state agencies and institutions that have punishing functions and effectively regulate poor communities (Hereth, Kaba, Meriners & Wallace, 244). “Among developed nations the US today combines the highest level of

incarceration with the lowest level of post secondary education provision” (Lockard & Rankins-Robertson, 25). The Era of Treatment’ comes after incarceration rates continued to rise at unprecedented levels, due to the Prison Industrial Complex leading to the School-to-Prison Pipeline, which caused a demand for space within current facilities and catapulted the need to initiate construction for future locations. “As more and more people have received longer sentences, federal and state governments have responded to the ensuing overcrowding by building more prisons and contracting with private firms for additional prison beds” (Sudbury, 11).

Transforming Prisoners into Profit

“Nils Christie points the point bluntly: The explosion in the number of prisoners in the USA cannot be explained as ‘caused by crime’. It has to do with penal policy”³

In private prisons, criminalized and processed bodies are bought, sold, and traded. Federal and state governments pay private corporations a daily fee for each prisoner. This is a modern day variation of convict leasing. As more and more people are warehoused in mega-prisons designed for economies of scale rather than rehabilitation, prisoners have become a commodity that are sold to governments and the public. The corporations and their stakeholders profit from, and actively promote, criminal justice policies that guarantee rising rates of incarceration (Sudbury, 18).

According to Sudbury (2010) prison expansion works to generates profit-making opportunities available for multinational and local construction firms, architecture firms, and manufacturers of security and telecommunications equipment. Imprisonment actively transfigures immense sums of public money into private profits (Sudbury, 2010). The profit-making potential of prisons also appeals to small towns and rural areas that have been shattered

³ Bruce Western, 38

by economic restructuring and competition which accompanies free trade competition (Dhondt 2002). Political representatives and corporate officials across the United States and Canada advertise “prison construction as a form of economic development, touting prisons as a recession-proof and non-polluting industry” (Dhondt, 2002: 174). For rural towns, which tend to experience an influx of corporate agribusiness, and increased foreign products, “prisons seem to be a panacea for economic stagnation and population loss” (Dhondt 2002:174). As a result, small towns are forced to compete for construction contracts and the possibility of financial security for poor towns is pinned against the bodies that are housed in these spaces. Contrary to these economic aspirations, the reality is, “prison towns fail to reap the promised benefits and instead suffer from inflated real estate prices, high unemployment, and environmental degradation” (Dhondt, 2002).

The race to incarcerate began in the 1970s at a time when states faced dire financial straits (Gottschalk, 241). When state budgets come under pressure, prisons are the first to lose funding. States keep costs low by taxing prisoners, in some cases for board, and by cutting expenditure on medical care. States have been doubling and even quadrupling the fees they charge prisoners for items like monthly probation, toilet paper, soap⁴, deodorant, and parole supervision and electronic monitoring (Gottschalk, 244).

By the early 1990s state spending on the construction of prisons “exceeded capital expenditures on higher education for public universities in states such as Florida and California”⁵ (Ambrosio 1997: 7). Furthermore, according to the Pew Research Center (2008), “five states

⁴ Women in a Kansas prison face disciplinary measures for sharing soap or other hygiene products. They are required to purchase these items from the commissary, where everyday hygiene items cost upwards of triple the amount outside of the prison

⁵ Ambrosio Tara-Jen, Shiraldi, Vincent, “From Classrooms to Cellblocks: A National Perspective,” Washington DC: Justice Policy Institute, 1997. 7-20)

spent more on prisons than on higher education, another thirteen spent at least 70% as much on prisons as education.”⁶ In Texas, the proposed House Bill 1879 “would prohibit any public expenditure for postsecondary education in prisons” (Texas House of Representatives, House Bill 1879 2011).

Gottschalk asserts that powerful private groups like the Corrections Corporation of America (CCA) “stand to make enormous profits from prisons (especially privately run prisons) and to local communities, many of them in rural areas, that have latched on to prisons as a way to perk up their depressed communities” (Gottschalk, 29). Failing communities rarely prosper when prisons are constructed to improve the economy. Similarly, Telecommunications companies capitalize on the estimated \$1 billion in telephone calls that people in prison make each year (Gottschalk, 2006:29). Jails are actively being advertised as a lucrative business investment, “Tap into the Sixty-Five Billion Dollar Local Jails Market” (Gottschalk, 29). Thus it can be assessed that there is a monetary factor which has increased motives of mass incarceration. Currently the penal system is digressing into a corporate-sponsored trade fair for penal gadgets and services (Gottschalk, 2006 & Dyer 2000).

Profits are generated through cheap corporate contracts. Corrections Corporations of America and Wackenhut Corrections Corporation, the largest for-profit prison firms, contract out “labor at minimum or sub-minimum wages to private firms engaged in all sorts of commercial activities from manufacturing designer shirts to making airline reservations and assembling computer circuit boards” (Gottschalk, 29-30). Prisoners work for low pay, typically 40 cents to 1.05\$ per day, or in exchange for incentives like “good time” that count towards sentence

⁶ Pew Center, *One in One Hundred: Behind Bars in America* 2008, Washington DCL 2008, 16

reduction. Companies are able to maintain high populations of incarcerated people, extract labor, and provide little for the well being of those contributing to the labor.

In 2004, the overall female prison population soared to almost nine times the number of female prisoners in 1997 (Mangall, 88). It is salient to examine this growth in concordance with the increase in privatization. In all federal prisons and in most state prisons, labor is routinely provided by an under or unpaid prisoner population. These practices have tremendous implications for the social and economic rights of prisoners, especially women. “If private industry is to use prison labor, it should conform to minimum wage requirements and ensure that the wages are received by the inmates [prisoners] themselves.”⁷ “Hopeless sentencing,” a reference to sentences that carry no chance of parole, is common in for-profit prisons. Many states have little interest in redeeming individuals, unless it takes place in prison. Which should lead readers, researchers, academics, and others to investigate ulterior motives, as each prisoner is required to contribute a certain degree of, what can be considered, free labor.

Race as an Historical Factor

“The transnational tale of slavery and debt and turmoil is lost in the vivid poverty” (Farmer, 305).

Today, one out of every nine Americans in prison is serving a life sentence. In 2008, “64.7 percent...in federal prisons were non-Hispanic blacks...among the 41,000 serving sentences of life without the possibility of parole (LWOP) in federal or state prisons... 56.4% were non-Hispanic blacks” (Tonry, 37). Many of the prisoners in the early penal system were former slaves, and would die harvesting sugarcane or rice on land that would eventually become

⁷ United Nations Report on Violence Against Women in U.S. Prisons, *United Nations Human Rights Commission*, 1999

massive state prisons, such as Mississippi State Penitentiary and Louisiana State Penitentiary. Control in prisons has taken the form of total subjugation, without an pretense of redemption.

Evangelical Christians, Quakers, and Methodists built the first American penitentiaries in the late 1700s (Erzen, 2017). Many of these correctional institutions, which still utilize Baptist seminaries or a significant faith based presence, were built on the sites of former slave plantations or convict leasing farms. Thus from its inception American captivity has brought together religious fervor and redemption with race and punishment. The faith-based resurgence is strongest in these former sites of slavery and forced labor with the most violent histories of enslavement and white supremacy. In these places, the subjugation of black men and women reigned as rational (Erzen, 2017).

By the nineteenth century a new discourse began to emerge that centered on rehabilitation and reformatories for women offenders. Women were convicted of ‘crimes of morality’, sexual acts, alcohol consumption, or transgressions against the norms of feminine behavior, in far greater numbers than men. Moral reformers and ‘social feminists’ focused on the idea that these “fallen women” (Gottschalk, 117) could be retrained to adhere to middle-class norms” (Rathbone 2005 & Erzen 2017). “Fallen women” could become “true women” once again through the creation of separate reformatories “where their distinctive feminine needs could be met” (Gottschalk, 117). The construction of the first reformatories began in 1860 and continued through the 1930s. By 1935 “seventeen states, primarily in the Northeast and Midwest, including Kansas, established such facilities (Gottschalk, 118).

The ‘reformatory movement’ had enormous and lasting impacts on the differential treatment of women prisoners, especially black women (Gottschalk, 118). By limiting the scope of reformatories to the middle-classes, they became spaces where “primarily white women,

would be taught to be good wives and mothers and could learn the skills necessary to be good servants in middle-class homes upon release” (Gottschalk, 117). Rehabilitative Paternalism, which assumed that white women offenders are less culpable for their actions because they are driven by victimization rather than evil intent, also contributed to the assignment of white women to reformatories rather than prisons (Rathbone, 2005).

Poor black women, on the other hand, were perceived as “bad girls who simply could not be reformed” (Erzen, 147). Narratives and depictions of incarcerated women shifted as more women of color entered the system. “Instead of the childlike victim, the criminological literature began to portray women in prison as deviants who were angry, antisocial, hyper-sexual, and violent” (Davis 2003). Thus, black women were frequently deprived from accessing this space. When exceptions were made, black women “were housed in small, segregated cottages” (Gottschalk, 314). Race and class therefore played a central role in the question of rehabilitation and were used to distinguishing between good girls and real criminals (McCorkel, and Erzen 2017). Furthermore, women in these reformatories were “urged to seek to simultaneously embody childlike submissiveness and true womanhood” (Erzen, 147). Sometimes women, especially black women and poor white women, were sent to penal farms in the convict lease system” (Erzen, 2017: 146).

Gottschalk summarizes the impacts of this racialized approach to women of color prisoners:

it authorized the state to police new areas of behavior...contributed to the spread of indeterminate sentencing and to the erosion of the norm of proportionality in punishment...it also legitimized the practice of using institutions like reformatories to correct deviations from traditional roles, and to legally justify inciting harsher punishments for black women (Gottschalk, 118).

Through this process, the criminal justice system became a mechanism for punishing women who did not conform to middle-class conceptions of white femininity (Rafter, 39). In other words, racial inequalities were reproduced and perpetuated through legal mechanisms of differentiation and incarceration framing women of color as angry deviants.

These racist, profit-driven standards would continue to influence women of color inmates by giving white women access to turning punishment into rehabilitation while depriving women of color from turning prison into a rehabilitative experience. They are deprived of access to the rehabilitative potentials of prison and have always been deprived of this possibility. Those who become rehabilitated work towards it on their own and in communities they develop through a shared consciousness that centers on a shared sense of deprivation.

Convict leasing allowed state authorities and prison officials to exploit labor from prisoners under horrific conditions, which primarily impacted black and brown bodies. “The courts took a hands-off approach to prisoners’ rights and prison conditions, viewing people in prison as “slaves of the states” who had no constitutional rights and were not entitled to a legal forum to express their grievances” (Gottschalk, 44). Most leased convicts were black and experienced drastically high mortality rates (Gottschalk, 49). After the Civil War, convict leasing became an integral part of Reconstruction efforts. This move after effectively reignited slavery through the imprisonment of people of color for minor infractions like loitering, not having proof of work, or even unemployment.

Southern prisons utilized forced labor to farm cotton and build roads and thus operated as instruments of racial domination and exploitation (Western 3). As the economy began to turn around in the South, especially in Texas throughout the late 19th and into the 20th centuries, “states had more money to build penitentiaries and purchase large tracks of land to develop state

penal farms where convicts could labor for state profit” (Gottschalk, 51). As the “chain gangs,” one of the few Southern interracial institutions during Jim Crow, fell under control of the state. Roads, railroads, and other modes of transportation were constructed by leased convicts. As the number of white convicts in the Southern penal system increased, “the sight of blacks and whites laboring side-by-side chained to each other in the Jim Crow years discomfited Southerners and made juries hesitant to punish whites” (Gottschalk, 51). The fear of losing segregation through imprisonment led Southern courts to avoid prosecuting whites, which actively maintained racial hierarchies. Although the Civil Rights Movement disassembled chain gangs in the 1960s, they reemerged within three decades and became an integral peg of development for the United States

In the 1930s, the majority of prisoners were white, though blacks comprised significant minorities or even near majorities in some institutions, especially in the south (Gottschalk, 170). Throughout the 1920s, African Americans made up roughly one third of the prison population. As the number of black prisoners continued to grow into the 1930s and beyond, nearly 40% of people incarcerated in state prisoners were non-white, by the 1960s, and “by 1974, blacks and other nonwhites comprised just over half of the state prison population” (Gottschalk, 170). By 1989, the majority of the prison population was black, and in 2018, black women comprise double the amount of white women in incarcerated spaces.

From the establishment of the Federal Bureau of Prisons in 1930, the treatment of blacks had been informed by the ethos and principle which aligned with segregation (Gottschalk, 172). Thus African Americans were disproportionally given the worst jobs and minimal access to successful opportunities, including housing and educational opportunities, which I noticed is reproduced today, through my own fieldwork. The bureau did not make a formal declaration of its intention to ban segregation in prisons until 1964 (Gottschalk, 172). This announcement came

ten years after the court determined through *Brown vs. Board of Education* that segregation was unconstitutional. And even after this formal declaration by the bureau, the NAACP would be forced to sue numerous penal institutions on the basis that segregation of incarcerated spaces was unconstitutional.

“When the civil rights movement began to set its sights on prisons, the presence of so many penal farms in the South modeled on then old slave plantation system provided a ready target” (Gottschalk, 176). The work and living conditions on these farms was dismal, and those working “were guarded by other convicts known as trusties, who relied on whips, guns, and a range of creative barbarities to keep prisoners in line” (Gottschalk, 177). It was through the civil rights movement that prisons became more publicly visible. Organizations such as the National Association for the Advancement of Colored People (NAACP) and the Legal Defense Fund (LDF) sought to provide resources to prisoners, as well as to provide ‘political context’ for the conditions of Southern prisoners, and to the particularly objectionable form of punishment (Gottschalk, 177).

The historical ‘get tough’ stance on crime and control is a product of elitist policy, first initiated by Barry Goldwater. It was thoroughly promoted by subsequent presidents, most notably Richard Nixon, Ronald Reagan, George H. W. Bush, and Bill Clinton. The push for rehabilitation dwindled as conservatives and Neo-liberals in power continued to incite fear and embrace punishment as the future of penal policy. Katherine Beckett, for example, attributes the effort to replace social welfare with social control as the principle of state policy. In congruence with law-and-order, the subject of race is intertwined within the fabric of penal policy and control. Conservatives and southern republicans, and later New Democrats like Bill Clinton, are charged with using issues of crime and welfare to woo whites to vote for them. (Gottschalk, 34).

After a decrease in social expenditure, criminalizing has become the primary response to governing impoverished communities, and for poor young women of color, especially who have escaped abusive homes, the courts and incarcerated spaces have become the state's alternative to offering adequate social services, youth programming, and educational opportunities (Sudbury, 14).

Although the rhetoric of welfare-to-work programs emphasized tough love to wean poor women, in particular [black] mothers, off dependency and push them to build economic independence, the reality has been the ejection of numerous families from the welfare rolls into minimum wage jobs.⁸ Because economic restructuring has involved the creation of numerous, casual, low waged jobs that most often lack health insurance or other benefits, and seldom pay enough to cover adequate child care, as well as living expenses, the welfare-to-work policy has largely furthered the sedimentation of poor women of color into a permanent poverty trap (Goode, 2003). For many women, a move towards financial security, might entail conducting illegal activities, in order to secure the safety of her own children. "Women's poverty is criminalized in numerous ways...And women who turn to the street economy, sex work, petty theft, welfare "fraud", or other economic survival strategies..." (Sudbury, 13) are typically the most marginalized and at-risk within the community, and receive severe punishments without any level of opportunities or resources to combat this problem.

Looking at the history of the American justice system and penal institutions, it is impossible to overlook the dilapidating effects of the 'war on drugs'. "At the height of the drug war in 1989, arrest rates for blacks had climbed to 1,460 per hundred thousand compared to 365

⁸ National Women's Law Center, "Welfare Reform Should Help Women Striving to Support their Families, Not Hold Them Back" Washington, DC. February 2003

for whites” (Western, 46). Into the 90s, and true to today, drug arrests make up the majority of arrests, yet, “whites had roughly twice to three times the number of drug-related emergency room visits than blacks” (Western, 47). The conspicuous link between drug control, and conservative ideals, and states’ rights has allowed for the creation of a system that unapologetically destroys communities. Bill Clinton’s passage of the Violent Crime Control and Law Enforcement Act, which bolstered police officers with military grade weaponry and training, also provided nearly \$10 billion to build new prisons, and expanded sentencing through mandatory minimums, and approved over 50 more crimes that which could receive a verdict of the death penalty.

John DiIulio, directed the white house’s office of Faith-Based and Community Initiatives under George W. Bush, coined the term ‘super predator.’ He used this term to describe certain children as unable to become rehabilitated, specifically children of color. He “ushered in laws that enabled juveniles to be sentenced as adults and placed in adult prisons often without the possibility of parole” (Erzen, 173). The majority of children charged as adults, or sentenced to life, with or without parole are children of color. The United States is the only labeled industrialized country that still permits life sentences and death sentences to be handed down to children.

The criminal justice system is very much to blame for the racial disparities within prisons and jails. “Sentencing policies for violent and drug crimes and police drug law enforcement practices” (Tonry, 48-49) contribute to the growing gap between people of color and whites in the prison system. “In 2008, for example, 79.8 percent of offenders sentenced in federal courts for crack cocaine offenses were black; 10.4% were white” (Tonry, 49). Although former President Obama enacted the 18-to-1 sentencing law, which replaced the 100-to-1 sentencing

law, racial disparities have persisted. “African Americans comprised only 17% of drivers along a stretch of I-95 outside of Baltimore, yet they were 70% of those who were stopped and searched” (Alexander, 133). “Law enforcement and court officials magnify inequalities in crime, into larger disparities in punishment” (Western, 56).

The United States should be required to record mortality rate data by socioeconomic status, currently, the U.S. and South Africa are the only two “industrialized” countries which do not report the disproportionately high death rates of poorer socio economic statuses. This notion ties in directly with the erosion of historical knowledge. “The erasure of history is subtle and incremental and depends upon the erasure of links across time and space” (Farmer, 308).

“African American women and Latinas are imprisoned at four times and twice the rate of white women,⁹ testifying that the prison boom is disproportionately confining women of color. “No other country in the world imprisons so many of its racial or ethnic minorities. The United States imprisons a larger percentage of its black population than South Africa did at the height of apartheid” (Alexander, 6) It is impossible to look at the prison system from a ‘color blind’ lens. “By the early 2000s, the chances of imprisonment were closely linked to race and school failure that at any other time in the previous twenty years” (Western, 79). When African American girls are suspended “six times” more often from school than white girls, and when statistics show that “once kids touch the criminal justice system, they are 67% more likely to end up in jail again before they are 25¹⁰”, it is clear how the system disproportionately devours communities of color.

⁹ U.S. Department of Justice, *Prison and Jail Inmates*

¹⁰ The Root, How the School to Prison Pipeline Functions, September 2017

The Human Suffering Index measures human welfare ranging from life expectancy to political freedoms. The US did not make this list as having high levels of human suffering, but when the conditions of the 13.3% of African Americans are examined under this context, it is conspicuous that the suffering endured within these communities falls under high levels of suffering. African Americans are disproportionately arrested, due to discriminatory policies such as the federal 100-1 law (now 18-1), racial disparities in surveillance, and three strike laws. “On every demographic measure of wellbeing—life expectancy, income, education, employment, home ownership—black people are substantially worse off than whites” (Tonry, viii). Michael Tonry argues “since at least 1980 American drug and crime control policies have undermined achievement of full unbiased participation of black Americans in the nation’s social, economic, and political life” (Tonry, 12). The differences in wellbeing directly correlate with the eight-to-one racial difference in black and white imprisonment rates. “Seventy thousand people were serving life sentences in 1992. In 2008, after more than 15 years of decline crime rates, nearly 141,000 people were” (Tonry, 36). Disparities affecting people of color, especially African Americans, are even more prevalent in looking at those prisoners serving life sentences. In 2017, 41% of people on death row are black, 42% are white.

But for incarcerated women, these statistics highlight even more elements of structural vulnerability. According to the NAACP and other organizations which track statistics on the death penalty, I found that again women of color are disproportionately punished with the death penalty, especially when examining the number incarcerated to the total number of black, female Americans. In 2018, Black women make up roughly 21% of women on death row, and in total, women of color make up roughly 39% of death row prisoners since 1973. Since 1976, 20% of women executed under capital punishment have been black, and from 1900-1973, 33% of

women executed were black. These statistics are important, because they enable researchers to imagine a longitudinal trend, which has disproportionately punished women of color

Concluding thoughts

Mass incarceration has had and continues to have debilitating effects on vulnerable communities throughout the United States. Structural violence approaches highlight how the same communities who are experiencing perpetual targeting and incarceration. The most marginalized and vulnerable in communities are the main victims of structural violence. “A violence which has thus far defined the analysts of many seeking to understand the nature and distribution of extreme suffering...the poor are not only more likely to suffer, they are also more likely to have their suffering silenced” (Farmer, 25). Structural invisibility in incarcerated spaces serves as a systematic erasure, which causes the disappearance of societies poorest and most marginalized communities. In an attempt to manage society, communities are being closed off from public and official life. The notion of incarceration as punishment, which I discussed earlier in the chapter, reinforces and provides justification for the invisibility of suffering of incarcerated populations in public discourse. This research aims to challenge the way researchers talk about mass incarceration, especially relating to the experiences of women of color who are imprisoned.

Within incarcerated spaces human value and worth are defined and distributed. Labor is contracted out to companies, two well-known examples: Starbucks and Victoria’s Secret, with little compensation for the actual prisoner. This little compensation makes it almost impossible to prepare for a future outside of prison, which directly correlates with recidivism. Punishment is the project of incarceration, not rehabilitation, and as found tethered to this research, deprivation has been a long standing factor in maintaining control in these spaces. Thus, prison expansion is

driven by the multiple and overlapping state agencies and institutions that have punishing functions and effectively regulate poor communities (Hereth, Kaba, Meiners & Wallace, 244)

Because this research takes an approach that theorizes physical space, it cannot be forgotten that many prisons today are now located on the grounds of former slave plantations, as an example, Angola State Penitentiary in Angola, Louisiana, which is the largest prison in the United States. 80% of men sentenced there are African American, and they still work in fields of sugar cane, cotton, and corn, languishing for 16 hours each day. This is a mechanism of structural violence, which is reflected again, across time and space. As the Topeka Industrial and Educational Institutions would devolve from a place of higher learning for black communities, into a space of confinement for black communities, it is pertinent that research examine the histories of locations in order to make mechanisms of structural violence more visible.

Historically, women of color have never had access to the prison or the “reformatory” as a place for “rehabilitation”. This is a pervasive showing of how structural violence becomes visible over centuries of deprivation over space and time. Women of color make up the fastest growing population in prison, yet their access to services continues to dwindle.

Chapter 2: Deprivation in Incarcerated Spaces

“As for myself, Mashallah, I continue to deal with the madness that is prison.” -Jalil

Introduction

Mechanisms of structural violence occur over time, and structural invisibility persists under the American carceral state. Structural invisibility is a systematic erasure, or disappearance of society’s poorest, and most often, people of color, from public and official life. By housing 2.3 million Americans, revoking their access to vote, and controlling their movement, small modes of structural violence continue to occur daily under a legal guise. This section will provide evidence as to how these structural mechanisms transpire into normative, and *legally* justifiable actions committed by the state. When exploring the term ‘structural’ it can be understood as how violence committed by the state, in this case, within incarcerated spaces, becomes hidden within policy and practice.

Throughout American history, women of color have been deprived of access to equal opportunity regarding education, economics, and health care. From the birth of the carceral state, black women suffered, and were forced into prisons, where new levels of deprivation were presented to them. “Sometimes women, especially black women and poor white women, were sent to penal farms in the convict lease system” (Erzen, 146). “From the time of the first prisons, the aim of redemption always dialed with the rationale of efficiency, control, and profitability” (Erzen, 43). Deprivation is about control over movement and bodies.

Deprivation plays a key role in managing incarcerated spaces and bodies that exist inside of them. I define deprivation as a punitive mechanism that differentially targets people of color inside and outside of prison. Deprivation centers on withholding access to goods, rights, services, and opportunities. But at a deeper level, my use of deprivation aims to capture how vulnerable

communities lose access to their individual and collective contexts over time, and how they work to recover these histories, from confinement.

A major element of this research is bearing witness to the deprivation of incarcerated women of color. I explore women's narratives to further understand how women of color go about accessing inclusive rehabilitative opportunities and alternative historical narratives in a space of deprivation, but I correlate their narratives to the history of deprivation, inside and outside of prison, along lines of race, gender, and socio-economic status. I retrace inequality and marginality historically to understand its transformation into deprivation across time and space.

The Relationship Between the Deprivation and the Importation Models, Through the Lens of the *Pains of Imprisonment*

Infractions represent a dysfunction in the disciplinary mechanisms of the prison. Scholars have developed two competing models to help prison officials isolate and control the variables that lead to disciplinary infractions. It is important to point out that these models are not humanitarian in nature, but rather, they are meant to help officials find better, more effective ways to control the behaviors and movements of prisoners. The deprivation model assumes "inmate aggression is the product of the stressful and oppressive conditions within the prison itself" (Cao, 104). Officials examine "prison-specific" variables that might serve as deterrents to "inmate adjustment" (Cao 1997, 104) including prison crowdedness, security level (which correlates with level of control over prisoner behavior and movement), length and type of sentence, access to relationships, among others. The Importation model, on the other hand, individualizes inmate behavior and disconnects it from the conditions of the prison. Instead, the model examines factors that correlate with individual prisoner demographics and experiences that predate incarceration like age, sex, race, nature of offense, and others. The idea is that there is something in the prisoner's upbringing, living environment, or personal psyche that create

obstacles for “inmate adjustment” (Cao 1997, 104). It is useful to understand the work of Gresham Sykes on deprivation before moving on.

Drawing from, The *‘Pains of Imprisonment’*, Sykes examines how incarcerated people adapt to certain deprivations within “captive environments” (Sykes 1958). He explores the relationship between punishment and imprisonment, and finds that sometimes the American justice system puts people in prison “not for punishment, but as punishment” (Sykes, 31). In a system where one group, the prison staff, has ‘total power’ over another population, the prisoners, I argue that deprivation should not take place in a space where marginalization is already rampant. In also drawing on structural violence methods, it is important to examine how both the deprivation and importation models attempt to erase historical memory through capsizing on structural invisibility, as punishments are not based on lived experienced, but instead mock factors.

“Structural violence works to constrict the agency of its victims. It tightens a physical noose around their necks, and this garroting determines the way in which resources, food, medicine, even affection—are allocated and experienced” (Paul Farmer, 2004, 315). The outcomes of structural violence typically leave the most marginalized populations without representation, and with little or limited access to services, provisions, and opportunities which are crucial in moving through coming of age rituals, such as education, marriage, starting a family, starting a career, etc. In looking at different aspects of deprivation within the prison system, Gresham M. Sykes recognizes “that they [deprivations of imprisonment] can be just as painful as the physical maltreatment...” (Sykes, 64), thus “we must explore the way in which the deprivations and frustrations post profound threats to the inmate’s [prisoner’s] personality or sense of personal worth” (Sykes, 64). The pains of imprisonment, as stated by Sykes, include:

the deprivation of liberty, the deprivation of goods and services, the deprivation of heterosexual relationships, the deprivation of autonomy, and the deprivation of security.

The deprivation of liberty concerns restrictions over prisoners' individual movements, meaning "the inmate [prisoner] is cut off from family, relatives, and friends"(Sykes, 65). thus "it is not difficult to see this isolation as painfully depriving or frustrating in terms of lost emotional relationships, of loneliness and boredom" (Sykes, 65). Deliberate confinement is a constant reminder of "the wall which seals off the criminal...the contaminated man [or woman], is a constant threat to the prisoner's self-conception and the threat is continually repeated in the many daily reminders that he [or she] must be kept apart from "decent" men [and women]" (Sykes, 67). Sykes recommends that in order to 'endure psychologically', "the imprisoned criminal must find a device" (Sykes, 67) to ease the pains of imprisonment. But as has become quite clear in my research, very few 'devices' or opportunities are available.

The deprivation of goods and services examines the loss of meaning behind the value of clothes that cannot be worn, when a prison uniform is required, but also the deprivation of privacy when changing clothes, or using the toilet, or showers. "Prisons consign inmates [prisoners] to conditions of relative poverty" (Johnson, 64). Sykes' third pain of imprisonment is *the deprivation of heterosexual relationships*, which he elaborates as a problem of "the inmate [prisoner] must search for his [her or their] identity not simply within himself [herself, or themselves] but also in the eyes of others; and since a significant half of his [her or their] audience is denied him [her, or them], the...self image is in danger of becoming half complete" (Sykes, 72).

The deprivation of autonomy relies on subjection to "a vast body of rules and commands which are designed to control his [her or their] behavior in minute detail" (Sykes, 73). Sykes

correlates this pain of imprisonment by comparing the experiences of prisoners, to children, by saying that autonomy is deprived through “a profound threat to the prisoner’s self image because they recuse the prisoner to the weak, helpless, dependent status of childhood...”(Sykes, 75), thus blurring the line between adult and dependent, possibly weakening their identification of themselves. And finally, *the deprivation of security*, where exploitation of prisoners comes from correctional staff, and sometimes from other prisoners. With the increased fear of being attacked, “the prisoner’s loss of security arouses acute anxiety...not just because violent acts of aggression and exploitation occur but also because such behavior constantly calls into question the individual’s ability to cope with it” (Sykes, 78). Sykes argues that a prisoner’s individual “picture of [them-self] as a person of value— as a morally acceptable adult...who can present some claim to merit in [their own] material achievements and in [their own] inner strength— begins to waiver and dim” (Sykes) with the pains of imprisonment. In order to adequately cope with these deprivations, each pain of imprisonment must be tailored through acts of humanization. The Pains of Imprisonment can be seen through the experiences of Aisha, an incarcerated woman in Kansas, when she elaborates on her five separate sentences in this particular Kansas prison. “Loss is not just a death. Loss is a whole lot. Losing yourself is loss. That is a death within itself...”-Aisha

Structural violence limits and prohibits individuals from achieving their potential, and these limitations operate along lines of race, class, gender, religion, and nationality. This is visible in the American prison system, which houses 1/3 of the world’s women, and where 1 in 4 black man have lost their right to vote. Because social positions are often based on intersections of race, class, gender, religion, structural violence is driven by these intersections. Structural violence creates a relationship between life and expectancy and social position, and as it stands

today, under the imported method and ‘indigenous’ (deprivation) method, people of color are disproportionately punished under these models. Thus “the lower the social position, the lower the life expectancy”, (Johan Galtung) and higher likelihood of being incarcerated. On every demographic measure of wellbeing—life expectancy, income, education, employment, home ownership—black people are substantially worse off than whites (Tonry, viii)

“The pains of imprisonment or deprivations suffered in prison are the primary influence on an individual’s response to imprisonment” (Goffman, 1961; Sykes, 1958; Sykes & Messinger 1960). Two theoretical approaches have materialized when measuring the response to imprisonment among incarcerated populations. Most often when looking at the deprivation or importation approaches, researchers are attempting to determine how these approaches can *predict* disciplinary infractions, while also fostering an environment of complicity. Most often, the deprivation approach is unclear, and by merely stating, prison security level, indeterminate sentence, and length of sentence as factors of determination, researchers are missing salient aspects to a person’s ability to acclimate to the pains of imprisonment. A topic of immense debate is over whether acclimation is influenced by the prison environment itself, the deprivation method, or if an ability to acclimate is entirely influenced by the prisoner’s pre-incarceration characteristics (imported).

According to the importation method, possibility for rule infraction and adaption to imprisonment rests on lifestyle and other pre-incarceration characteristics of prisoners (Irwin, 1970). Therefore this model relies on age, education, gender, race, employment, marital status, history of mental illness, history of substance abuse, *county of crime committed*, juvenile incarceration history, and adult incarceration experience, to supposedly provide “better predictions of prison rule violations”, in comparison to the deprivation approach, which

measures a prisoner's likelihood to acclimate in examining prisoners' length of sentence, the prison security level, and indeterminate sentencing. The deprivation model assumes that prisoners' rule infractions can be predicted through looking at the stressful and oppressive conditions within the prison itself, but they do not aim to alter these conditions away from a method striving to incite complicity through the usage of deprivation. "In contrast, the importation model argues that characteristics of individuals that predate confinement, such as race and gender, are critical factors in determining modes of inmate adjustment" (Liquin, Zhao, & Van Dine, 103), but still, do not assess prisoners as individuals, but rather both of these models look at the incarceration problem as one-size-fits-all options.

"The indigenous [deprivation] approach also cannot explain the fact that there are differences in adoption patterns among individuals who have served approximately the same amount of time in prison, are at a similar point in their sentence, and live in a comparable prison environment" (Dhami, Ayton, & Lowenstein, 1087). In looking at the factors of deprivation, especially in regard to prisoner security and the ratio of correctional officers and offenders, "high security means an increase in the control exercised with respect to inmate movement in prison, free time, and other privileges" (Liquin, Zhao, & Van Dine, 105). And research shows that prisoner "misconduct is related to the levels of security, with inmates [prisoners] exposed to higher levels of security having more... violations than those with lower levels of security" (Liquin, Zhao, & Van Dine, 105). Thus by censoring and extracting control through deprivation, through the usage of excess surveillance, more infractions are happening, as a result to their attempts to quell the hypothesization of, at that point, problems which do not yet exist. Thus these two methods are rife with implicit biases which enable prison staff to punish incarcerated populations for assumed future disciplinary infractions.

The deprivation model is derived through the hypothesis “that people in the higher level of security would be more restricted and monitored more closely than those in lower level of security. Those that are placed in high level security spaces are expected to violate the rules more frequently because of more deprived conditions in high security environments” (Liqun, Zhao, & Van Dine, 108). They are also most likely to be handed an indeterminate sentence. Those with indeterminate sentencing do not have much incentive to behave well (Liqun, Zhao, & Van Dine, 105). In not knowing the length of their own sentences, those with longer sentences, are more likely to receive a citation for misbehavior, even though they are already the most deprived within incarcerated populations. A well known example of the usage of indeterminate sentencing is George Jackson, who was “sentenced in 1960 to an indeterminate one-year-to-life after pleading guilty to stealing \$70 from a gasoline station” (Gottschalk, 180).

Through the importation model, it is impossible to pin-point how a person will acclimate to the pains of imprisonment solely based on their age, gender, race, or marital status. And again, these variables to determine acclimation ability correlate with the intersections of structural violence. Thus people who fit into certain categories are more readily punished than others. By basing the possibility of a prisoner’s successful acclimation to a life of incarceration based on, for the most part, factors outside of their control (age, race, county of birth, etc), those implementing this model are controlling the narrative of who will and will not be able to acclimate. *Intersectionality* must be taken into account when assessing either method, as both refer to the multiple ways that power and privilege intersect in regard to, ethnicity, gender, race, sexuality, and ability (Kimberly Crenshaw, 1994), and by basing an entire model over the factors of the importation model, without taking into consideration the power dynamics which already exist within the justice system, there are elements of discrimination that are not being exposed.

In regard to the importation model (Irwin & Cressey 1962) “even in a total institutional environment, which was supposed to insulate offenders [prisoners] from the outside influence, individual inmates’ own distinctive traits and social histories remain important in their adaptation to the new situation” (Liquin, Zhao, & Van Dine, 105). Thus, each individual prisoner’s outside experiences will undoubtedly affect their experiences within an incarcerated space, but determining whether or not a person is able to acclimate based off of these factors is discriminatory. Especially in cases such as where, Finn (1995) reported that urban background and deprivation were positively related to disciplinary infractions in prison. Thus those who determine who can acclimate, most often, do not come from the same background or experiences as those who are incarcerated, and are unable to humanize these factors, and this implicit bias determines these factors as deterrents from acclimation.

Currently, the importation model is preferred by prison officials and researchers over the deprivation model to determine individual ability to adapt to prison conditions and life (Liquin, Zhao, & Van Dine, 110), according to prison staff. However I counter that neither one of these models adequately enables prisoners to acclimate to their new and very controlled environment. Wright (1989) found that prisoners ranked support as their highest need of concern, following by emotional feedback, activity, structure, safety, social stimulation, freedom, and privacy (Dhami, Ayton, & Lowenstein, 1086), which are all elements with which prisoners are deprived.

Since 70% of US prisoners are people of color, this means that the configuration of exclusion conforms to history US patterns of social recourse denial on the basis of race (Bureau of Justice Statistics, Census of State and Federal Correction Facilities Washington”, D.C: US Department of Justice, 2005, 5, Table 16), thus these two methods, which extend from both the indigenous (deprivation) and Imported methods, are discriminatory and are not adequate

measures of prisoner acclimation, nor a proper determinant for likelihood of prisoner infractions. “In theory, imprisonment reduces crime through incapacitation and deterrence” (Western, 181). The incapacitation model aligns how prisoners are prevented from offending by physical restraint of incarceration; and for the deterrence model, “people conclude that if prison is made painful, people will be better persuaded to avoid it” (Clear, 21). Both of these models rely on harsh punishments, which is a signifier of a carceral state, for mass numbers of people, without taking into consideration power dynamics within incarcerated spaces, especially in regard to intersectionality: which refers to the multiple ways that power and privilege intersect in regard to, ethnicity, gender, race, sexuality, and ability. (Kimberly Crenshaw, 1994) “The zones of captivity are also present in contemporary war prisons and detention centers, where redemption is forgotten and endless incapacitation and captivity are the norm. Thus captivity saturates the ideas of who is human, what is sovereignty, and whether the condition of unfreedom is permanent or contingent” (Erzen, 10). Thus the only option is to re-examine the mechanisms that are currently in place.

Todd R. Clear, author of *Imprisoning Communities: How Mass Incarceration Makes Disadvantaged Neighborhoods Worse*, and critic of all four models, examines incapacitation and deterrence through an in-depth lens. He looks at how advocates of the deterrence model are eager to increase already severe punishments allotted in incarcerated spaces. He determined that studying the effectiveness of the deterrence model is difficult. “The uneasy conclusion from this thinking is that prison, far from being a deterrent, disables those who experience it” (Clear, 27).

The idea of incapacitation is a simple one: people who are behind bars cannot commit crimes (Clear, 35). The incapacitation model does not reflect an understanding of the history of a system created by institutionalized marginalization of groups which do not reflect the dominate

narrative of American social spaces. Most often, crimes are committed by men, or groups of young men, and “locking up one member of the group may not stop the remainder from continuing their criminal activity...it may also encourage the group to recruit a new member to take the recently incarcerated person’s place” (Clear, 36) Thus, “imprisonment can actually expand the network of active criminals” (Clear, 36), even if the number of crimes committed does not increase.

Another problem readily found with the incapacitation method, “criminal activity peaks in the late teenage years, 17 or 18...(Clear, 38), and once people reach a certain age, their criminal tendencies tend to decline. But, “in 1974 there were 10,7000 state prisoners serving time who were 50 or older...in 2004, there were 125,700 people in state prisoners who were 50 or older” (Clear, 39). Advocates of the incapacitation model tend to approve of Three Strike laws and imposed mandatory life with out parole; “the rationale was purely incapacitation—to prevent people from committing more...crimes” (Clear, 39). The dehumanization qualities of these two methods, which rely on both the deprivation and imported models, perpetuates the imbalance of power dynamics and stifles prisoners’ personal growth within incarcerated spaces.

It is apparent that the level of deprivation allotted within an incarcerated space is greatly determined around structural vulnerability, which ensures that certain individuals with, or without particular traits, will suffer more than others. This is a mechanism of structural violence which enables the system to deprive prisoners of First and Eighth Amendment rights. Because people of color, and people from an ‘urban background’ are typically the larger victim of structural invisibility, steps must be taken to dismantle methods implemented in incarcerated spaces which perpetuate the usage of structural violence.

Previous Research Claiming Success Through the Deprivation Model

“All records pertaining to prisons have to be approached with mistrust.”

In utilizing either the deprivation or the imported method, there is a focus on tasks confronted in growth of prison population *for* prison officials. The priority is “maintaining peace and order in increasingly overcrowded facilities for the safety of both officers and inmates” (Liqun, Zhao, & Van Dine, 103). However it can be countered that through empowering prisoners, there will be less disciplinary actions in which prison officials will have to tend. “Disciplinary actions against prisoners are often considered as the primary tool for keeping peace in an institutional environment” (Flanagan, 1980). Thus advocates for either of these methods are arguing that disciplinary actions are important for management, because they are an indicator of prisoners’ adjustments to the institutional environment. But this is a problem if researchers and prison officials do not take into consideration under what circumstances of deprivation prisoners are living.

As researchers and prison officials are working to determine who will be most likely to commit a disciplinary action and be in need of a disciplinary citation, they do not take into consideration under what circumstances of deprivation prisoners are living. These disciplinary citations directly correlate with the considerations for “reclassification decisions, use of the disciplinary cell (segregation), placement in custody, and assigning work tasks...further, this record is available to the parole board for consideration in determining whether to release an inmate from prison” (Liqun, Zhao, & Van Dine, 104). And as readers can see with this specific wording, in the usage of *disciplinary cell*, rather than segregation, it is conspicuous that deprivation is used as a mean to force complicit behavior, in order to *deserve* some level of reward. And reward meaning, a decent work assignment, or avoiding segregation; yet, disciplinary actions from prison staff also holds immense power over the release date of

prisoners. This should cause researchers to investigate power struggles within prisons, and should be a critique of the unequal relations of power within the broader prison society.

Authors Liqun, Zhao and Van Dine investigate how deprivation and importation models correlate in regard to disciplinary tickets, in order to determine the explanatory power of which model is more accurate. This study indeed proves that there are both gender and racial biases on behalf of prison staff. They found that being female increases the probability of rule violation, and that non-Caucasians are significantly more likely to get a Class II ticket than Caucasians” (Liqun, Zhao, & Van Dine, 109). In assessing that the deprivation model is rarely used to examine individual experiences, the researchers are determined to explore which model will more deftly predict which prisoners will need more disciplinary tickets, by assessing likelihood of rule infractions based on the following variables: *age, education, gender, race, employment, marital status, history of mental illness, history of substance abuse, county of crime commitment, juvenile incarceration history, adult incarceration experience*. Again, another issue with this type of research, is not spending enough energy looking at the level of deprivation, and merely determining that levels of deprivation must all be the same across maximum security prisons in the United States, and how certain people are disproportionately punished based on these models.

Deprivation of Post Secondary Educational Funding

Lockard & Rankins-Robertson research the gradual “progressive restriction and exclusion” (Lockard & Rankins-Robertson, 24) of prisoners’ rights to education.

First in 1988, those with drug convictions were excluded; then in 1992 those sentenced to death or life without parole were denied educational support; finally in 1994 grants were eliminated for all federal and state prisoners, despite their minimal presence at less than a half percent of Pell grant funding (Welsh, 53)

“Public policy choices in the US concerning higher education and prisons decisively emphasize negative punitive functions over education, leading toward exclusion from future citizenship for an increasing number of the population” (Lockard & Rankins-Robertson, 26). Because the constitution does not specifically state that education must be provided to prisoners, yet international law does, U.S. courts have found a means of evasion. “U.S. courts historically have emphasized that there are no constitutional claims on education in prison. State and federal courts have repeated that there are no conditional entitlements to education, so prison education claims under the U.S. constitution’s Eighth (cruel and unusual punishment) and Fourteenth amendment (guaranteeing equal protection of law) are meritless” (Lockard & Rankins-Robertson, 24), however, this interpretation varies from court case to court case.

There is an increasing rate of deprivation of resources in incarcerated spaces, especially in regard to educational programming or skill building resources. “Although the most recent Bureau of Justice Statistics survey indicates that 35% of US state and federal prisons offer college-level courses, these are usually low-level non-academic courses offered through community colleges” (Bureau of Justice Statistics, Census of State and Federal Correction Facilities Washington D.C: US Department of Justice, 2005, 5, Table 6). “Prison education data can be more administrative camouflage than substantive reality” (Lockard & Rankins-Robertson, 25). “In Arizona, of over 40,000 inmates [prisoners] in 2010, higher education degree attainment was just two associate degrees” (FY 2012 Legislative Budget Headings—ADC Data and Information. Phoenix, Arizona: Arizona Department of Corrections, 2011, Section 7-1) “State-funded prison arts programs such as the extraordinarily successful...Arts in Corrections program in California state prisons, are nearly non-existent” (Lockard & Rankins-Robertson, 25). GED participation rates are just “2 percent of total federal and state inmate” (Brazell, Diana, Crayton,

Anna, Mukamal, Debbie, Soloman, Amy and Lindahl, Nicole From the Classroom to the Community, Exploring the Role of Education during Incarceration and Re-Entry” Washington DC Urban Institute, 2009) populations.

Higher education is no longer representative of future economic security, which actively generates further social fear. “Such fears underlie the political unacceptability of providing prisoners with the educational means of self-capitalization. Extreme restriction upon access to higher education creates a lasting punishment, a denial of knowledge that extends far beyond a term of incarceration (Lockard & Rankins-Robertson, 27). Both the imported model and the deprivation model thrive on the fears of the public, and are often utilized in a way that alters public perspectives on social programs, deeming that if the programs are offered to prisoners, they as the ‘*innocent*’ public, will lose opportunities for work, health care, representation, education, and financial security.

During my time in this particular prison, I asked a lot of questions regarding prisoner access in this space. Yes, classes are available, and so is training for various manual labor professions. But these courses are only available if a prisoner is sentenced to a minimum of 6 months in this facility, and they are not available at all, if a prisoner has an indeterminate sentence, meaning an arbitrary sentence like, *I year to life*. And only when a prisoner can afford expensive college classes, can they access higher learning, beyond manual labor. After asking about her current level of education, Wanda, stated,

“I have a high school diploma and some associate college credits. But I cant do anything about it here. We could if we have money. Through Donnelly college. But we don’t really have that right now. Its a little hard...I was going to be a..well for children, but obviously that is never going to happen again. I wanted to go into nutrition; I am a diabetic. Throughout my incarceration I have doubled my weight. And my insulin is not right. I just got done fighting for the right stuff.”

When people in these spaces have to ‘fight’ for their right to access life saving medications, how can they find the funds and energy to partake and succeed in higher learning? Although our discussion was focused around education, Wanda highlighted the resources in which she did not have access, and eventually acknowledged that she is aware of the resources that others have access to, noting repeatedly that she is disappointed that she cannot not finish her degree. Wanda maintains her innocence, and is appealing her 2nd Degree Reckless Murder charge. She was a college student at the time of her arrest, and she feels as though the last eleven years have been stolen from her, as well as her right to work with children. She is quick to tell me she hopes to have children in the future.

Through personal correspondence with Jalil Muntaqim, once a NAACP organizer and former Black Panther Party member, I began to see other mechanisms utilized to deprive histories from entering incarcerated space. Jalil is the longest serving political prisoner in America; he was targeted and incarcerated after the illegal COINTELPRO program, also know as “NEWKILL”, was executed. He was arrested in August 1971, at the age of 19, and has remained in prison for 48 years. In a letter correspondence between him and me, Jalil articulates the important place he feels history has in incarcerated spaces.

In respect to educational opportunities for those incarcerated in America. In many prisons college programs are established, some up to Master’s degrees. However, prisoners are only permitted to enroll in educational correspondence programs from GED to Masters programs if they can afford to do so...However I have been arguing that Black scholars should be concentrating their collective attention of developing a Black history curriculum to made part of America’s core curriculum. That this curriculum to be established as part of the curriculum taught in all prisons across the country. Given the fact that a significant proportion of America’s prison population is of Afrikan descent...it is imperative that they be taught black history as part of any studies in prison. -Jalil

Jalil has been denied parol 9 times since 2002, despite being eligible and his exemplary behavior, including as a history teacher, where he creates lesson plans, conducts each course, and

implements a curriculum for fellow prisoners. Even though he has had these courses approved by the prison, he still faces harsh punishments after he completes each course. On average, he spends three months in solitary confinement upon completion of each course. The Police Benevolent Association (PBA) continues to lobby against his release.

By revoking prisoner access to pell grants in 1994, under the banner of securing public safety and stopping crime, this drastically impacted the educational opportunities in incarcerated spaces. Not that opportunities were easily accessible then, as only 0.05% of the pell grant budget was allocated to prisoners. But what my fieldwork ascertained easily was that the desire to learn does not stop when people become incarcerated. The government actively reproduced inequalities that exist outside of this space by halting educational funding access, and allocating educational opportunities based on socio-economic status.

Deprivation Made Visible through National and International Court Cases

“State power flows along the contours of social inequality”

The mechanisms of structural violence are persistent, and provide evidence as to how violence is hidden by policy and in practice. Bill Clinton’s passage of the 1994 Violent Crime Control and Law Enforcement Act is a mechanism of structural violence. 150 more crimes are now death penalty worthy, and most of the crimes are non violent. “Jurors in Washington state are three times more likely to recommend a death sentence for a black defendant than for a white defendant in a similar case.” Structural violence is couched in American policy, and works to maneuver elements of public safety and national security, while negotiating with mechanisms that incarcerate primarily people of color for arbitrary sentence lengths, if providing a determinate sentence at all.

The Supreme Court first analyzed deprivation of Prisoners’ First Amendment Freedoms in *Procunier v. Martinez (1975)*. ” (Burns, 1226). This case would exacerbate the imbalanced

power dynamics, which already takes place in incarcerated spaces. Later, in *Turner v Safely* (1987), the Supreme Court forged a ‘four factor process’ determining at which level a prisoner’s constitutional rights may be infringed upon if it “related to legitimate penological interest” (Burns, 1226). In ‘maintaining order and security in the prison system’, the faculty effectively gained control over prisoners’ ability to obtain information on society around them, while depriving them of letters and photos, and segregating them from other prisoners and from contact with their families. And in the 2006 case *Beard v Banks*, by a vote of six to two, the United States Court of Appeals for the Third Circuit sides with Pennsylvania correctional restrictions (2006), thus actively violating the First and Eighth Amendment Rights of all Level II prisoners, who are placed in the Long Term Segregation Unit (LTSU). This section will provide a brief explanation of landmark court cases concerning prisoners’ rights to read, focusing specifically on *Beard v. Banks* (2006). I will also elaborate on the constitutionality of the deprivation of secular reading material and withholding human contact as a method to motivate complicit behavior in prisoners.

“It is hard to imagine a more extensive restriction of first Amendment Rights. There was no evidence that this [solitary confinement] actually improves prisoner behavior, and in fact, the Court said that none was needed. The government’s assertion of a benefit was sufficient...” (Calvert, 48). In the highest Court of the United States’ decision to encourage and allow constitutional rights of incarcerated people to be violated, it negatively impacts how society views the incarcerated population. By stigmatizing them as unworthy of something as seemingly simple as reading the newspaper, the Court is dehumanizing a part of the American population that is continuing to grow at expeditious rates.

In *Beard v. Banks*, an originalist interpretation of eighteenth and nineteenth century penal policy was used as a justification to deprive prisoners of the right to secular material, allowing them only religious texts, paper, a writing utensil, and with occasional access to legal materials. “Imprisonment as punishment became standardized in the period between 1790 and 1865...and it was distinguished by the prisoner’s isolation from the outside world” (Sweeney, 780). The Pennsylvania prison model provided a blue-print for the American prison system during the early 1800s, and “imposed this isolation specifically by denying prisoners access to reading materials and contact with their families” (Sweeney, 780). This rhetoric allows the Pennsylvania Department of Corrections to deny prisoner’s rights to read, as long as “regulation[s] be generally necessary to protect one or more... legitimate government interests” (Burns, 1226). In this wording, it must be understood that ‘one governmental interest’ can imply that pecuniary motives justify the deprivation of basic human rights from incarcerated populations.

In this particular court case, the Long Term Segregation Unit (LTSU) is located at the State Correctional Institution in Pittsburgh; the prisoners spend a *minimum* of ninety days in their cells for twenty-three hours a day. Ronald Banks, of *Beard v. Banks*, remained in the Long Term Segregation Unit from 2000 until 2005. He, and other Level II prisoners, have, and continue to be, deprived of human contact, are allotted just one visit through glass from an immediate family member per month, and are not provided access to telephones, televisions, magazines, newspapers, or any other media that would provide up-to-date information on global and national affairs. John Stevens, one of two dissenting judges in *Beard v. Banks*, critiques the theory of deprivation as rehabilitation, arguing that deprivation with the “incentive to improve behavior” (Stevens) is not compatible because it has no limiting principle, and can justify any regulation that deprives a prisoner of a constitutional right (Sweeney, 781). In this decision, the Court and

the Pennsylvania Department of Corrections have determined to what extent those in power can lawfully violate prisoners' First Amendment.

Supreme court justices Ruth Bader Ginsberg and John Stevens, as the two dissenting opinions in *Beard v. Banks*, argued that deprivation as a tool to motivate good behavior, as well as used to promote improved behavior, is not lawful. Stevens stated:

The state may not, consistently with the spirit of the first Amendment, contract the spectrum of knowledge. The right of freedom of speech and press includes not only the right to utter or print, but the right to distribute, the right to receive, the right to read and freedom of inquiry, freedom of thought (Stevens).

In saying this, Stevens is arguing that prisoners' First Amendment Rights are being violated by Pennsylvania Department of Corrections, as encouraged by the Supreme Court. In his dissenting opinion, it can be understood that relying on deprivation as a method of rehabilitation makes it difficult for healthy development to occur in incarcerated spaces. He argues that development relies on "suitable access to social, political, aesthetic, more, and other ideas" (Stevens), which is being withheld at total discretion of the Pennsylvania prison administration and the Supreme Court.

Beard v Banks was an attempt to question the previous rulings of *Procunier v. Martinez* (1975) and *Turner v Safely* (1987), and it aimed to persuade the court that the 'four factor process' was a violation against the First and Eighth Amendments. The Four Factor Process, from *Turner v safely*, stood until 1993, and would be reinstated in 1997.

1. Is there a valid connection between the regulation restricting a religious practice and a legitimate correctional interest?
2. Are inmates allowed other ways of exercising their right?
3. How much will allowing the inmates to exercise their right affect others in the correctional facility?

4. Are there available alternatives to accommodate both interests?

Ronald Banks argued that being deprived from secular reading material was an act of cruel and unusual punishment, therefor violating his Eighth Amendment right. The American Correctional Association earned legal justification to withhold basic human rights allotted to all American citizens. Deprivation of reading material and human contact is used as a method to promote positive behavior in prisons, but with only “25%” (Sweeney, 782) of LTSU inmates obtaining reading privileges, deprivation as rehabilitation continues to be implemented without any supporting evidence.

Congress drafted a, the Religious Freedom and Restoration Act (RFRA), which was passed into law in November 1993. “Under RFRA, restrictions on religious freedoms in prisons and jails would be upheld only if the government could show that the restrictions served a “compelling governmental interest” (Erzen, 109). In 1997, the U.S. Supreme Court found RFRA as unconstitutional, and the Four Factor Process was reinstated. The most recent legislation regarding prisoners’ right to religious freedom was developed in 2000, the Religious Land Use and Institutionalized Persons Act, which was curated in part by the evangelical group, Prison Fellowship. RLUIPA protects all “those confined in government institutions as prisons would be protected in the practice of their faith” (Erzen, 110). However, the actual practice and implementation of this law does not reflect what is written into law. The differing cases argued under the banner of RLUIPA, such as *Burwell v Hobby Lobby Stores* and *Holt v Hobbs*, “exemplify the differing legal premises of what exactly constitutes “religion” and the freedom to embrace certain practices within prison” (Erzen & Sullivan)

The 2008 *Medellin v Texas*

decision that US Supreme Court held that US states are not bound by International Court of Justice judgements, international law, or treaty obligations.

This prevailing legal and political animus in the US towards international law, standards, and norms colors US prison policies, where reference is made largely to what is being done in the other US states, rather than internationally. Such isolationism is particularly unfortunate in terms of prison education given that the US lags so far being many other nations in this area (Lockard & Rankins-Robertson, 24).

There has been a recognition of increasing US isolation from international norms on prison education, which has led to recent legal arguments attempting to close this gap through human rights approaches (Whitney), however the United States legal system continually ignores international pleas to improve conditions for incarcerated populations.

Smith v Van Boening (1994) upheld the claim by Washington state prison authorities to deny prisoners access to correspondence courses. These claims are not consistent with current international legal standards (Lockard & Rankins-Robertson, 24). “US courts have stated repeatedly that prison education receives no legal protection” (Mood v Daggett 1976; Hoptowit v Ray 1982, 30-31; Rizzo v Dawson 1985, 88; Robinson v Smith 1992, 3-4; Estrada v Gomez 1994, 8), and the American courts have conspicuously maintained this view, especially as incarceration becomes more profitable.

In 2008, the Committee on the Elimination of Racial Discrimination (CERD) looked specifically at the United States’ role in “racial profiling and disparities in adult imprisonment, youth confinement, and capital punishment” (Tonry, 119). “Twice, in 2001 and 2008, the Committee on the Elimination of Racial Discrimination reminded the United States that the convention forbids discrimination in any form, including as a result of tactics not motivated by discriminatory intent” (Tonry, 118). This decision on behalf of CERD to remind the United States that its treatment of prisoners is conducive with racial discrimination, and must be immediately assessed.

The Council of the EU recognizes that prisoners globally have a certain amount of rights that are inherent. “the Council of EU, recognizing that the right to education is fundamental and applies to prisoners, issued recommendations in 1989” calling for “full access to education, and the range of learning opportunities for prisoners should be as wide as possible” (*council of EU, Education in Prison. Recommendation no. R (89) 12 adopted by the committee of Ministers of the Council of EU on 13 October 1989 and Explanatory Memorandum (Strasbourg, 1990) Clause 2*). In calling for full access to education and for learning opportunities to be as plentiful as possible, one can assess that the United States penal system is lagging behind other industrialized nations’ justice systems. “The implementation recommendations cover a wide range of prison education issues and suggest educational programming be coordinated with outside institutions to enable released prisoners to continue their education” (Council of EU, Clause 16). But even this call for action marginalizes those serving life in prison. There must also be a focus on prisoners who may never again have access to outside society, as their acclimation to the deprivations of incarceration are still of the gravest importance. US legislators and domestic policymakers take little or no cognizances of international human rights conventions as establishing norms regarding prison education.”

Special investigator for violence against women, Radhika Coomaraswamy, a lawyer from Sri Lanka, visited 6 state and federal prisons in order to conduct research concentrating on prisoner treatment in U.S. incarcerated spaces. “Ms. Coomaraswamy’s report highlights the fact that incarcerated women in the United States are disproportionately poor and black...the report calls for minimum standards of treatment to conform with U.S. obligations under international law.”

Many felt nevertheless that Special Rapporteur should concentrate on crisis situations around the world rather than focus on countries where human rights

protection is more or less ensured. The Special Rapporteur maintains that...human rights protections are not only applicable during emergencies, but are also required in societies perceived to be crisis free (Policy Framework, U.N. Report on Violence).

Currently there are international standards, in regard to the requested treatment of incarcerated populations. They are set out in the Standard Minimum Rules for the Treatment of Prisoners adopted by the First Nations Congress on the Prevention of Crime and Treatment of Prisoners in 1955. Albeit these standards are not binding, they are internationally recognized as the international standards required for treatment of incarcerated populations. “The Standard Minimum Rule for the Treatment of Prisoners is augmented by the Basic Principles for the Treatment of Prisoners, adopted by the General Assembly in its resolution 45/111 of 14 December 1996. The Principles are based on the premise that [a]ll prisoners shall be treated with respect due to their inherent dignity and value as human beings.”

“Additionally the United States has ratified the International Covenant on Civil and Political Rights, as well as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment.” Yet the United States court has been able to avoid enabling legislation, under the claim that the provisions of the conventions are “non-self-executing.” Meaning, “unless there is enabling legislation, no one can bring an action in the United States courts.” Albeit the Eighth Amendment protects against cruel and unusual punishment, its interpretation in regard to prisoners in the court is restricted and narrowly observed. “To prove a violation, one must not only prove the injury, but also the intent of the person inflicting such injury.”

The question as to whether or not prisoners right to privacy is revoked when incarcerated is widely debated in the United States. “In *Hudson v Palmer*, the Supreme Court held that prisoners do not have the reasonable expectation of privacy, but in another case, the Court

argued that convicted prisoners do not forfeit constitutional protections merely because they are prisoners.” As international standards regarding the treatment of prisoners conspicuously states that a prisoner does not forfeit their civil liberties, “including the right to privacy, upon conviction, the United States has not made a full determination on this matter.”

Under statutory authority, the United States Department of Justice can enforce national standards, even though the U.S. is a federal system, allowing states the responsibility of governing criminal laws, prisons, and prisoner legislation. “Under Title 18, section 241 and 242, of the United States Code, they can proceed under the criminal law for violating a prisoner’s right and convict individual officers. They have to prove intent on the part of the official to deny the person his [her/their] rights.” It is highly uncommon and rare for prosecutions of individual officers to take place under the law. As is commonly seen with prosecution of governmental employees, such as relating to police brutality. A more common civil provision used, the Civil Rights of Individual Persons Act, passed in 1980, allowing the United States’ Federal Government to file suit against individual institutions when violations of constitutional rights are suspected. Although the standards are extensive for intervention, “the Department of Justice must have reasonable cause to believe that the state is involved in a set of practices where there are “egregious or flagrant conditions” that violate constitutional provisions.” The Department of Justice has full discretion to act on the complaints received from an array of diverse sources, yet, “according to the briefing paper prepared by the department, it investigated [*only*] 246 jails, prisons, and juvenile correctional facilities, mental health facilities, and nursing homes from 1980 to September 1996.”

“When the department investigates, its attorneys and consulate visit the establishments, conduct interviews with the inmates [prisoners], tour the facilities and, if conditions are

“egregious to flagrant,” it will write to the state, summarizing its findings and settings out the steps that need to be taken.” If the state does not comply to the steps to combat the constitutional violations within 49 days, the state may face legal repercussions. “Members of the Department of Justice said that, owing to limited resources, the Department could not be as active as it would like to.”

The following court cases are commonly used in cases arguing for prisoner rights. Prisoners have a constitutional right to be protected from harm, *Farmer v. Brennan*, 511 U.S. 825, 833 (1994), and serious risk of harm, *Helling v. McKinney*, 509 U.S. 25, 33-35 (1993). Prison officials cannot display “deliberate indifference” to prisoners’ constitutional rights. *Wilson v. Seiter*, 501 U.S. 294, 302-03 (1991) (citing *Estelle v. Gamble*, 429 U.S. 97, 104-06 (1976)). Although there is a lot of space in proving what is deliberate indifference, and what is merely indifference. And of course Sexual assault and abuse of prisoners, whether perpetrated by staff or other prisoners, violate prisoners’ constitutional rights under the Eighth Amendment. See *Tafoya v. Salazar*, 516, 912, 916, “no question” that sexual assault of a prisoner by a prison officer violates the Eighth Amendment.

Concluding Thoughts

It appears that even the justice system cannot keep straight how prisoners are to be treated within incarcerated spaces, in regard to access to skill building or educational opportunities, amongst other rights. As show through this chapter, international laws state that the United States has repeatedly violated the minimum requirements for the treatment of prisoners. The mechanisms of structural violence are persistent and often legally justified in American courts, which enables discriminatory structures to take shape as American policies. Structural violence is couched in American policy, and works to maneuver elements of public

safety and national security, while negotiating with mechanisms that incarcerate primarily people of color for arbitrary sentence lengths, if providing a determinate sentence at all.

The term ‘structural’ can be understood as how violence committed by the state, in this case, within incarcerated spaces, becomes hidden within policy and practice and is perpetual over time and space. Deprivation plays a key role in the control of incarcerated spaces, and is being used to discipline bodies in direct and subtle ways. The goal of the prison is to discipline and control prisoners during their stay. Prisoner infractions therefore represent a dysfunction in the disciplinary mechanisms of the prison (Cao 1997), leading prison personnel to increase deprivational mechanisms in an attempt to ensure further complicity amongst prisoners.

Deprivation is one of the most prevalent models used by prison officials to isolate and control variables that lead to disciplinary infractions. It is important to point out that the aim of the deprivation model is not humanitarian, but rather, is intended to help officials perfect their disciplinary techniques and exercise maximum control over the space. In carceral and criminal studies the deprivation model assumes “inmate aggression is the product of the stressful and oppressive conditions within the prison itself” (Cao, 104). Officials examine “prison-specific” variables that might serve as deterrents to “inmate adjustment” (Cao 1997, 104) including prison crowdedness, security level (which correlates with level of control over prisoner behavior and movement), length and type of sentence, access to relationships, among others. This method, though readily utilized, mistakenly ignores problems such as drug addiction or trauma that prisoners have experienced before and after becoming incarcerated.

My use of deprivation aims to capture how vulnerable communities lose access to their individual and collective contexts over time, and how they work to recover these histories, from a space of confinement. In this research, therefore, I redefine deprivation as a punitive

mechanism that differentially affects people of color inside and outside of prison. I argue that deprivation is not isolated or restricted to instances of discipline within the prison. Instead, it is a process that begins to unfold long before women, men, and children enter the prison, and is compounded and transformed by the conditions of imprisonment, especially among women of color. The goal of this process is to maintain surveillance over certain communities by withholding or removing access to elements that are integral to personhood and wellbeing. Therefore deprivation must be understood as the long process by which individuals and communities *lose access* to opportunities, goods, rights, and services, but also, to relationships, individual and collective histories, and rehabilitative environments and resources. My research therefor investigates the process of becoming deprived.

Chapter 3: Theorizing the Physical Space

“This used to be a black college. We are a historical site”

Introduction

In order to further understand the actual confining space where my participants were assigned, I began to look for historical documentation of its transformation. In theorizing this space, it can be understood that this space is a place of redefining or reestablishing the stigmatized identities that exist outside of the prison, and reestablishing them in the prison. This actively reproduces social inequalities. The inequalities being reproduced are based on skin color, socio-economic status, and access to resources.

In 1905, this space would be officially opened as the Topeka Industrial and Education Institute, a black institution for higher learning by Lizzie Riddick, a prominent member of the Colored Women’s Suffrage Association, and educator Edward Stephens. Riddick and Stephens would successfully gain the support of Booker T. Washington. Riddick and Stephens first started a kindergarten for black children in Mud Town, near Topeka, KS. Black Exodusters from Mississippi and Louisiana originally settled in this area of Topeka after 1879. Booker T. Washington visited Riddick and Stephens, and would endorse their efforts in 1897. In 1898, with funds from the black community, they purchased a building in the heart of Topeka's African American black business district on Kansas Avenue. (Quintard, 1998)

The school opened its doors at its first location in Topeka in 1895, but by 1903, because of the growing number of enrolling students, the institution would require more space. The construction would begin over the sprawling 112 acres, and would become the campus of the Topeka Industrial and Education Institute. There is a frightening line that must be drawn here, as the students from the Carpentry and Building Department at the college constructed the six buildings, with the help of other students from the college who quarried limestone for the six

original buildings. This is troubling because, the many black students who built this school built it on the pretense of this space being a place for the empowerment of black communities. Today this space has been appropriated as a space that actively houses and controls the movement of communities of color.

Beginning in 1910, the college would begin sponsoring the Sunflower State Agricultural Association. The Institute thus became an integral link for African Americans in Topeka, but also in creating networks for African American farmers throughout the state of Kansas. Thousands of students would graduate from this institution, and it would be later celebrated as a massive achievement on behalf of the state of Kansas, giving little credit to any of the black founders, educators, or graduates. This chapter works to investigate not only the historical transformation of this space, but also the trauma the prisoners face within this specific space and how deprivation is reproduced there.

In 2011, the prisoner population sentenced here grew 10% from the year prior, and then, the capacity of the prison was 749. The maximum capacity in 2017 was 907, but the number of women incarcerated there floats around 918-948 in 2018. Dorms A-D hold general population, and are considered low security; J Cell House holds medium security prisoners, and is a historical site of the former black college; and I Cell House is maximum security and lockdown. The average age of a prisoner at this location is 36 years old. In 2017, 38% of women had not completed high school, nor qualified for GED classes in the prison. 28.6% of women qualified for GED classes and had completed the courses. 12% of women had already completed high school, and 19% had completed school beyond high school.

The demographics of this prison fluctuate, but as of 2017, 1/4th of the population was African American, at least 4% were Native Americans, and roughly 1.1% Asian, but the

provided demographic statistics exclude other people of color. The demographics also do not reflect women who identify as more than one race. To gauge the vastness of this number, as of 2017, African Americans, both men and women, make up 5.9% of the Kansas population and Native Americans, both men and women, make up 1%. This statistic is lacking in fully capturing the demographics that exist in this space, but does highlight the disproportionate sentencing of people of color.

In conducting an analysis of the space through historical archives and written articles, I came to realize how difficult it is to access information on this particular aspect of Kansas history. I reached out to archivists and library specialists, but still came up with very little which elucidated this transformation. Although it was difficult for me to find historical evidence that this space even existed for 50 years, it was also difficult for me to find that in 2012, this location would be under investigation by the Special Litigation Section of the Civil Rights Division. This report finds that this location must expeditiously “seek a remedy for a practice of conduct that violates the constitutional and statutory rights of prisoners...”(2012 Investigation) and concluded that this site “fails to protect women prisoners from harm due to sexual abuse and misconduct from correctional staff” (2012 investigation). At the very least, this investigation highlights that women bore witness to immense trauma and abuse from 2009-2012 inside this location.

I worked to contextualize the interviews I was receiving within the broader system of women’s confinement in American prisons, because it is symbolic of what women’s experiences are in this space. As this particular prison has a violent history, it is necessary to theorize the history of the space alongside the narratives of the persons living inside of it. In the attempts to collect stories, personal narratives, and historical accounts, I began to realize the necessity in examining the history of the physical space that confines my participants in Kansas. *What does it*

mean for a community to bear witness to the conversion of their space of hope and higher learning into a prison full of colored bodies, whose potentials and freedoms are stripped away?

In further analyzing this space, I utilize phenomenological interviews held where my participants discuss the space and their understanding of history of the space, as well as an examination of the space through historical documentation, and lack thereof. *How can a space be understood if the history of a space is inaccessible?* It is pertinent to acknowledge that endless google searches, months of dredging through the KU library databases, and even the KU archives lack much information on this former black institution.

Wanda, one of my first interviews, is anxious to tell me about the historical site where she now lives. It comes up quickly, while we are discussing her interests. She is excited to tell me she is a dork, she ‘likes the nerdy stuff’. She has been routinely upbeat, but suddenly became uneasy.

Growing up we had U.S. constitutional books, and I was interested in the Underground Railroad, and we don’t have much about that here so...I am just saying, it sounds retarded, but its something I really want to look into. I love history.

Wanda’s statement is important for 2 reasons. It reveals that part of being a woman of color in America’s prisons is losing access to history, through historical narratives of one’s own family in particular, as well as historical literature about African Americans more broadly. As Wanda conspicuously feels a little embarrassed admitting she does not already possess knowledge on the Underground Railroad, she vividly starts to exhibit excitement to elaborate on her love for learning about history; she points out the window at the distant building, still within the sturdy prison walls, behind me, and says,

“Did you know the building across the street, we are a historical site, did you know that...?” The brick ones that have the other roofs and stuff, they were a

Negro college...so it says on the front door of J Cell House, what the exact stuff was.”



Above Figure : J Cell House, former academic building and girls’ dorm; Below Figure : “Captain’s Building”



What was formerly a black institution for higher learning has been converted into various degrees of incarcerated spaces. And one that disproportionately imprisons women of color. The “captain’s buildings”, as well as the J Cell house for medium level prisoners reflects a common theme of deprivation present within the carceral state, and what is far crueler, is the constant reminder of what once existed in this space. The front door, literally the entrance and mechanism

which locks them inside their confining space, is a reminder of what is not accessible to them. The institution closed in 1955, and would be converted from a place of higher learning, to a prison by the 1970s. This land would be appropriated as a space for confinement.

This research is determined to show that there is not a lack of desire to learn or grow in this space, but options for resources is dictated by those who already possess control. The depictions of prisoners are often contorted to misrepresent the prisoner as less than human, as being people who do not desire higher learning, self-expression, or historical knowledge. Through at first, small acts of communication, I was quick to notice that more than any population I had ever spent time with, people confined to incarcerated spaces desire human contact, in-depth conversations, challenging books, and historical knowledge. The assumptions that disregard these desires come from the very space that determines who has access to what resources and which historical narratives. This must be challenged.

The Space in Public Discussion

Does it matter how a space is discussed? And how it is discussed publicly, does that affect the public perception of the space? From a 1995 Congressional Record through the Government Publishing Office, I uncovered a transcription commemorating the 100th anniversary of the Topeka Industrial and Education Institute. “100 years ago the state of Kansas created the Kansas Technical Institute that changed lives, providing careers and training for hundreds of men and women. It became a source of information, inspiration, and guidance to thousands.” Although later in the record, the speaker names Izie Reddick and Edward Stevens, although briefly, and he does not mention Booker T. Washington. Instead, he gives the credit to the state of Kansas, re-telling this version of history, which is an erasure of actual historical memory. The school did not come under Kansas control until 1919, when it would become a

'regular' state school. "In 1919, it was made a regular state school by the legislature and in 1951, it became the Kansas Technical Institute." But we must question what regular means. Regular as in it was only for black students? Regular in that since it was segregated it received less state funding? What exactly is *regular* in the context of 1897 segregation laws, Mr Speaker?

The original name was the Topeka Industrial and Education Institute. After 1951, the name would become the Kansas Technical Institute, and this is how the Speaker refers to it, almost as if attempting to erase the history it held under its former name. "From the beginning, the KTI was more than a school. To the school family, it came a mission to assist black women and men in pushing any boundaries, *real or perceived*, that limited their lives." I take immense issue with how the speaker is speaking about the "real or perceived" life boundaries in 1897 for black students. *Plessy v Ferguson* (1896) had been instated just one year earlier, which made legal the "separate but equal" provision of private services mandated by state government constitutional under the Equal Protection Clause. As segregation laws in Kansas dealt primarily with education, the state constitution of 1859 specified that there be 'separate African American schools'. Even prior to *Plessy v Ferguson*, schools were segregated and African American students received less funding and less access to resources. To publicly state that the boundaries or barriers for African Americans to obtain education in the start of the 20th century were merely perceived works to recreate a different depiction of historical struggle.

As the speaker completes his commemoration, he once again does not give credit to any of the African American leaders who initiated this educational institution. "Many of the graduates went on to become business owners, doctors, nurses, lawyers, and other professionals, making one of the most significant contributions to the development of black leadership in the state of Kansas." In taking this accomplishment as an accomplishment of the state, the speaker

silences the stories and histories of the past. His incessant attempts of historical erasure also forget to mention that “this African American institution” is now a prison.

I came across my topic because of my interest in finding out more about the usage of incarceration as a means to deprive bodies and to disappear them from public view. I found myself asking, *What modes of existence are created in a space that is intent on depriving its inhabitants of normality?* In my time in this space, I noticed a discrepancy, *the public* seems to think of prisons or jails as a place where people who commit crimes are kept—prisoners *then* receive some aspect of rehabilitation— and then are released, or not. But in fact “rehabilitation” is absent from the goals and mission statement of the American Correctional Association, and cannot be found anywhere on the Kansas Department of Corrections website. This made me question the guise that has created the notion that prisons are places of rehabilitation, but more as places where bodies are kept and movement is controlled. Intersections of power imbalances must be questioned, especially as a disproportionate number of women of color are incarcerated.

“Rehabilitation” is missing from the mission statement or goals of both the Kansas Department of Corrections, as well as the American Correctional Association. This can be seen further in the minuscule budget allotted to educational resources. In 2017, the Fiscal Year budget was \$1,121,628 for education. It was paid to the educational/vocational provider Southeast Kansas Education Service Center (Greenbush). This amount was stretched across 6 different prisons, and was utilized for the following services, “Academic and vocational education services [at all six locations], RDU educational assessments [at only 2 of the locations], Special education services [at only 3 of the locations], and Title 1 Services [for only 1 of the locations].” This budget is insufficient in catering to the needs of people incarcerated in Kansas.

Each time I entered this incarcerated space, I noticed immediate discrepancies as to what *rehabilitation* meant, and how it is reflected in every day practice. It appears that the ‘rehabilitative’ resources were at the discretion of those who are in charge, which creates an ever-greater imbalance of power. I must say the two staff members that I worked closely with genuinely seemed to care about the women who were sentenced there. One of them knew every single first and last name of every single person incarcerated there, and when the prisoners saw this employee, they were always excited to greet this employee. And the other employee gave me their personal cell phone number to make entering and negotiating the process of the prison more accessible. But even as I saw enthusiastic support from some of the staff members, the more interviews I had with women in this location, the more I realized there were inconsistencies in what was being reflected in front of me. It was hard to quantify it, but I saw women were suffering. My research is an attempt to see carceral mechanisms that do not allow the public to have access into the experiences of the lives of those who are suffering. In other words, how occupying these confined and incarcerated spaces, and especially for prisoners with indeterminate sentencing who are not given an actual date of release, but an arbitrary timeframe, such as 40-100 years, are exposed to a transformative experience through which the convergence of their time confined in this space is married with the immense levels of deprivation experienced. This serves as a mechanism of structural violence.

2012 Investigation of the Special Litigation Section of the Civil Rights Division

Dear Governor Brownback:

We write to report the findings of the Investigation of the Special Litigation Section of the Civil Rights Division... The women [at this location] universally fear for their own safety. They live in a highly charged sexual environment...much of the inappropriate sexual behavior, including sexual abuse, continues and remains unreported. To date, the Kansas Department of Corrections have failed to remedy the myriad of systematic causes of harm to the women prisoners, despite repeated, well documented, and detailed investigation and audits exposing the problem¹¹.

¹¹ Investigation of the Special Litigation Section of the Civil Rights Division, 2012, Topeka, KS

In 2012, then Governor Sam Brownback was notified of the investigation of the Special Litigation Section of the Civil Rights Division. This investigation sought to determine “whether prisoners at [this location] were subject to sexual abuse and/or unsafe environment conditions in violation of their constitutional rights.” The investigation “concluded that [this location] fails to protect prisoners from harm due to sexual abuse and misconduct from correctional staff...and has a history of unabated officer on prisoner sexual abuse and misconduct. The women [at this location] universally fear for their own safety” Although there had been a history of reports by prisoners of the abuse they endured, KDOC (Kansas Department of Corrections) failed to stop the “well documented and detailed investigation of violence” that occurred in this prison. In 2009, reports from the prison stated that “as many as one third of the employees had engaged in sexual misconduct” And at the time of the investigation in 2012, and after two years of audits and NIC reports, the KDOC and leadership failed to adequately address the deficiencies.

The disturbing trend of abuse in this space continued unabated for years. This report focused on abuse that falls under the following six categories. Women prisons are subjected to sexual assault and other unwanted sexual conduct from staff; inadequate correctional practices; lacking adequate policies and procedures to prevent sexual abuse and misconduct; inadequate training and gender responsive strategies; inadequate numbers of female officers; and inadequate grievance procedures.

The deprivation of security (Sykes, 1958) in prisons enables correctional staff to exploit prisoners, and because of the power imbalance, prisoners can be rendered helpless. This is important to note, especially for a specific prison that has had repeated accusations of violating prisoners’ security. With the increased fear of being attacked, “the prisoner’s loss of security arouses acute anxiety...not just because violent acts of aggression and exploitation occur but also

because such behavior constantly calls into question the individual's ability to cope with it" (Sykes, 78). Sykes argues that a prisoner's individual "picture of [them-self] as a person of value— as a morally acceptable adult...who can present some claim to merit in [their own] material achievements and in [their own] inner strength—begins to waiver and dim" (Sykes) with the pains of imprisonment.

Although the investigation did find that minor changes had been implemented at this location, they were inadequate and lack accountability measures to ensure their effectiveness. It further notes that "the dysfunctional investigative reporting, analytical, and disciplinary systems at [this location]...may indeed be far deeper than documented and reported. Although this investigation took place in 2012, many of the women with whom I interviewed were in prison during this investigation and long before the investigation took place.

The investigation determined that this location does not have an adequate system for collecting offenses by staff against prisoners. Even after an officer had six women report him for abuse, he was not reassigned to a position without prisoner contact, and thus he was able to maintain continued access to his victims. The Audit Report also confirmed that abusive pat-down practices were rampant, and that most women received numerous pat-downs beyond what is typical. Beyond this everyday act of violence that women were forced to endure, this investigation also found that women on "work duty" were on multiple occasions sexually assaulted by the driver, and one woman was impregnated. This would finally lead to this particular officer's arrest.

The Library as a Shared Space?

While everyone was labeled an "inmate", I began to notice that inequalities outside of the prison were reproduced within this space. Skin color, socioeconomic status, and gender remained

determinants for access to opportunities. The women's stories help us understand that acts of deprivation have been operating in their lives long before they arrived at this prison, and this space of confinement is a continuation of that. The prison reproduces these deprivations in different ways, such as through disciplinary infractions for arbitrary rule breaking, such as raising one's voice during dinner, or in a hallway, and access to historical knowledge, through books, or bookclubs, as well as access to the prison library.

This inequalities reproduced is also reflected in who has access to which work positions. I began to notice a pattern in who was 'rotated in' or 're-rotated' to work at the library. I came to realize that white women had monopolized this space, and had even been unwelcoming to women of color. The white women who had the most amount of control utilized this space for their own 'self help' explorations and bookclubs, but were quick to demean the women of color who entered this space, as not being interested in "the en-betterment of oneself".

This supposed lack of desire did not present itself in any of my interviews, but the library staff with whom I engaged continually projected these negative views. Petunia, 49, told me, "I am one of the librarians here... I know its nothing but the grace of God I haven't had to rotate out to a different job. It is really my gifting, working with people, I am a peace maker." Although this particular prisoner may feel that her position in the library has been sustained because of her endless "hours of prayer", she is oblivious to her level of privilege as a white woman within this space. As a rule, the prisoners are to be rotated to different positions, so that they can "learn various trades". But as it appears, those placed in the library, from my observations—predominately white women—have been able to maintain these positions, while other women—predominately women of color—within the prison are required to rotate and constantly uproot

their positions. This is another element of deprivation, which presents itself in the constant inability to create a familiar routine.

Although this particular librarian feels that she is a peacemaker, she is quick to exclude and disregard a large percentage of the library visitors.

I think there is such a small percentage of women within this population, and when you come in, you see up on their board how many women are in this facility...its such a small handful of woman, who are actually utilizing or hunger for the en-betterment of themselves...from the inside out. It is such a small handful.”

This statement is important for three major reasons. The first, her assumptions that only a small percentage of women within this facility are capable of improving their own conditions, and what is worst, is that she assumes that they do not even have the “hunger” to change their lives. This attitude would of course become evident in the way that she treated some prisoners, and can be traced to her lack of experience with the experiences of people who appear to be different than her. But in giving her a position of power over other prisoners, the space is reproducing elements of deprivation outside of the prison in new ways inside the prison. Her attitude towards predominately people of color made the library less of a welcoming space for other women, which works to monopolize what is supposed to be a learning space. The second, it is particularly important to acknowledge her own observations of “the board” when you walk into the facility. This shows that she is allowed access to other spaces within the prison, which most women are not. Because of her relationship with the NRA, she provides interviews often, and is a spokesperson for an organization, Reaching Out From Within. Third, she also says that she finds that women here do not wish to improve themselves from the “inside out”. This correlates to “Heart Change”, and seeing the individual as the problem, rather than as a victim of an unjust system.

As an attempt to justify her claims over whether or not non-white prisoners seek to improve their conditions, she made it clear that a large percentage of the prison population does not feel comfortable entering this space. “The amount of ladies that actually come here regularly is a handful compared to the whole population on this side. Hardly anybody utilizes the library” I could not help but question this statement in my head, and while mulling it over, I kept coming back to the idea that, *could that be because none of the books represent a major percentage of the population? Or possibly because this space has become unwelcoming to women who don't look like you?*

Petunia does not know how much I do, or do not know about the prison system's rules. But then I begin to wonder, maybe she does not know, because she never asks about the experiences of people who are different than her. Maybe, because she surrounds herself with other white women, particularly the white librarians and Evangelical Christians, she has not met anyone who has been given an indeterminate sentence. She lets me know very strongly about who has access to the classes, and how much it bothers her. “You got half of the ladies here, they will take different classes and stuff, just because it gives the program credit to knock 120 days off of their sentence. But they are not taking it because they really want to change.” Possibly because she has had so much access to participate in various programs, because of her pro-gun financial sponsorship from an NRA member pen pal, she does not have the same struggles for education as other prisoners around her.

She further alienates other prisoners with her position in the library by labeling it a “Pro Life space”. This in itself excludes women who have had utilized their right to access an abortion. “Today is the Pro-Life March, so I am walking around with what the title of what the march is. That is my way of participating. I am really big with that now with the woman I have

grown into.” In again, not realizing her privilege in this space, she is allowed, even encouraged to disseminate her views in this space, whereas Black Lives Matter is not even allowed to be mentioned. Because of her position as a librarian, she has some sway in which books will be brought to the facility. And again, I found myself wondering, *if all the people who are determining the book selections are white, how can they pick books that represent the broader population’s interests?*

I asked her about the available subgenera within self-help which are available. Although I had also seen the available books in the self help section, I wanted to see if she had realized that the majority of the books available had covers with white faces, and focused on how through Christianity, women could become *saved*. “We actually have the largest section of self help for women, as far as public libraries go in the state of Kansas, and there is just not, its not there for them, its not there in them.” This statement is important because Petunia seeks to let me know that there is huge availability for helping these women, but only on terms that fall within the religious sphere of evangelicalism. Her assumptions that the desire or ‘hunger’ for self help, “is just not in them” or “for them” creates a power imbalance because she is in a position of power, even in a space where everyone is supposed to be relegated as equal on the basis of being sentenced to a prison. This is pervasive throughout American prisons. Thus it can be assessed that this space, a library, which is meant to be a place for higher learning for the entire prison population, has been reserved to those who already held the most privilege within the confined space.

Heart Change and a Space for Religious Indoctrination

This particular Kansas prison was sued in 2017 for violating the First Amendment rights of secular and non-Christian prisoners. Shari Webber-Dunn, the plaintiff in this case, has served

23 years at this facility. With the support of the American Humanist Association, she is asking only that her lawyer fees be reimbursed and that secular material be available to her and others. During her time in this prison, Shari has switched housing cells many times, and she was recently moved from J Dorm to C Dorm. She was moved to a different dorm as a solution, but the staff did not remove the religious messaging from either dorm.

The facility rejected the claims that the policies, customs, and practices at the prison sponsor the Christian religion. However, the intuition is being charged with displaying and favoring Christian messages, images, and symbols on public bulletin boards and elsewhere on prison grounds. It should also be noted that prisoners receive a hefty punishment if they are found removing anything from the bulletin. Staff of the prison is known to encourage and also facilitate Christian prayer requests, while ignoring other religious requests. The prison has made a point of erecting an 8 feet high cross, which is

displayed in a multi-purpose room that is used for various purposes throughout the week including visitation with non-prisoners. The Plaintiff views the cross as disrespectful to all non-Christians and as echoing the oppressive message that Christianity looms over the inmates at all times and they are powerless to do anything about it (Complaint Final, 2017, KS).

The institution is also known for frequently choosing and broadcasting Christian movies on facility televisions as well as prisoners' privately owned televisions. Imposing Christian beliefs on prisoners is in violation of the Establishment Clause of the First Amendment to the United States Constitution.

In investigating this case further, I found on line 20, in regard to a bulletin notice from the week of July 23, 2017. It was signed by the TCF Chaplain Charlotte Maxwell, was who soliciting donations for the Spiritual Library. Complaint 20 reads as:

The Spiritual Library is looking to increase their library. We are looking for donations from you!! have you run into the problem of having too many books on your property file? Do you want to get something new but can't? Well, we have the perfect answer for you! Donate to the Chaplain's library! Don't forget to go through the property office and get your books removed from your property file! GOD BLESS AND THANK YOU.

This is important to note because prison staff is actively asking for donations from the most marginalized population, some of whom make less than 12 dollars per month. But also, the "Spiritual Library" should have books beyond Christianity.

Complaint 22 reads as,

A smaller bulletin board that is placed on the north entry-hall wall so that every inmate on the entire dorm (approximately 108 inmates) must pass by it in order to use the janitor closet where mops, brooms, buckets, dustpans, and other cleaning implements are stored. This particular bulletin board is used solely for the display and dissemination of Christian ideas and images.

Christian messaging is the only material permitted to be on this bulletin board. Because one religion is privileged over others, this causes an even greater tension between access and prisoners who do not conform to the favored religious teaching. This bulleting board also has a manila envelope attached to it that reads "Prayer Requests." A note stuck on it says, "Do not be anxious about anything, but in everything, by prayer and petition, with thanksgiving, present your requests to God. Philippians 4:6 (niv)." (Complaint Final, 2017, KS).

Complaint 27 reads, "Not only does the prison post Christian propaganda on bulletin boards in a state- owned and operated correctional facility, prisoners are under threat of punishment if they are caught removing anything from the bulletin boards, even it if violates their Establishment Clause rights" (Complaint Final, 2017, KS). The Department of Corrections enforces Kansas Administrative Regulations which allows for personnel to give punishments based on the removal of items from bulletin boards. "No inmate shall remove any item from any

bulletin board. Each inmate shall be held responsible for compliance with orders published by posting on the bulletin boards. Bulletin boards shall be used by and shall be under the exclusive control of the warden or designee.” (Complaint Final, 2017, KS). The Violation of this regulation is a Class II offense. The penalty for a class II offense may be any one or any combination of the following punishments, amongst other punishments. Disciplinary segregation, which is solitary confinement, and is not supposed to exceed 15 days; loss of good time credits, not to exceed three months; extra work without incentive pay for not more than two hours each day, not to exceed 20 days. But this must be examined, because incentive pay ranges from 40 cents to \$1.05 per day. This rule shows how easy it is for staff to extra free labor from prisoners.

On July 30, 2017, the Plaintiff observed only Christian literature on the north side of the C-Dorm officer’s desk. Even though the slots are reserved for Form 9s, Grievance Forms, Medical Sick Call, and Mental Health slips. The records show that Shari stated that only the following pamphlets were available to her: “June and August, 2017 issues of Warcry (a Salvation Army publication); • June, 2017 issue of Believer’s Voice of Victory;^{[[[]]} • August, 2017 issue of Guideposts; and,^{[[[]]} • Hearts of Hope newsletter from Overcomer Covenant Church” (Complaint Final, 2017, KS). There were no state forms of any kind in any of the slots, just the Christian reading material.^{[[[]]}

Other bulletins have read, “It’s not about a bunny. It’s about a lamb. Christmas was the Promise. Easter is the Proof!” Non-Christian holidays are rarely, if ever, advertised for prisoners. When I was at the prison on May, I did not see any bulletins for the nearing Ramadan. Another bullets reads, “You are beautiful. Don’t allow anyone to tell you less. — — — God made you. Hope anchors the soul. Hebrews 6:19 — — — Keep watch over your heart. It’s where life starts. Prov. 4:23.” This particular message is problematic because it perpetuates the idea that there is

something wrong with the hearts of prisoners. The notion of “heart change” is ever present in incarcerated spaces, and actively works to erase the histories that bring women to prison. By focusing on the problems of the heart, ministries and religious authorities are able to ignore deprivation, discrimination, and historical factors that have led a person to incarceration.

Shari points to how inescapable religious messaging is to her and other prisoners at this location. She also says in the Complaint.

The laundry is a workplace. There are never any religious services held there. Inmates of all beliefs must drop off and pick up their laundry three times a week. There is no valid reason why Christian materials should be displayed there in a state-owned and operated correctional facility.

This is important because Shari draws attention to how the institution uses the prison as a space for proselytization. In saying that this is a workplace, in a state-owned and operated facility, she is showing ways the state blurs the line between separation of church and state.

This particular court found that the

actions, failures to act, and policies described lack a secular purpose, have the effect of promoting, favoring, and endorsing religion – particularly Christianity – over non-religion, and result in an excessive entanglement between government and religion, thus violating the Establishment Clause.

This is important for two reasons. First, because the institution denied these claims, it might be assumed that this facility will not make changes to the perpetual Christian messaging disseminated throughout the prison. Second, Shari was able to prove in a court of law that her First Amendment right was violated, actively challenging the benefits to disseminating heart change.

Heart change equates to being the individualization of problems, and ignores historical violence, which has preceded a person’s incarceration. The idea that forgiveness or resolution

only occurs as a result of punishment, or after a certain amount of punishment, has roots in Christian theology (Erzen). Timothy Gorringer states, “crucifixion proves that punishment is the only way to deal with “sin” or crime, or for behaviors deemed unacceptable by those who create the policies” (Gorringer). Gorringer argues that this cultural approval and support for retribution emerges from a Western Christian belief that retribution is God’s will. “The logic of retribution” (Erzen, 115) accompanies many rationales for the use of deprivation as punishment in incarcerated spaces.

When religious redemption is represented as the only option for escaping endless captivity, many participants forgo their own religions and identities to engage in classes, group discussions, and to feel inclusion. “In many prisons, a person’s adherence to Christian beliefs may mean being able to live in air-conditioned rooms in the safest and cleanest part of the prison or having access to coveted work-release assignments” (Erzen, 13). Religious conversions and Christian participation provides an option for prisoners to interact with people outside of the incarcerated space, which is particularly appealing to prisoners who have not had any visitors, regardless of their religious affiliation. Evangelical groups utilize theology that includes the prisoner, spurred by the Bible verse in Matthew 25:36, “I was in prison and you visited me.” Yet, this creates ample room for volunteers, ministries, and churches that go inside to have access to a captive population, opportune for proselytization. Researchers, advocates, and policy makers must determine how this space is being used as a way to convert mass populations to the dominant religion of the United States.

In “many states, nondenominational Christians make up more than 85% of the volunteers who enter prisons” (Erzen, 4). But they enter the prison under the auspice of faith-based or spiritual, rather than Evangelical, or Christian. In my own experience in receiving training to

volunteer in prisons in Kansas, I was one of 2 of 48 volunteers trained that day who did not have a spiritual or faith based affiliation. Because volunteers at this prison are predominately denominations of Christianity, most other faith groups do not have their religions needs satisfied. As stated on the Kansas Department of Corrections website, “We are very lucky to have volunteers for most of the offenders’ religious needs. There are still some specific offender faith groups that would appreciate guidance from those similar faith groups outside the prison.”

(KDOC) The faith groups that do not have a volunteer are as follows: Asatra, Assembly of Yahwey, Islamic [Islam], Judaism, Moorish Science Temple of America, Native American, Rastafarian, Thelema, and Wiccan. This is important because it highlights how Christianity is privileged over all other religions, even other Abrahamic religions that are popular. It is estimated that across the United States, 25% of prisoners are Muslim. Many groups are delicate with the naming of their group as to avoid a direct and conscious violation of First Amendment rights, prohibiting government from favoring one religion over another, but “if you don’t profess to being a born-again Christian, you don’t receive help or consideration” (Erzen, 6)

According to the Christian program, Weekend of Champions, “in order to have the most effective impact, one must seek to change the hearts of criminals” (Erzen, 19). The vernacular used in this mission statement calls into question the historical knowledge that this group could possibly have, when terms such as ‘criminals’ is used. Thus it can be assessed that this group, and others with similar missions, ignores the position that historical experiences have played in incarceration in America. By stating that an incarcerated person needs “heart skills” more than educational programming, job skills, or drug treatment, finds fault in the person as an individual, thus blaming their heart, or values, as the reason they are in prison, and again, ignoring the historical violence that has taken place in marginalized communities, most often leading to mass

incarceration. It is important to explore the historical impacts of Structural Violence, which assumes that opportunities and risks are structured, not just given, they do not pre exist, but instead, opportunities are given to some based on backgrounds, gender, sex, and religion, and then not others, based on the same factors. (Farmer, 1999)

In an effort to get incarcerated people to conform to dominant narratives, such as evangelical Christianity, an emphasis is placed on erasing the identify of who the prisoner came into the incarcerated space as, and recreating themselves as ‘born again Christians’. As Tanya Erzen elaborates in her book, *God In Captivity*, Narcissism is ingrained in the evangelical narrative of heart change. Change is entirely focused on the individual, that it disregards the social factors that have shaped a person’s existence (Erzen, 2017). Thus again, attempting to erase signs of historical factors of oppression, which have lead to mass incarceration. This attention to the “spiritual” components of human life, or on altering the heart of the prisoner, rather than the “religious” provides chaplaincy programs with legal space in which to maneuver without conspicuously violating the First Amendment rights of prisoners. Spirituality stands for something that is universal and available to all, and thus sidesteps First Amendment restrictions about religion, which can be divisive and partisan” (Erzen, 93).

The Way Forward, an evangelical program prevalent in incarcerated spaces has a strict anti-gay policy, but, as long as the prisoner repents for ‘taking part in lesbianism’ and ‘asks for help’, they are not forced to quit. Diana, a group facilitator in a Louisiana prison says, “only in submission to God can healing and transformation occur...it comes by surrendering your heart to the one who can heal it” (Erzen, 141-142). Diana repeatedly warns the women that attempts at healing themselves through their own efforts is at best a temporary solution, and at worst, a delusion.

For many women who have gone through the cycle of abuse and imprisonment, the jail or the prison may be the first place where they might be given a ‘safe’ space to talk about past abuse, and feel relatively safe, or at a distance, from their abuser

Once there, they are told that yielding to God is the only way to heal from sexual abuse. The premise is that they are incomplete without God. However, surrender to God is a vexed concept, because, like so many conservative Christian ideas, surrender is predicated on a belief in males as leaders: men are God’s representatives on Earth...Diana seems unable to explain what to do when the person who is God’s representative on Earth is also punching or raping you. The ministry established to provide counseling and support for abused women based on the idea of submitting to men (Erzen, 142-3).

She "espoused the idea that a woman who is a servant to her husband is a servant to God, as he is also a servant to God, a theory of female submission prevalent in other ministries" (Griffith). This is particularly damaging as most female prisoners identify as victims of sexual, and/or domestic abuse. The vast majority of women in prison—85 percent to 90 percent—have a history of being victims of violence prior to their incarceration, including domestic violence, rape, sexual assault, and child abuse.¹²

The Way Forward, and other faith-based groups in prisons, tend to focus on a “moral failing,” rather than ever exploring the social or structural inhibitors that led women, (men and children, too) to incarceration. This perpetuates the notion that women are naturally good, but only when they have ‘surrendered to God’s grace’, can they become complete. This focus on the surrender of the self is crucial to faith-based ministries. “for them, work on the self is only appropriate in the context of God” (Erzen, 146).

In attempts to assure me that she is a ‘pious Christian woman’, Rose goes on to tell me that she was not a good Christian before she came to prison. She mentions programs like the

¹² United Nations Report on Violence Against Women in U.S. Prisons, *United Nations Human Rights Commission*, 1999

Way Forward and Reaching Out From Within, but feels as though the solitary time spent with God in county is where she found herself. It was her year spent in a solitary cell in County jail where she found the bible, which made her a *real* Christian. This space made her feel like she could only become a fully participating Christian with the necessary solitary time she spent alone with the bible over 365 days and nights.

Before my incarceration, before I shot my ex husband, I was not a Christian. I became a Christian in county jail. And I was able to develop a strong foundation before I ever came to prison because I sat in county for like a year before I came here. And it was a very small county jail. So I was pretty isolated.”

She would elaborate on this year of her life, and how she came to sit in a cell by herself with nothing but a bible. This quote does not make obvious the immense amount of violence that she faced in her 64 years of life. It hides that she was a victim of childhood incest, and that she was once an 18-year-old who ‘phased out’ of the system, and moved home to her abuser after. Her abuser who never spent any time in jail, but was required by the Johnson County Mental health Center in Olathe, KS to attend counseling. It also does not mention that she would be kicked out of her abuser’s home for missing her 10 PM curfew, and would immediately fall into the arms of another abusive man during her time on the streets as an 18 year old. He would become her husband, and would spend the next 11 years physically and sexually assaulting her. In an attempt to save her own life, and her children, she shot her husband and pleads non-guilty, with a plea of Battered Women Syndrome. The state of Kansas does not accept this plea. She was sentenced to 25-life. What this quote does tell the reader, one, that she was held in county jail, because she could not afford to pay her bail until she was charged, and second, that her year long isolation is the catalyst for her religiosity.

Research rejects the claims that Evangelized education will improve the conditions with an incarcerated space, yet “today, all over the united states, with federal assistance and private

volunteerist zeal, a quiet faith-based revolution is taking place...in state and federal prisons, from minimum to maximum security” (Erzen, 3). And as it stands today, “conservative Protestants have the monopoly on prison ministry” (Erzen, 5). Christian based faith groups are innumerable in the prison system, and in their foundation in attempting to “reform” the prisoner, they mistakenly most often ignore why people end up in prison by denying a history of oppression and discriminatory national policies.

The Space Through Images



KANSAS VOCATIONAL SCHOOL.
(From the air.)

Above Figure 1: Kansas Vocational School, From the Air & Graduating class of 1932 (1932-1935)

Below Figure 2: Graduating Class of 1932



THE GRADUATING CLASS OF 1932.

(6)

While I was going back and forth from my research site, I could not shake the fact of how much this prison really does look like a college. In an attempt to find out as much about the history as I could, I began reading through 10 Biennial reports from 1919-1936 for the Topeka

Industrial and Educational Institute. The college would be renamed multiple times throughout its history; I purposefully use its original name. The reports are currently being preserved at the University of Chicago. With the help of the Biennial Reports I was able to document the transformation of the college in another way. First, as a fresh plot of land, purchased and nourished. Then, by the hands of the college's students, 6 limestone structures were erected, some for academic courses and communal gathering, others for dining and sleeping, and another that would become a great source of income.

Those buildings still stand today. Even though many from the prison staff would like to have the buildings torn down. Massive fencing guards them, and prisoners have little access to these historical sites. Second, I am also able to document the lack of preservation efforts put towards the buildings that are not serving any penological interests. And third, I hope to highlight the sheer skill and dedication that the students had in constructing each of the



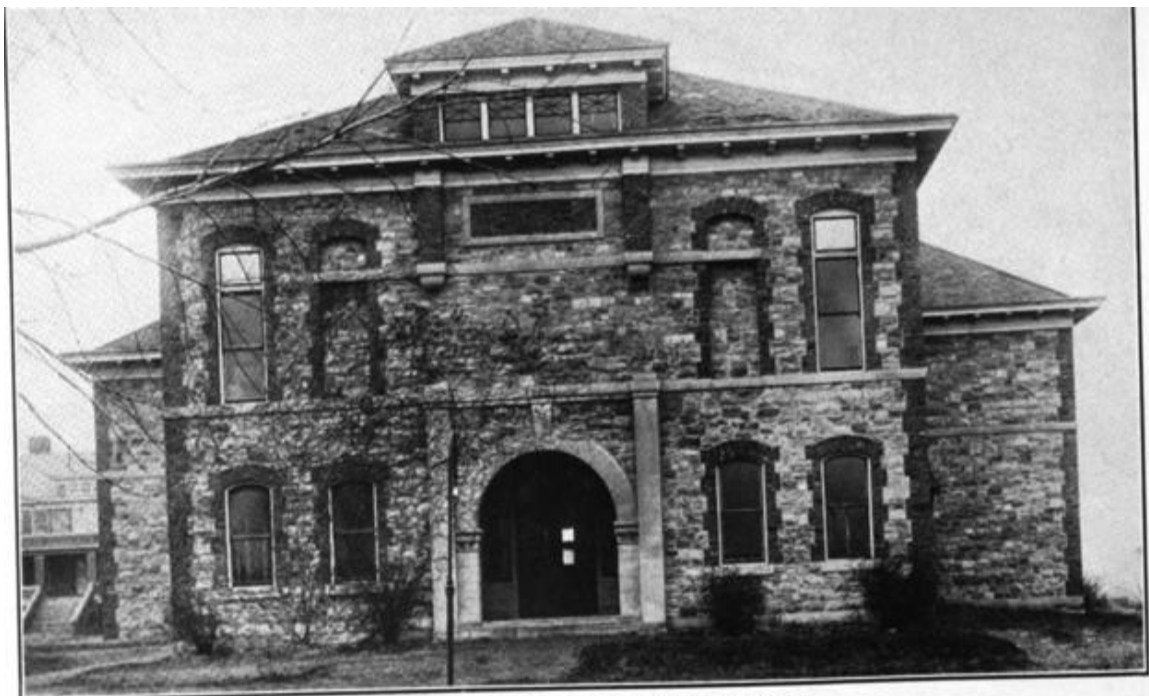
Figure 3:1903, Kansas Historical Society

buildings. Not only have the buildings withstood over 100 years, but also each building has its own elaborate, intricate design.



Figure 4: Kansas Historical Society Sepia

The first picture, figure 3, shows the initial landscape of the to-be college campus. Notice there are two Topekans in the photo. The second photo, figure 4, shows the progress made by the students from varying departments across the college who came together to erect each of the limestone buildings. These photos are important because they document the early history of this space, showing how far it has shifted from the original intention.



ACADEMIC BUILDING, KANSAS VOCATIONAL SCHOOL.

Figure 5: Academic Building (Biennial Reports).

The photo above is one of the academic buildings, which has now been appropriated as the “Captain’s Building.” At one time, this building was the location of nursing courses,

mechanical sciences, and law classes. Now, this is where the warden and other staff conduct their daily business, making decisions about the futures of the prisoners that are serving their time in this prison. It is important to note that this building, one that was constructed for the pursuit of knowledge by the students of the college, has been repurposed as a space for those already in control.

The photo below, Figure 6, The Captain's Building, 2018 D'Ottavio Swanson



You can still find some of the original markers that make this building, as well as the other 5, unmistakable. Because the prison is required to maintain and not destroy these historical buildings, some buildings have received more attention than others. The Captains Building has been well maintained. The grass around it is trimmed, and there are very few weeds allowed to take root along its landscape. There are even freshly planted trees. Because this building is now the Captain's Building, the prisoners do not have readily available access to this former space of

higher learning. As it was once an academic building, the prison is actively removing access to one of the historical sites, making it even more difficult for women to resuscitate their histories.

Figure 7 is the building across the street from the Captain's Building. It is the former site of the college's gymnasium. It was a site of triumph, teamwork, and community gathering across the state of Kansas. It has been neglected over the years, even though this is the former location where people from across the state of Kansas to come together to watch the 1932 state champion football game, weekly girls basketball games, and to listen to the well renowned band and chorus.

Figure 7, below: The Gymnasium, 1927



GYMNASIUM.

Weeds extend around the green areas touching this building now. It is also muddy, and it does not appear that this building is often frequented. Windows that are not painted over are filthy, but I can see stacks upon stacks of trash, luggage, and other miscellaneous messes all over the floor. I wonder aloud how beautiful the inside was, and notice a white van following me, as I am on foot. I know that I am allowed to be here, because it's a historical site. I wave to the officer and he quickly drives away. I walk around the building, and it is so beautiful, I can hardly believe it has not been put to use. I consider how someone is actively choosing not to use this space; someone made the decision to lock women out of their own history here.

The limestone blocks are many shades and sizes, no doubt hand-picked and placed individually by the students. The small green, almost diamond shaped, stones carved above each window are still there, as is the intricate brick-laying dome over the entrance. This building could be repurposed into extra classrooms, or a yoga studio, as so many women have requested. The front doors no longer stand tall and strong, in fact, they have been replaced by cheap, fake wood. They are flimsy and badly weathered. I am sure these doors not keep out the bugs or vermin. Someone has opted to paint over the front windows, making it even more difficult to see

Figure 8: Full View, Gymnasium 2018 D'Ottavio Swanson



inside. I looked everywhere for a sign that might give more information as to what this building once stood for. I find nothing documenting the history of this building, but if one looks into the historical trail of this building, it can be seen that it was once a beloved site of higher learning and community.

This was a popular gathering place for students to congregate with the community for extracurricular activities. These activities included, but were not limited to sports such as basketball, football, and gymnastics, as well as debate, band, and chorus. Throughout the

school's tenure, women made up a large number of students involved on campus and in the community. This location is a reminder of the opportunities that are not accessible by the women sentenced to this college-turned-prison.

Above, Figure 9: K.V.S. Chorus (Biennial Reports)



THE K. V. S. CHORUS.

Below, Figure 10: The Institute Band (Biennial Reports)

It is gravely important to point out how vastly different the care is in preserving each building. The gymnasium, a beautifully intricate building constructed by students across different departments of the college, is now being used to store prisoners' physical luggage and suitcases. In comparison to the Captain's Building, this particular building has received little in terms of preservation. And much like other historically recognized buildings at this prison, the prisoners do not have readily available access to any of them. The gymnasium is not the only historically sanctioned site that I noticed had been neglected over the years.

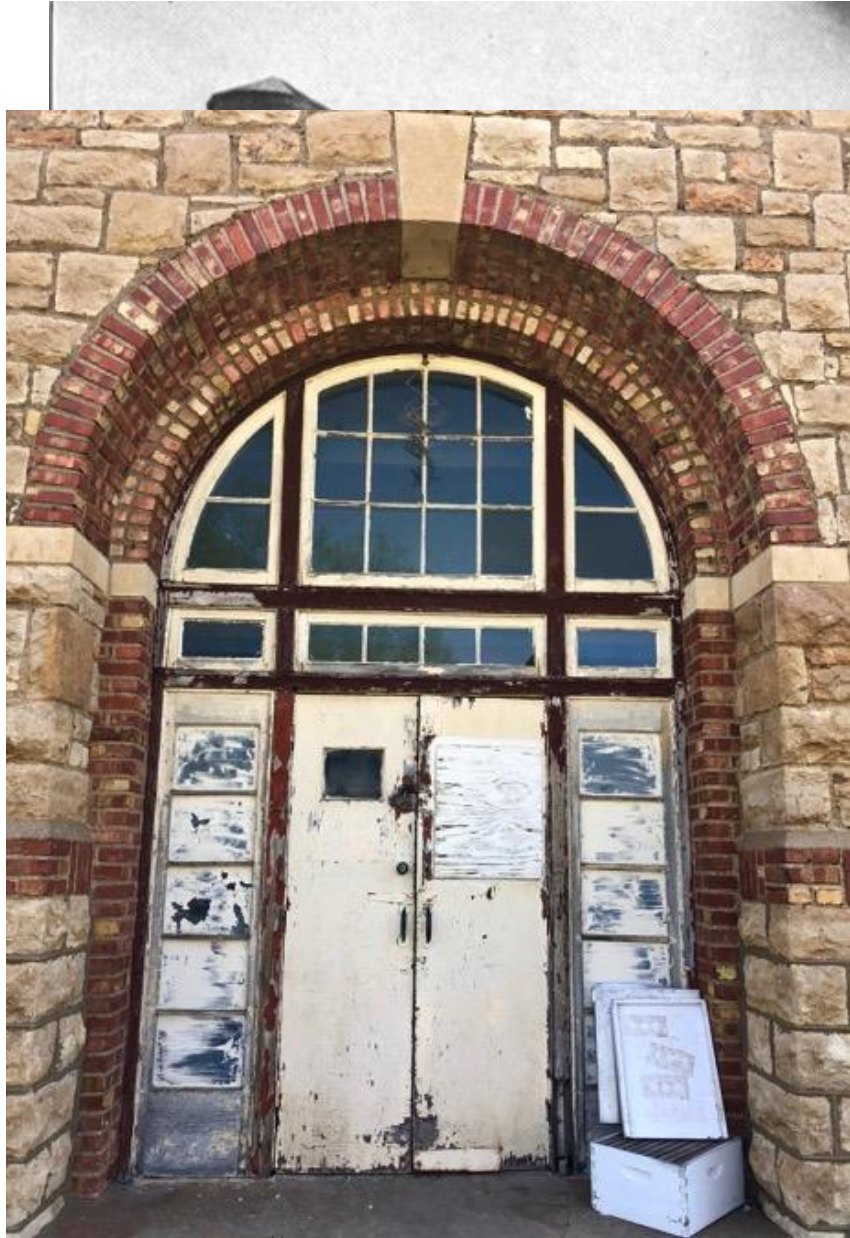


Figure 11: Front Door of the Gymnasium, 2018 D'Ottavio Swanson

Figure 12: The "Dairy Scene"

The Topeka Industrial and Educational Institute was able to provide sustenance to all of its students in the form of vegetables, fruits, oats, milk, and meat. The institution had its own farm and garden. The college used the profit from the garden and the farm to continue purchasing materials for the campus and classrooms. "Just as far as we possibly can we are hoping to make each department of agriculture a paying proposition and at the same time a

means of teaching and encouraging our boys and girls to... go into the business of agriculture” (July 1 1928- June 30 1930 Biennial Report). Thus the college was in itself, self-sustainable.

Figure 13, below, is the “Dairy Scene” today. This photo is important because, from its inception, this college utilized dairy products as a source of income by selling it throughout Topeka. After the students erected this building, Figure 12: The “Dairy Scene”, the dairy farm “climbed in its milk producing record from the next to last place on the list of state institutions to fifth place” (July 1 1928- June 30 1930 Biennial Report). Much like the gymnasium, it has been

Figure 13 The “Dairy Scene” Today

neglected. It now sits on the furthest outskirts of the prison, utterly unreachable by the prisoners. The largest of the metal fences stands between this building and the prisoners. Again, they are not allowed access into one of the historical sites located on the college-turned-prison.



Today, the medium security J Cell house is the former site of the girls' dorm and academic building. There is a plaque on the front door reminding each woman every time she enters that "this used to be a black college." Someone has cut down the trees that were once planted in front of this building, and the stairs have been removed, but you can still see the craftsmanship of the original building. In the place of the tall, handcrafted door stands a metal slab that slams shut hard every time someone comes or goes. This photo is important because it shows the transition of this space from an institution of higher learning empowering black communities, to being a 112 acre prison which confines communities.



GIRLS' DORMITORY, KANSAS VOCATIONAL SCHOOL.

Figure 14 Girls' Dormitory, Kansas Vocational School (Biennial Reports)

Over 15 years of archives show students of the college taking photos proudly in front of the buildings that many of them physically helped to construct. This physical space has been transformed as a site for the empowerment of black communities, to a place that physically holds and hides communities of color. As noted in earlier chapters, black women disproportionately make up the population here, but they are forced to find creative ways to resuscitate their own histories in this college-turned-prison.

Figure 15, J Cell, Medium Security Dorm Today



Concluding Thoughts

Through theorizing this space, it can be understood that this particular space, the former campus of a black college, has been appropriated as a space which aims to redefine and reestablish the stigmatized identities that exist outside of the prison, by reestablishing them inside of the prison. The Inequalities being reproduced are based on skin color, socio-economic status, and access to resources.

This space has a long history of being used for the empowerment of black communities. In first being a safe place for Black Exodusters to settle after fleeing the violence of the South, and then growing from a small college, to one with multiple majors and specialties across disciplines. The 112-acre campus, properly named the Topeka Industrial and Education Institute was known locally and nationally as “Western Tuskegee.” Well renowned black academics and scholars would support and teach at this college, helping to train the next generation of black lawyers, doctors, mechanics, and teachers.

I was able to locate images of the college from 10 Biennial Reports. Through these images, I was able to further theorize the space, and document the transformation from a black institution of higher learning, to an institution based on deprivation and control. It is important to note that only buildings with penological interests receive preservation efforts, and also that

women are not allowed readily available access into these historical sites. They can only be seen from a far, a constant reminder of what this site used to be.

Today this space is very different, but there are reminders hidden everywhere of what this space once celebrated, whether in the physical make up of the buildings and dorms, or on plaques commemorating the legacy of the long since closed college. Each year, the prison population increases, from 2011 to 2018, the maximum capacity for this location has grown from 749 to 907. The demographics of this prison fluctuate, but the provided demographic statistics include only White, African American, American Indian, Asian, and Other as options. Through my own fieldwork with this population, I found that it excludes a large percentage of the population. To gauge the vastness of this number, as of 2017, African Americans make up 5.9% of the Kansas population and Native Americans make up 1%. This statistic shows how women of color, even though they make up a smaller percentage of the Kansas population, are over policed and are more likely to end up in prison than their white counterparts.

Although the history of this prison is violent, the treatment endured there rarely makes the news. Only when women there become pregnant does the media tend to write about the prison. Even then, much of the histories of these women are forgotten. Somehow the women still receive an element of blame, even when they are victimized further in these spaces of incarceration. As seen through the 1995 congressional record, when the college was commemorated, the state of Kansas received all of the credit, in helping create agency for the black community. The way the college was discussed actively attempts to dismiss the agency that these communities already had without the help of the state.

Again, while all prisoners here are labeled “inmate”, inequalities outside of the prison were reproduced within this space along lines of skin color, socioeconomic status, and gender.

These factors remained determinants for access to opportunities. White women had been given greater access to learning spaces than women of color, because of assumptions based on whether or not women of color desired to access learning spaces. Their misplaced assumptions actively pre-determines which resources women of color are able to access within incarcerated spaces.

I worked to contextualize the interviews I conducted in this particular prison, within the broader system of women's confinement in American prisons. Their experiences and narratives are symbolic of how women's experiences are shaped in this space. As this particular prison has a violent history, it is necessary to theorize the history of the space alongside the narratives of the persons living inside of it. While collecting stories, personal narratives, and historical accounts, I began to realize the necessity in examining the history of the physical space that confines my participants in Kansas. In asking what it means for a community to bear witness to the conversion of their space of hope and higher learning, into a prison full of colored bodies, whose potentials and freedoms are stripped away?

Chapter 4: Nora

Introduction

Nora is a shy, soft-spoken 24-year-old Native American woman who grew up on a reservation. This is her first time in prison, and the longest time she has ever spent away from her three-year-old daughter. Her story is important because it reveals that deprivation is a long-term process of deprivation, or rather, of becoming deprived. At the age of 23, Nora was sentenced and convicted of aggravated battery and assault. According to Kansas State law, she was unable to utilize Battered Women Syndrome as a legal defense. She is currently serving her 38 month sentence in a Kansas women's prison. In addition to the time she must serve, Nora is considered a violent criminal under the law, and must identify herself as such on all job future job and housing applications.

It is salient to note that women on reservations face high levels of violence. Native Americans, as a group, have been subjected to policies aimed at annihilation, as well as the assimilation of their cultures. These policies and practices, both historic and present day, have served to greatly disadvantage and inhibit these groups as a whole from accessing their full potentials. Specifically, Native American women have been subject to high rates of interpersonal violence and even forced sterilization. (Walters and Simoni, 2002). And today, current laws and policies regarding the policing and surveillance of Native lands have left women even further unprotected from social, personal, and societal violence (Davis, 2003).

Nora's story is not uncommon. Many of the women I met in the prison had similar experiences with abuse and trauma. While the details of their stories varied, they shared a common theme: each of the women found it impossible to bring their histories and life contexts to bear to the justice system, not to the prosecution, nor the judge, or even inside of a courtroom.

This legal maneuver individualizes their actions and separates them from the broader system of deprivations and violence in which these actions were produced. The outcome is the breakdown of families and the incarceration of structurally vulnerable women of color. To understand Nora's deprivation story, one must go back to her life before prison. Nora was not sure what she wanted to do for her future career. She shared her curiosities about the human mind, and how if she could start over, she would study psychology, specifically lucid dreaming. Nora's whole life has been shaped by deprivation and violence. Her story highlights how fear and good time are used as disciplinary mechanisms by prison officials to incite forced complicity and demonstrates how female prisoners, particularly women of color, navigate these structures. Nora's story also provides insight into what it means to be structurally vulnerable in this space, and how she responds to such high levels of deprivation and violence. She allows readers to see inside the prison, and inside the county jail, and how these factors equate to everyday acts of constant and considerable deprivation. Her experience highlight deprivations that began long before her confinement, and which have found subtle ways to reproduce themselves within and through the prison structure.

“Good Time” Prowess

Nora seemed nervous during the first minutes of the meeting. I saw the way she uncomfortably could not find a place to put her hands. Nora has become accustomed to making sure her hands are visible at all times. Resting them on the table, placing them in her lap, and then back again on the table. Remembering that most people who ask her questions in this space, require her to keep her hands visible at all times.

Nora proudly boasted about the “good time” she had earned and maintained over the course of her incarceration. I heard about good time from many of the women I interviewed.

According to the prison website, “inmates who demonstrate good work and behavior are eligible to earn good time credits which decrease part of the term of their incarceration.” However, the website goes on to state, “inmates sentenced under the indeterminate sentencing structure are eligible to earn good time credits at a rate of 50 percent.” This means some inmates will earn good time at a faster rate than others even when they do the same amount and quality of work. Prisoners who are serving indeterminate sentences still have opportunities to earn good time, but their efforts, behaviors, and manual labor earn less credit than prisoners serving determined sentences. For women who fall under the category of indeterminate sentencing, therefore, one full day of labor will only translate to 1/32 of a day of early release.

The determinacy revolution in federal sentencing, which culminated in the passage of the Sentencing Reform Act of 1984, has since been upended by a little-noticed phenomenon: the evolution of federal supervised release. A “determinate” sentencing requires that a prison term be fixed and absolute, give at the duration at the time of sentencing. However, contemporary prison terms are neither fixed nor are they absolute. Instead, the court has discretion to adjust the length of a prison term after sentencing based on its evaluation of the post-judgment progress of the prisoner. If the prisoner does not have access to progressing mechanisms, such as education or skill building resources, what improvement is expected? This power to amend the duration of the penalty is the marker of the “indeterminate” sentence. (Sentencing Project).

It is important to examine the word “structure” in order to understand this differential distribution of good time among prisoners. For some women good time serves as a reward system while for other, its disciplinary features are more prominent. But who are these “others” for whom the same behaviors earn less compensation? Like prison populations in general, the life and virtual life-sentenced (50 years or more) population is disproportionately composed of

people of color, representing two-thirds (67.5%) of this group nationally as of 2016. (Sentencing Project). People of color comprise 65.6 percent of those serving de facto life sentences.(less than 50 years, but longer than 25 typically) African Americans comprise just over half of the virtual life-sentenced population (51.9%) and another 11.7 percent are Latinx). Notice that these only include black, white, and latinx populations, while excluding Native Americans. Compared to U.S. demographics, Kansas prisons are a microcosm of the American prison system, over representing people of color. Substituting the phrase “people of color” for “indeterminate” reveals how this system of rewards and punishments reproduces and exploits inequalities that exist outside of incarcerated spaces through the framework of good time.

Women who have experienced deprivation outside of prison continue to experience deprivations once they are inside and this is not a coincidence. The good time prison system is patterned on existing structures of race and class that undergird the uneven distribution of resources, opportunities, risks, punishments, and rewards across society more broadly. When it comes to good time, therefore, women of color are at a disadvantage before they even set foot in prison. Instead, it must be read as an outcome of the institutionalization of inequality. In addition to the devaluation of people of color and the work they produce, these structural discrepancies deprive them of the ability to earn good time, reduce their sentences, and return to their families.

Good time is complex, convoluted, and precarious. It is often contingent on variables that vary and fluctuate at the discretion of officers and prison officials. Take the following excerpt from the Kansas Department of Corrections website, for example:

Inmates sentenced under the determinate sentencing structure are eligible to earn good time credits at a rate of either 15 percent or 20 percent, depending on the date the crime was committed. Offenders sentenced under the determinate sentencing structure are also eligible to earn good time credits during their period

of post-release supervision at a rate of 50 percent. If the inmate is a parole violator and was sentenced under the indeterminate sentencing law, the inmate would be held until seen by the Kansas Parole Board.

“Good work” can be accumulated by providing manual labor, or, through acts of good behavior. However, good work can also be revoked at the discretion of prison officials. Michelle Alexander (2013) has revealed how historical biases inform discretion in the criminal justice system and highlighted the ways discretion disproportionately affects minority communities. Many of my research participants mentioned that they did not “own” their good time even when they worked for it. For example, Agnes, a 55-year old, was sentenced to 25 years to life for... when she was 36 years old. At the time of my fieldwork she had spent 19 years in prison. Agnes works hard to earn good time but, like many women, she is more focused on maintaining the good time she has earned than on earning more good time. During one of our conversations she informed me, “If I don’t lose any good time, I leave in 2024.” In 2024 she will have served 26 years out of her sentence. But Agnes’s statement is not one of certainty. She does not know for certain if she will be released in 2024. It will be her first opportunity to go before the parole board. However, even if a prisoner earns large amounts of “good time”, the Kansas Parole Board has the discretion to refuse to hear their case. While Agnes has earned good time, she has also had it revoked.

Furthermore this approach extorts free labor from prisoners while offering little in the way of compensation. For example, , 63, contributed three months of manual labor to complete a prison project. One day she was issued a disciplinary infraction for speaking in the hall on the way to cafeteria. The infraction cost Sonja the good behavior time she had traded her hard labor for. This deprivation renders their earned “good time” valueless.

According to the prison website, good time can also be “withheld or forfeited” if prisoners fail “to comply with rules and regulations.” Women in my research spoke about the revocation of good time as “stolen time.” Consequently, prisoners may receive even longer sentences than when they began. This mechanism can therefore be regarded as a privilege and a punishment. It acts as a tool to for surveillance and incites or deters certain behaviors. It should also be noted that the “good time” goes towards the crime carrying the longest sentence, and the post-release time is the sentence that will be used to compute the amount of time an individual will serve. For example, if a prisoner is charged with two crimes and is sentenced 18 years for one and six years for the other, “good time” will go towards the 18 year sentence. This makes it even more difficult to maintain good time. Instead of 6 years of additional labor and good behavior, the prisoner has 18 years of controlled behavior. This means that after 17 years of earned “good time,” it can be revoked for a single infraction.

I correlate “good time” with control and compare it “to the precise spatial layout of the panopticon, and the hierarchies that permeate it.” Michel Foucault (1984) has demonstrated how power is internalized and discipline eventually becomes self-regulated. In the panopticon, the prisoner is “the object of information, never a subject in communication” (Foucault 1975). The aim and end of this process is the epitome of control of movement and power, which according to Foucault, rests on rendering the actual exercise of power “unnecessary.” The mechanism of “good time” can be relegated as a tool of control. Where the goal is to generate in the prisoner a constant state of conscious and permanent visibility that assures the automatic functioning of power (Foucault), without the seemingly required physical or visual presence of authorities to ensure its execution.

According to Foucault, the intentional spatial design of the panopticon deduces that surveillance has a permanent or lasting effect on prisoners. A central component to the “good time” disciplinary mechanism, therefore, is the continued blurring and merging of the lines between what is truly happening and, through invisible, yet coercive forces, of what could hypothetically or potentially happen. Terror, therefore, is the ongoing internalization of the conflation between reality and fiction, which is produced through the fear of constant surveillance and punishment. (Ghazali) Technically, earning “good time”, is arbitrarily telling prisoners that even when they are behaving *well* according to the prison rules, they do not know if they will be able to maintain this “good time”. The prisoners are not happy with earning “good time” because they proved they can behave well to those in control, but that they were able to negotiate and maneuver a system which operates to control their behavior. Nora’s experience with “good time” can also be analyzed as an extension of Sykes scholarship on the deprivations of imprisonment. Specifically relating to, *the deprivation of autonomy*, which relies on the subjection to “a vast body of rules and commands which are designed to control his [her or their] behavior in minute detail” (Sykes, 73). Nora had managed to navigate the uncertainties of good time as a woman of color and she recognized this as an accomplishment. It was the first time I saw her smile, and as she did, she rested her hands out of my sight, and into her lap.

Under the current good time framework, some women will have to work more hours than others to earn an equal amount of good time. When women earn good time, it can be revoked at the discretion of an entry-level officer. Even when good time is not revoked, women with indeterminate sentences may be deprived of access to the parole board, thereby rendering the value of their labor obsolete. If this system is meant to incentivize prisoners towards disciplined behaviors, rather than to punish them, my research reveals it has failed to do so. Even if women

initially engage in proactive behaviors to earn good time, their efforts are soon curtailed by the fear of losing what good time they have managed to accumulate. Their energies are directed towards maintaining rather than adding more good time. Fear of arbitrary punishments, especially in the form of depriving women of the good time they have earned, keeps women in limbo.

Not Listening to Women

Nora is currently 9 months into a 38-month sentence for aggravated battery. The sentence was part of a plea agreement she was encouraged to take in order to avoid trial. Nora is one of many women in the prison who received a harsh sentence for retaliating against her abuser. As I have discussed previously, Battered Woman Syndrome is not permissible in Kansas courts and legal teams are not allowed to notify the court of abuse even when it directly relates to the crime in question. The deprivation of context drives a subsequent deprivation: the right to a fair and speedy trial by a jury of peers. Instead, many women are advised to accept plea deals for crimes of self-defense or even when they may not be guilty of the crime at all.

After Nora was arrested and charged with the assault, she was unable to afford bail and therefore was required to remain in confinement. She was transferred to county jail where her abuser's father was the warden. Thus before she was even convicted of a crime Nora was deprived of freedom, family contact, and access to legal aid. At the same time the father of her abuser had complete and total control over her location, movements, access, and to what extent she might be punished. It was at this time that Nora entered a plea agreement, at the behest of her lawyer, and to get away from her abuser's father. As Nora shared more of her story I began to realize that, like many of the women I interviewed, she was not properly informed of her rights. In fact, she felt that her court appointed attorney did not know her case when he approached her

for the first and only time. Nora told me it was during this first and disconcerting encounter that her lawyer encouraged her to “just take a plea so they could both get outta there.” Nora continued:

I took a plea for 38 months and I don't know how that stuff works. I kind of got screwed on my case. *I feel like, my attorney wasn't really for me.* He was a court appointed attorney. So, and I wasn't sure how that stuff works, you know? I was just looking for the quickest way to get out of county [jail] you know? So, I just took a plea. I really just should have sat it out longer, and maybe I wouldn't have gotten so much time. I don't know. It was my first time in county, and I did not like it.

Typically, people held in county jail are deprived of physical contact with loved ones, reading materials are unavailable not made available to them, and most of their time is spent inside their cells with other rotating people, or in solitary. It is of no surprise that many women will do, or say anything they can to get out of county jail. As academics and researchers, we should be examining how this space is created to make people who have not yet been convicted of a crime, but are forced to remain in this space, commit to crimes that do not reflect the actual situation, especially when confessing allows them temporary release from this space. As Nora states, she did not feel like her attorney was for her, but she felt she needed to take his advice, because he was ‘the expert’, a bar-certified, court appointed lawyer. Nora’s experience with her lawyer, his lack of attention to her case, and him ignoring the fact that she is also a victim, added to the terror she felt while confined to this space. It is not uncommon for women in her situation to sign plea agreements out of urgency to leave this space, especially when they are being encouraged to do so by someone who they are forced to rely on even when they know their interests are not a priority.

Michael Taussig (1984) identified an important relationship between terror and submission. He defines terror as “a physiological state...a social fact and a cultural construction”

that figures prominently in elaborating a cultural economy capable of producing “obedience, and submission” (Taussig 1984:468), which authorities in incarcerated spaces require, or they have the authority to administer punitive responses. As terror evokes fear, it plays an important mediating role in shaping the very way people think, know, experience, and respond to the world. Fear is heightening in incarcerated spaces, and thus terror is a salient connection to the formation of subjectivities, and should be assessed as such. Mechanisms of structural violence are ever-present in this space, especially in its usage of being spread out over time and space, and its ability to harbor control over the same victims for months and sometimes years or entire lifetimes.

Nora’s narrative reveals that deprivation and fear are common experiences that run through her life before and during incarceration.

“Money Making”

Socioeconomic deprivations that exist outside of the prison continue to affect power dynamics in the prison. In his work on prison deprivation, Sykes (1958) found that “prisons consign inmates [prisoners] to conditions of relative poverty” (Johnson, 64). In my research setting prisoners have limited options for improving their conditions. Pre-incarceration socioeconomic status continues to shape access and deprivation because it determines what programs and privileges prisoners will be able to afford, and if they have access to resources from family or support networks on the outside. In other words, money matters in prison, even when prisoners are supposed to be equals. Thus, women with higher socioeconomic status are able to reproduce their middle or upper class status and therefore have access to advancements, employment opportunities, and special privileges while poor women, who are primarily women of color, find themselves at a disadvantage.

Educational opportunities have the potential to improve women's socioeconomic position in the prison and contribute to lowering recidivism once women are released. However, these academic routes for upward mobility are difficult to access for women of color because of the high costs of tuition and related fees. Further complicating matters, after the 1994 Violent Crime Control and Law Enforcement Act, prisoners lost access to financial aid Pell grants, even though these only accounted for 0.05% of all governmentally provided educational funding. These changes widened the gap between women of color prisoners and educational attainment.

Instead of post-secondary education, which is available to some women, prison officials offered Nora a spot in a vocational prison program where she would learn how to conduct various manual labor positions. Nora had never been interested in this vocational work but she knew that in order to send money home to her daughter and her parents, and to be able to afford feminine hygiene products, toilet paper, toothpaste, shampoo, and other basic necessities, she needed to access training that would enable her to qualify for more lucrative work within the prison. At 40 cents a day, the maximum amount that Nora could earn if she worked seven days per week for 31 days is \$12.40 per month. With the vocational training she could earn \$1.04 USD per day.

To allow some perspective on how far prison pay must be stretched, Dentu cream Toothpaste 5.69 for 3.9 ounces; Sulfur 8 Conditioner \$6.64 4 ounces, shampoo will cost another \$6.64, but can range in ounces available; Tampax Tampons Flushable Applicator 20 count for \$6.59, Charmin White Big Role 264 sheets, 6.60 for 6 rolls. For some of these items, it means that women are continually required to purchase them. Some items either monthly, or bi-monthly, as menstrual cycles have varying levels of heaviness, and six rolls of toilet paper can be stretched across an entire month, but as many women complained, it tough to ration out toilet

paper. Many women opt to buy shampoo one month, and conditioner the next, other women just buy soap, Level 10 Cocoa Butter Bar Soap, which costs about \$2.50 for 4 ounces, and utilize it as shampoo, conditioner, and body soap. As women, who are forced to remain in this space, are only allotted access to what opportunities is determined by those who already possess power, this actively serves to recreate socioeconomic inequalities of access which exist outside of the prison.

For example, the prison requires certain levels of hygiene. Basic necessities are available at the commissary in mostly travel sizes but they are priced the same as full size items outside of prison. Prisoners are therefore forced to work in order to afford these goods. Meaning, as to avoid penalty of not being able to afford hygienic items, and to avoid punishment or further deprivation such as solitary confinement or disciplinary infractions, women produce manual labor, and then are paid with money that is so minimal, Most of women's earnings are spent at the commissary and little is left for women to save. This leaves women with very little to put towards their own futures, and in Nora's case, towards the futures of her family. The following example is helpful to understand how far women must stretch their earnings. If a prisoner makes an average of 50 cents per day, and even if she works seven days per week, she would make somewhere around \$16 dollars for that month. Thus spending \$31.16 on the items listed above, is not realistic for the majority of prisoners at this location.

Nora acknowledges that she did not want to pursue vocational training because she worries it would limit her opportunities to manual or technical trades when she is released. If she had it her way, Nora told me one day, she would have pursued an associate's or bachelor's degree in psychology in order to understand the human mind. When Nora does the math, however, she realizes that she cannot survive on \$16 USD per month in the prison. She also carries the burden of supporting her daughter, "her shoes, her school, her everything." As a

result, these immediate needs take precedence over her future aspirations, even when this deprives her of the possibility of improving her position over time.

When Nora considered the deprivations in her life she recognized that she had to base her decisions on necessity rather than on her interests, capabilities, or intelligence. Nora accepted the only opportunity available to her even when she felt motivated to pursue higher education. As Nora elaborated on her fears, and how she felt “cornered,” her main concern remained her daughter, and being able to provide for her in the future, Luckily, Nora’s daughter is able to stay with her two ailing parents, but she is worried that because of their age and declining health, they will not be able to adequately care for her energetic toddler. This also contributes to Nora’s anxiety and helplessness.

Nora is now certified as a Production Technician. This enables her to achieve higher wage jobs within the facility, but she is still paid less than \$1.05 per day for her labor. Meaning, each month she makes about \$30 dollars, which is still not enough to purchase the necessary items from the commissary, let alone send money to her family. However, this pay is more than double what she was making before her training. Nora’s trajectory begs the question of what purpose these programs are intended to serve. Are the manual labor programs offered for the empowerment and skill building of the participants, or do the classes fit more into a penological interest? By limiting access to educational opportunities to those who already have the financial means to afford it, women of color are once again deprived of access and pre-existing socioeconomic inequalities become pervasive within the confines of prison. Furthermore prison officials are aware that women are not able to survive on or prepare a future with this little pay. Thus this perpetuates recidivism as women leave this facility and find themselves unable to afford the expenses of life outside the prison. In other words, structural violence limits and

prohibits individuals from achieving their potential, and these limitations operate along lines of race, class, gender, religion, and nationality.

Nora spoke to me about her interest in exploring lucid dreaming. As a subject of discipline and control, lucid dreaming appeals to Nora. "I like lucid dreaming," Nora interjected one day. "Do you know what lucid dreaming is," she asked me. Before I could answer, Nora enthusiastically spoke with her hands and began to elaborate on the power of the individual to exert some degree of control over the content, characters, and trajectories of dreams. For Nora and many other women, loss of control over one's own circumstances, body, finances, and opportunities is a salient form of deprivation in prisons. The idea of regaining a sense of agency made Nora excited. In fact, it was the most excited I had seen her since we first met.

Concluding thoughts

Nora's narrative draws attentions to various mechanisms within incarcerated spaces that inhibit women from preparing for their futures, while also extorting manual labor from them without offering any real skill building opportunities. Her emphasis on how difficult it is to maintain "good time" directly correlates with the lack of control that women have over their actions and their movement within this space, but she shows ways that women negotiate and navigate these structures.

Nora's story allows great insight into the anxiety she felt about not being prepared for her future, not because she did not want to be prepared monetarily and through obtaining an education, but because there were active forces which are put in place to stop women from creating a foundation for when they complete their sentence. Nora fears that now that she has a violent felony on her record, she will not be able to find work immediately, so in not being able to save money during her 38 month sentence, makes her feel helpless, 'like a child'.

Nora's experience of feeling helpless, like a child, is one of Sykes labeled "Pains of Imprisonment." Sykes correlates this pain of imprisonment by comparing the experiences of prisoners, to children, by saying that autonomy is deprived through "a profound threat to the prisoner's self image because they recuse the prisoner to the weak, helpless, dependent status of childhood..."(Sykes, 75). Incarcerated spaces blur the line between adult and dependent, by depriving prisoners of their autonomy, and possibly weakening their identification of themselves because they are unable to provide for themselves. By ensuring that prisoners are unable to provide for themselves or their families, they are rendered as dependents of the system that has confined them.

Nora's story, as with many women with whom I met, highlights how little emphasis is placed on believing women in this space. This is a common theme, which affects each prisoner's experience, and often works against women, causing them to endure even harsher punishments and sentences. Because women, especially poor women of color, are most often not believed in this space, more women of color actively suffer in this space.

Chapter 5: Hope

“I am all for love, because love stops the hate...its so much easier to sprout love.” -Hope

Introduction

Hope is a 27-year-old African American mother of four. She holds a Bachelor's Degree in Business, and strives to instill a passion for education in her children. Her story shows the critical importance of having family relationships and support systems while being incarcerated, especially as a mother. Hope's story works to provide insight into how access is presented within this space, and to whom access is most available. Hope's narrative presents the process of self-rehabilitation, as being the only process of rehabilitation available in this space. She elaborates on how first, rehabilitation requires that women become aware of the forces that drive women into prisons, and how these forces are reproduced within incarcerated spaces. Her impetus to work with other prisoners during her own incarceration, and once she is released, edges its way into every part of our conversation. Her passion is evident in the way she tenderly speaks about the women around her here.

By narrating her incarceration as an outcome of structurally violent systems, Hope elaborates on the inequalities which are pervasive across the justice system, through her own experiences in county jail, with the Kansas DA office, and eventually in a general to maximum security prison. She draws on her own experiences while she was confined in a county jail on and off for 18 months, her unfathomable and exorbitant multiple set bails, and her observations of access, specifically relating to work positions, and how access is divided along the lines of race and class. Hope's narrative helped lead me to uncover that there is an obvious difference between how black women and white women talk about why they hold the work/positions that they do, and how money is accessed and obtained in this particular institution.

Her narrative highlights how people from varying backgrounds have varying access. Her story is a continuation which makes visible the outside inequalities which are reproduced in this space. From her experiences, Hope makes it clear in our discussion that she believes access to educational and economic opportunities on how much money a person had before entering the prison, which is tethered to race. These structures put in place to privilege women with greater monetary means, actively perpetuates the inequalities which stretch across lines of race, gender, socio-economic status, and nationality.

Not Believing Women

Hope was all smiles, even though the stories that she was about to share with me were not happy, nor were all the people in them kind to her. She was eager to talk about book genres she enjoyed, and her time spent in county jail as a “pregnant offender”, where books were never made available to her. She openly shared her anxieties as to how her children were handling their painfully acquired trauma, when she herself was struggling with it. She noted that ‘gettin’ through her incarceration’ was only possible with the support of her family, and through the support system inside the prison that she had been creating over the last 3 years of her incarceration.

Hope actively challenges the notion that communities do not naturally form in incarcerated spaces, which is prevalent because much of the scholarship on incarcerated spaces deems that prison communities do not qualify as communities. It is important to also consider that communities are discouraged by prison faculty and rules from forming in these spaces. From the beginning of our conversation, I am aware that Hope’s goals in the future enables her to work with incarcerated women and their children, and these goals stem from the social suffering that she has experienced in this space. Throughout the interview she repeatedly provides her own

thoughts as to how women challenge this idea that communities do not exist in this space. I have met a lot of good women here...being here has opened my eyes in so many ways. People think prison is just a horrible thing, and that we are horrible people. But we are people, too. This is important for two reasons. First, Hope challenges the notion that the prison is not a place where communities thrive, as argued often in scholarship on punishment and incarcerated spaces by proponents of both the incapacitation and deterrence methods. Second, it appeared to me that, at first, she felt she needed to convince me that the women incarcerated in this facility were worthy of humanization, as if she was constantly required to defend herself and the other women there on a regular basis.

After learning of some of the pressures Hope faces as a young, incarcerated mother of four, she elaborated further on her anxieties of being physically near her children, while conjuring up memories of the difficulties in nurturing relationships behind inches of thick, dirty glass. This physical barrier, which is always utilized in county jail, serves as another aspect of deprivation, as it literally functions to deprive prisoners from human contact, thus depriving her of being able to physically mother her children, even before she was convicted of a crime. Again, as this treatment was also presented in Nora's experiences in county jail, it can be ascertained that women face immense levels of deprivation even prior to proof of guilt or innocence, particularly women of color.

Hope's story is a vivid example of Sykes theorization of the *deprivation of liberty*, which is from his scholarship on the pains of imprisonment. It is the all encompassing restriction over prisoners' individual movements, meaning that the prisoner is cut physically off from family, relatives, and friends, thus it is not difficult to see this isolation as painfully depriving or frustrating in terms of lost emotional relationships, of loneliness, and boredom (Sykes). This

feeling, accompanied by physically being confined in a space such as county jail, directly related to Hope's decision to enter a plea agreement. Deliberate confinement, specifically relating to her time in county jail where she was restricted from seeing her children, except behind 3 inches of glass, is a constant reminder of the wall which seals off the 'criminal' or 'offender' from other, non crime committing citizens. "The contaminated man [or woman], is a constant threat to the prisoner's self-conception. The threat of losing one's self and one's family is continually repeated in the many daily reminders that he [or she] must be kept apart from "decent" men, women, and children (Sykes, 67). Although Hope has immense levels of support from her family, she feels constantly threatened about what *could* happen to her children.

As always, Hope's grin did not falter, even as she elaborated how she felt she was forced to enter a plea agreement. The DA made her feel if she went to court, she would lose, and serve 13-25 years for robbery and identify theft. Hope felt like she was deprived of any favorable options, and the more she waited for a better plea, the longer time she watched her children grow up behind a window.

The DA said I can take the choice of taking the plea for 55 months here, for the charges that she had against me, or to take 5 years in county. Additional 5 years, I was already sitting there for a year and a half. *And the behind the glass, which is really hard.* Versus being here where I can have *access* to my kids. My family has been very supportive. *It was either take this plea, or take this plea.* It was hard enough being away from my kids. Even though I should have fought...it was hard enough being away from my kids and seeing them cry every time.

It is important in making note of how often Hope refers back to the immense familial support that she has, as that is not always accessible for all women. At least half of all incarcerated women are deprived of access to their families, and are sentenced to an institution that is more than 100 miles from their families. Of the mothers who are imprisoned this far from home, 38 percent will not see their children once during their incarceration." Hope's family lives 59 miles

away, meaning they drive, at a minimum, 118 miles each Saturday, which does not account for costs of gas, or other expenses.

Prior to becoming incarcerated, Hope was the primary caretaker of her four children. Incarcerated women are most often the primary caretakers of their children prior to their imprisonment. 77 percent of incarcerated mothers report providing most of their children's daily care prior to being imprisoned. Women of color are more likely than their white counterparts to raise their children alone and be the single heads of the household". It is necessary to consider that women of color are incarcerated at double the rate of white women, and that 1 in 4 black men have a record or are in confinement, and that together black men and women make up 13% of the American population. Thus the American incarceration structure actively impedes parents of color from being full-participating parents and partners in child raising, except from behind bars, which then requires familial support to be able to participate.

Hope's statement above also exhibits how county jail is employed as leverage to convince women to commit to crimes that they previously would have not have, because the conditions there are so degrading. By the DA threatening Hope with a total of 6.5 years in county jail, meaning zero physical contact with her four children, who at the time were all under 7, she threatened Hope limited, and untruthful, options. Either way, Hope was going to spend time in confinement, but one of the options allowed her to smell her children's hair, and help them with their homework. In this statement, it should be acknowledged that Hope felt her only options were the two pleas presented by the DA. She does not feel that she was given a fair option of going to court. This is a violation of her Sixth Amendment right.

The sixth amendment reads that "In all criminal prosecutions, the accused shall *enjoy* the right to a speedy and public trial". Close attention and further examination should be noted in the

word used here, *enjoy*. As the only option of court that was presented to Hope was a threat of a minimum of 13 years, for a non violent crime. Thus she was not given her chance in court, where her innocence could have been determined “by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense”. Had the District Attorney presented this case in court, she surely would have faced problems with the jury, as eye-witness accounts pointed to a white woman; Hope identifies as African American.

It wasn't true, and they still wanted to send me to prison...Like in my discovery on my robbery case. It was a white woman. I don't think in my life I could pull off being a white woman. I still got charged for it...even though I was presented with probation, they automatically sent me to prison. Even though I have kids, and I got a good job...they crumbled my life...I cried so much, I don't even know how to cry anymore. And what's so upsetting, cause she had all these allegations at my preliminary hearing. 'she is running this, and running that, running that'. And when a year and a half later, nothing amounted to anything, and they still charged me for it. -Hope

The DA's position of power enabled her to continually investigate and uproot Hope from her family, her job, really, her entire life. Hope felt that the DA's implicit bias correlated with her fervor for conviction. Hope eventually would 'cave' and take a plea, but she would beg for probation. The DA would not accept; Hope was forced to plead guilty and was sentenced to 55 months in a multi-security prison.

Typically, county jails are holding cells for people who cannot pay their bail. Thus before a person has been convicted of a crime, but has been charged, they have to pay a certain amount to be able to physically leave the jail, essentially a poor tax. Sometimes, a crime has not been committed, but a person may have been unable to pay extensive parking tickets, or other fines.

Some people spend months in county jail, before a family member or friend can help them pay their exorbitant bail. Without blatantly stating that her Eighth Amendment right was violated, it can be seen through the rising costs of Hope's bail, from \$1 million to \$5 million, for non violent crimes. This is not rare, but an ongoing act of structural violence which is committed daily by the state against poor communities who are unable to pay fines or lofty bail bonds.

It hurts to go through it. Cause when I first got locked up it was hard. When they first arrested me...my bond was a million dollars for a Level A charge...a bond should never be that high at a level A change...They gave me such a very high bond! At the max it should have been 100,000...they finally lowered my bond to 100,000 and my family bailed me out. The day after I had my baby, she [the DA] made my bond 5 million.

Hope's family was able to help her afford good lawyers, so they were able to render her bail temporarily to \$100,000, when she was due to give birth. After Hope gave birth to her son, the DA increased her bail to 5 million dollars for multiple alleged crimes, which I note, were all non violent. The DA's office repeatedly attempted to charge Hope with Robbery and Identify Theft, but also made extensive threats to charge her with other charges related to drug tracking, which would have dramatically increased her sentence. Because lawyers are so expensive, Hope had different representation throughout her experience, which made it difficult to maintain continuity between her representation throughout the year and a half ordeal.

In part, due to the deprivation she experienced, but also in that lawyer fees can have a dilapidating effect on family stability. Her family, who was eager to help provide her with representation, were spending most of their money on her representation. As Hope was fearful that she might get a 13 year, or longer, sentence, she knew her family would need the funds to be able to take care of her four children. Even though Hope felt that she had the right to fight for her innocence, the monetary toll on her family was not worth risking their stability.

Hope's story highlights the experiences that women, especially women of color, have in county jail. Her story is an example of various violations of allotted rights afforded to American citizens. From her story, I deduce that Hope's Sixth and Eighth Amendments Rights were violated, as she received multiple excessive bail amounts. The reality is that deprivation is pervasive in incarcerated spaces, deprivation of information, deprivation of contact, and deprivation of security.

As an example of how often Eighth Amendment rights are violated, I point to the example of Rikers Island. Even though the government is in the process of closing Rikers Island, it is still being very much being utilized today. There are 10,000 people who will spend tonight on Rikers Island, 8,000 of them have not been convicted of a crime. They are there because they cannot afford bail, which is compounded with the stress of awaiting for trial or determining how to enter a plea agreement, like Hope. They are there because they cannot afford bail, like Hope. This can be analyzed as a 'poor tax', which is essentially being levied upon all people who are unable to post bail. This is a reproduction of socio-economic inequalities that exist outside of the prison, in that only the rich can afford the privilege of leaving prison prior to determining innocence or guilt.

Hope expresses that she feels that she was punished harshly and that she feels that her experience with the DA's office and the justice system have been nothing short of traumatic for her and her family, especially her four children. Hope expressed feelings of devastation as she described how hard her incarceration has been on her children, especially relating to her final arrest, where the police entered her home by breaking down her front door, leading with their military grade weaponry. She tells me they cry every time they leave here, and so does she. Hope

is lucky, though, in that she has supportive parents and siblings who are able to step in as guardians during her incarceration.

I feel like I was punished harshly...They said I was a threat to society, because I wasn't pregnant [anymore]. That hurt...My DA was so gung-ho on sending me to prison...they said I was armed and dangerous. I don't own a gun. I never have. I don't like guns. I am terrified of getting shot. They had guns coming in the house, traumatizing my child.. my 2 year old has night terrors, well, he's 4 now. He's had night terrors for a very long time. My oldest, my daughters slept through it, thank God, and my baby, he was too young to remember. It was just a very traumatic experience.

In her story here, it's important to analyze that those in power assumed that she would be armed and dangerous, and because of the unequal power imbalance, the police acted on their assumptions that she would have guns. This is an implicit bias, cops assumed she was a dangerous, black woman, and actively sought to connect her to drug crimes, which had nothing to do with the crime in which she was being charged. She had told the DA in previous conversations that she does not own any guns. The DA chose not to believe her, which will have lasting effects on her children. This assumption contributed to devastating her family, and then is the contributing factor which withholds her from being the caretaker of her children after they have experienced this trauma. Their assumptions were misplaced, and led to the traumatization of Hope's children, and to Hope's continual feelings of helplessness about her children's trauma.

“This is a prison. Mommy goes to bed hurt every night by herself without you”

Hope's parents drive 59 miles each way every Saturday to bring their four grandchildren to visit her. And they have not missed a weekend in 35 months, almost three years. This enables her to participate in her children's upbringing behind bars. This means a lot to Hope, but does not curb the feeling that she has about her children's quiet, unseen suffering. In 2017, there were 1.5 million children who have a parent in state or federal prison (Ajinkhya). 1 in 15 black children, and 1 in 42 Latinx children reported having a parent in prison, compared to just 1 in

111 white children (Ajinkhya). Hope's experience of familial support has directly affected her access to her children in this space, and she *still* admits that she has never felt so vulnerable. She tells me, "man, I am normally the one that takes care of everybody. I was the one you could rely on. If you would have asked me ten years ago if I would be in prison I would have laughed at you." Although Hope has extremely high levels of support and familial aid, she still feels the effects of deprivation within this space.

The deprivations of liberty (Sykes) also become clear in situations where familial support and aid are not available, as in Luna's experience, custody of children is often lost during incarceration. The Federal Adoption and Safe Families Act of 1997 states that: Incarcerated parents not in contact with his or her child for 6 months, he or she can be charged with abandonment and lose parental rights. That means a disproportionate number of black and latinx children are being filtered into the foster system. Sykes scholarship on the deprivation of liberty is tied to the notion of "the contaminated man [or woman], as being constant threat to the prisoner's self-conception". The ongoing threat of losing one's self and one's family is continually repeated in the many daily reminders that he [or she] must be kept apart from "decent" men, women, and children (Sykes, 67).

For Luna, the threat of losing her child is her reality. She will serve out her sentence of 12.5 years, or 150 months, for drug possession, and during that time, the Federal Adoption and Safe Families Act does not permit her son to see her until he has 'phased out' at 18; he is 9-years-old. Luna does not have an alternative family member who is able to take custody. So, she is not allowed to contact her son, not in a letter, nor have visitations, not even press her hand to his through three inches of dirty glass. Her situation is a Catch 22; Luna cannot have contact with her son, because he is in the foster system, thus he remains in the system, because she cannot

contact him. Hope acknowledges that most women here are mothers, and feels guilty since she at least gets to see her children every Saturday.

"How many years do you really want from a person?"

Now and then Hope would hop back and forth between her own story, and stories of the friends she made in this prison, but not in county, because she did not have any interactions with other women, just officers. She equates her friends' experiences to being as painful as her own. This can be further understood in relation to Taussig's argument that the outcome of experiences can emerge and accumulate to a "space of death", except in this case, I argue that the prison becomes a space of imminent punishments, leading to constant feelings of terror or fear. According to Taussig, this space emerges when awareness of death, through proximity or closeness to it, becomes an integral feature of life and living. The outcome is an experiential convergence between them such that they seem almost indistinguishable from one another; not only among those who undergo such horrors directly, *but also for those who silently bear witness*. (Taussig) Though, yes, death is often witnessed in this space, there is a constant awareness that punishment is possible because of 'proximity or closeness to it'. These fears become an essential feature of prisoners' experiences in this space.

Taussig describes the outcome as a "nightmarish reality in which the interplay of truth and illusion becomes a social force of horrendous and phantasmic dimensions" (Taussig 1984:492). The confined space is therefore one in which knowledge about their own individual bodies, the experiences of the bodies around them, and their surroundings bring the possibility of further confinement or harsh punishments, so near, that the experience of suffering is magnified. The plausibility of punishment at any moment becomes part of one's daily routine, which

actively reasserts inequities that exist outside of the prison, and reproduces the inequalities inside the space where confinement takes place, rendering this trauma unescapable and everywhere.

Spectacles of violence, control, and repression have emerged as familiar realities.

Although Hope is not serving an indeterminate sentence, nor has she sacrificed 33 years of her life to the state, she bears witness to this suffering, and similar experiences, every day. Her own trauma merges with other every day mechanisms of control, which cause further suffering in this space. Thus the suffering is continual, and for those serving indeterminate sentencing, there suffering is magnified even further by never knowing when it will end, or even, if it will end.

The people who are long term, I feel like they should have programs for them, too. An opportunity for them to go before the parole board and like, hey, you know, this is 30 years. How much time do you really want from a person? I mean, 30 years is a significant amount of time. There is a lady here who has been here for 33 years, and it just breaks my heart. She went up to the board, and she heard that they passed on her for another 2 years. What do you want from her? She has tried getting into other classes, and they are like, “no, because you don’t have a set out date.”

Hope’s experiences over the last 3 years in this space have been shaped by the suffering surrounding her, which should lead to the questioning of the impetus behind the creation of a space intent on confining and hiding the suffering of the most vulnerable populations. She outlays the available options that women serving indeterminate sentences have, and how this naturally affects their access to the parole board. In stating that she feels that women serving these indeterminate terms should have access to educational programing, it made me realize that a significant portion of the population of women at this location, will never have the requirements to access educational or economic advancements because of arbitrary rules regarding arbitrary sentencing. Because women serving indeterminate sentences do not have access to educational or economic opportunities unless they can pay for it, inequalities which

exist outside of the prison are reproduced in structures of access. Hope says it herself, “how much time do you really want from a person?”

It is important to acknowledge that people of color are disproportionately affected by indeterminate sentencing. And in being handed an indeterminate sentence, means prisoners are not allowed to participate in skill building resources, GED classes, job training, post secondary education, or parenting classes. Hope is expressing her experiences with the constant trauma which surrounds her, even if the experiences are not hers, but experiences which she has witnessed. This made me question what kind of environment surrounds female prisoners daily—*are they encouraged to grow, and build their skills, or their emotional maturity?* And is it the type of environment that enables that type of growth, and if not, what kind of growth, or stagnation is being perpetuated over them?

Another theme that I noticed during my time conducting these interviews was the reference to arbitrary rule making and punishments. Because women are required to purchase their own toiletry items at the commissary, which is expensive by any standard, many women cannot afford deodorant, feminine hygiene products, shampoo, or body soap. As Amber noted, There is a level of trauma that must be noted when someone is both relieved and devastated that they no longer must purchase feminine hygiene products in incarcerated spaces, because for one, they no longer need to purchase the expensive item, but feelings of devastation are evident, too, when the realization comes that she has lost her ability to bear children in this space, too.

There are rules for everything, meaning, its easy to break them. Hope elaborates on the strict structures which inhibit women from sharing in this space. If a bunkmate, or ‘celly’ is out of soap, prisoners are not allowed to share with this person, and if they do, they face severe punishments and even solitary confinement. Thus this actively perpetuates, on a certain level, an

inequality of access to feeling and looking clean, which further alienates poor prisoners. Because it is obvious to both the officers and the other prisoners, who is the most poor, even in this space, where everyone is supposed to be relegated as having equal access as prisoners.

They have a rule for us to be properly hygienic...but we cant give it to them without getting a DR [Discipline Report]... Cause if we give it to them, if they choose not to tell, if they get caught with it, they are gonna get in trouble either way, but they can say, well I got it from this person, and then we both get a 'dealing and trading', and all I am trying to do is help this person, you know, wash their hair. I let people use, because I know I am going to get it back ten times more...I don't know what to do if I didn't have soap- Hope

At what level is this system of Discipline Reports discouraging solidarity and friendship and encouraging solitary behavior. Does this mechanism incite punishments for extending courtesies across cells?— a behavior that would be considered *normal* and acceptable outside of this space. Her perspective and anger about the policing of her communication and contact originates from the visceral knowledge she has acquired from her time in this incarcerated space. Hope so obviously has created bonds with the women here, and her immense levels of empathy for the women around her obviously contradicts the notion that prisons are not a place for communities to emerge. Its of great importance to acknowledge how naturally the prison becomes a space where communities can flourish, outside of what the dominant narrative deems a 'proper community'.

Self-Rehabilitation and Sprouting Love

Hope's narrative presents the process of self-rehabilitation, as being the only process of rehabilitation available in this space. Especially based on access, because who has access to which resources is so heavily restricted. She elaborates on how first, rehabilitation requires that women become aware of the forces that drive women into prisons, and how these forces are reproduced within incarcerated spaces. Hope acknowledges that she has a certain level of access,

because of the immense support of her parents, but she is quick to remind me that this is not the experience for most of the women who are sentenced there.

Her closest friend in this space, Sakina, who Hope wants to eventually start a business with, has been sentenced to 13 years. Hope expresses how traumatic it is to spend the entirety of your twenties in this space, but how her friend has maintained a level of optimism that has encouraged her to create mechanisms of self-rehabilitation through creating bonds with other women. Hope is aware that her own knowledge of penal policy is a privilege and that she wants to leverage her knowledge to be able to maintain contact with friendships that have developed here, even after she is permitted to leave this institution.

A person who I consider one of my close friends, she is doing 13 years. Her whole twenties is here, and she is still very optimistic. You know? So if she can handle it...because when I get out of here, she has still 3 or 4 more years to do...I am going to miss her too. It's hard you know, because you develop friendships here. I think... Because Missouri, with a few other states, you can't contact people who have been locked up...we always try and build each other up. I am all for love, because love stops the hate...its so much easier to sprout love. -Hope

This narrative is important for two reasons. First, because Hope challenges the idea that communities do not form in this space. Second, she further challenges the institution, by stressing that she is working to 'dismantle' policies that inhibit prisoners from contacting some of the only people who understand their trauma and their situations. The constriction which inhibits former prisoners to maintain contact with other prisoners is a further extension of mechanisms of control. Meaning, once prisoners are released, they are still refined to certain rules set in place by the institution that confined them.

Once she is released, Hope strives to work towards dismantling the policies which state that former prisoners in Kansas and Missouri are not allowed to have contact with other prisoners upon release. This practice is exclusionary, and perpetuates the inequalities that

become visible in incarcerated spaces. Even though Hope has faced serious injustices by the system, she is eager for her release, so she can help women who have had similar experiences and trauma. “I know when I get out, that is something I want to help, women coming out of prison, cause I know I have that family support...sometimes you have to go through things to help others in that situation.” Although Hope feels as though she has been punished harshly and wronged by the system, she does not blame the other women around her. In fact, she equates their suffering to her own, and has become determined to change the way America incarcerates its women. Hope’s solidarity and thoughtfulness of other prisoners has actively helped shape a community environment amongst the women with which she spends the majority of her time.

She continued to offer suggestions as to how she would improve the current facility, and methods she would utilize to help women both in and out of prison. She has been thinking and planning for a long time. She is using her time in confinement to measure new methods which will enable incarcerated women to acclimate to the pains of imprisonment. These methods in which she is creating are not at the encouragement of the institution, but her experiences there give her unique insight into determining what this institution needs to actively rehabilitate women who are sentenced here, rather than expecting women to rehabilitate themselves. She acknowledges that her familial support and privilege has enabled her to spend more of her time thinking about others and their access to rehabilitation.

I just want to be able to help each other, and put programs in; we do, do fundraisers, but they are even cutting back on that...A lot of times, women are here for drug related crimes. But we don’t have a lot of drug related programs for people who are addicted, who have addictions. You know, to get out of their addictions.

This narrative is important for two reasons. The first, looking to Hope’s knowledge of prison administration cutting fundraising, fundraising which is initiated by prisoners. Second, Hope

points to the high levels of women at this location who are struggling with drug addiction, but do not have access to drug related rehabilitation. There are two options for drug related programing. SARP, which women are ordered to partake in, has a lower success rate, and then there is SAP, which women volunteer to participate in, and has a much higher success rate. There are limited openings in the voluntary program.

It is also important to draw attention to official documents and requirements for this programing as found on the Kansas Department of Corrections website. For the Substance Abuse Programs delivered in any adult facility, whether delivered by RADAC staff or KDOC program providers, the guidelines for placement shall be: A. The offender is moderate or high risk, in overall risk/need level and on the Alcohol & Drug and Attitudes & Orientation domains; B. The offender has a history of revocation(s) for substance misuse; and/or C. The offender has completed past treatment in facility or community and continues to misuse, indicating s/he is treatment resistant/misuse is driven by criminal thinking. I am very critical of the individualization of crime shown here. In stating that a person is treatment resistant and “driven by criminal thinking” is a historical erasure of the probable oppression and lack of resources that many of these women have faced prior to entering the prison. This directly correlates with this notion of the necessity of heart change, which entirely blames the prisoner for all wrong doing, and ignores historical violence and oppression. These guidelines actively reproduce inequalities in the prison, which exist outside of this space, which vilify women of color as being inherently criminal.

After narrowing the number of women who qualify for treatment based on the above 3 factors, again not entirely based off of need, the following four factors are considered to make a final determination: 1. The offender’s custody classification (vis-à-vis the custody level of the

unit where the treatment/program is offered)—meaning in cases where the prisoner is relegated to maximum security, treatment might be in the general security unit, thus they might be disqualified from access. So, even if in the instance where someone in maximum-security was more in need of this treatment, they do not automatically qualify because of their custody classification. 2. The offender's time to serve, which is relative to the length of the program. This excludes women serving short sentences as well as long sentences, again, regardless of a person's actual need to obtain programming for addiction. This also inhibits women serving indeterminate sentencing from accessing programming or treatment, which disproportionately privileges white women with access. 3. Whether the program is an identified goal in the offender's case plan. This factor restricts access on whether or not someone in control has previously said a specific prisoner needs programming, which actively excludes large numbers of women, because of their lack of access to medical care and treatment in previous instances. 4. The offender's overall risk/need profile, to help determine priority for programming for the offender. Meaning, at what risk is the prisoner to the entire institution, and does the necessity of programming outweigh the risk to the institution.

Although Hope does not have a drug addiction, women who are going through withdrawals who desperately need access to drug addiction treatment, surround her. Because of her proximity to this suffering, she actively lobbies the prison to offer more treatment, to more people. As of now, she is unsuccessful in altering the prison's policies for drug treatment, but she has not given up.

Hope kept returning to her own trauma, even as her stories floated from one friend or family member, to another. She has weaved her own trauma within the stories of other women who she actively watches suffer daily, and out of these stories mechanisms of structural violence

became visible. Hope draws attention to the inequalities and lack of access that most prisoners, and most families of prisoners face.

“I have cried so much, I don’t even know how to cry anymore. Like, wow. A sudden change of events happened in my life...traumatically...In order for me to be strong for me, I need to be strong for my kids. I want to help a lot of women that are here... There are so many grants that can help, you know, just put programs into the facility, and that is what we need. Even outside of here, for the people's families that are going through it, the children that are being effected, there are so many kids that they don't know what to do. Because their parent is going in and out, in and out, and their parent doesn't know how to break the cycle, but somewhere the cycle has to be broke. I want to help the youth; I want to do a lot of things!”

This narrative is important for three reasons, as it was in summation of our interview, but also brings attention to three elements of confinement which women are forced to endure. First, Hope expresses how physically and mentally painful it was for her to become incarcerated, and how her entire life has been drastically altered. This was compounded when she thought of her children, who are suffering without her. Second, It is important because she again draws attention to the lack of programing here, and the lack of available funding for programing. Even in her three years there, she saw available resources dwindle. She states that the parent does not know how to break the cycle, it is not out of a lack of desire to break the cycle, but in lack of resources aiding them. And third, she discussed how the cycle of recidivism affects children and families, and how the system makes it even harder for families of the prisoner to ease the pains of imprisonment, because of the lack of resources made available to them, to even be able to visit their family member in confinement.

Concluding thoughts

Hope’s story is important because it highlights how access is relegated in this space, and how access works along lines of race, gender, ethnicity, and socio-economic status. The unequal access in this space directly reproduces inequalities that exist outside of confining spaces, and

renders these experiences as every day occurrences. Because of Hope's high levels of support, she was able to have varying access to educational, health related, and economic opportunities, but because of proximity, bore witness to the suffering of other prisoners because of their lack of support.

Her story shows different ways that deliberate confinement has on decision making, and how mechanisms of deprivation affect a person's ability to make a decision not based in fear or terror, as was also evident in Nora's story. Hope's narrative enables readers to begin to grasp how difficult it is to be a parent in this space; even though Hope's parents ensured that she was able to maintain a certain level of parenting, it becomes clear that even with this support, she faced innumerable barriers. Policy makers and researchers must question how, if women with full family support struggle to negotiate the barriers for parents in prison, how can women without any support negotiate parenting in this space, when there access has become so limited. The prison is a space which seeks to diminish adults to the status of dependents, almost rendering them as children again.

Chapter 6: Aisha

Loss is not just a death

Loss is a whole lot

Losing yourself is loss

That is a death within itself...

-Aisha

Introduction

Aisha is a 44 year-old African-American woman, mother of five, grandmother of three, and avid reader. She routinely reads the same books multiple times, to see different ways she can analyze stories from different character's perspective. Aisha is creative, insightful, and eloquent, even though she stopped attending high school half way through the tenth grade when she became pregnant with her first child. She has been in and out of this facility five times over the last 29 years, spanning from the tenth grade to today. She is open about discussing how she feels the institution has evolved throughout her five given sentences.

Her story highlights how much of an impact a lack of support has on an incarcerated person, especially relating to access to children and opportunities for educational or economic advancement. Her story pokes holes in conclusions that have been drawn on the success of the deprivation and imported methods. As the imported model does look at prisoner's history of mental illness and history of substance abuse, it does not actually engage with the prisoner, as was necessary in Aisha's case. A doctor had never treated her professionally, *so how could someone know what treatment she needed by boxes checked or not checked in her file?* If the prisoner has not had access to mental health or drug treatment resources prior, they will not have any evidence in their file that they may be in need of further resources or treatment. Even when a

person enters the prison on a drug related charge, treatment is not often recommended. This method privileges people who can afford to access these services outside of prison, by enabling them access inside of prison. This actively reproduces inequalities inside the prison system regarding health services access.

Her own drug addiction began at age 5, when her mother would medicate her with various narcotics, 'so she would not remember seeing what her many 'boyfriends' did to her.' Her mother sold her own body for drugs, and since they lived in a studio apartment, Aisha could not escape the sexual acts, or the constant supply of drugs. The painful childhood that she faced was not evident in her happy disposition, nor did she seem resentful of her mother. Although she does acknowledge that her own upbringing directly impacted the way that she would learn to mother her own five children.

From the beginning of our conversation, Aisha appeared to want to show me her familiarity of this space. She pointed to various items in the room we were meeting in, noting that some chairs were newer than others. Stating that this room had just recently acquired a white board, and that recently, bright colored flowers were planted outside of this building. Laughing to herself about some of the 'touch ups' she would like to complete before she gets out in 3 months. Because so much of her life was spent inside these walls, it was almost as if she, the happy hostess, was welcoming me into her home. "Your name is what, honey? I always say names. Sometimes, just like saying, 'Jenna, you know' *You know how you just talk to have regular conversations.*" This was particularly jarring, because she was acknowledging that there is a difference in conversation when both parties involved are *allowed* to call each other by first names. When prisoners speak to the officers, they are to call them by 'officer' followed by their last name. This creates a power imbalance, leaving women vulnerable, as they are relegated to

five digit numbers, or as ‘inmates.’ It appeared that Aisha immediately wanted to confirm where our power balance would be, asking almost immediately if she was allowed to call me by my first name. She was asserting herself into a position of being able to determine where she stood in this conversation.

Structural Vulnerability

Aisha’s story is important for many reasons, but she is another example that challenges the notion that communities do not thrive in incarcerated spaces. Aisha sat across from me, her elbows confidently placed on the table, as she noticed someone waving outside, she pointed out of the window, and waved back to a smiling friend outside, “That’s my friend, that’s my buddy right there.” This is not the first time this would occur. Every few minutes it seemed, as women were in movement outside of the window, whether being shuffled forcibly with handcuffs and leg chains by officers, or those walking out of the library carrying books in their hands. Young and old, everyone seemed to smile at Aisha.

From 15-19, Aisha would spend much of these years of her life in county jail. She did not in any period of this time have access to drug treatment of any kind, nor did she receive educational training in county jail, even though she was a minor. Structural violence limits and prohibits individuals from achieving their potential, and these limitations operate along lines of race, class, gender, religion, and nationality (Farmer 2003, Ghazali 2017). This is visible in Aisha’s experience as a pregnant, black teenager in county jail. By 1989, she would spend her first night out of county jail and inside of a state prison. She has been sentenced to this particular prison five separate times, for convictions ranging in drug possession and drug paraphernalia to robbery. She admits that the televisions and generators she stole were to feed her children and her drug addiction.

By the time Aisha entered county jail for the first time at 15, she was also pregnant with her first child. She had never gotten in trouble legally, even though she was surrounded by it. During her stay of incarceration in county jail, she did not have access to prenatal medication or doctor's appointments. After 6 long months, she would eventually give birth in prison, as she could not afford the bail. This is a reproduction of inequalities that exist outside of the prison, in that women of color have less access to health care resources, and that women of color are further punished by their socio-economic status.

I got 5 children. I had them all in prison... That means I am coming back and forth pregnant, coming back and forth and *getting* pregnant, and coming in here having the babies, losing them to people that I thought was alright, but wasn't, going through that type of thing and stuff. Drug addiction and stuff like that... my main fall was drugs, being around drugs, growing up around that type of mentality... I never really got the full education of my being."

This narrative is important for three major reasons. First, Aisha gave birth to all five of her children in confinement, meaning she was handcuffed during labor for more than one of the births of her children. She was a 15-year-old child, giving birth in a prison hospital, with no one to hold her hand or comfort her through this physically and emotionally traumatic process. She said the worst part was not giving birth in this place, but in not even being able to hold her newborn child after. She said the trauma seemed even more unimaginable because she did not have anything to show for her suffering, except bruises left from the cuffs on her wrist. After she would be released for the first time, she would begin to use drugs to fill the space left missing by her first child, with whom she would never regain contact.

Second, she alludes to how important support is as an incarcerated person, especially as an incarcerated mother. She did not have a family member able to take of her child, so her first child was placed into foster care immediately after birth. Because she did not have support on the outside, either family or legal representation, there was no one to track the whereabouts of her

child. The loss of her first child would cause Aisha to feel overwhelmingly helpless, and even when she was released, as a 16-year-old child, she could not access any services which would enable her to find her child. Even though Aisha herself was a child, and was not permitted to return to school. Because of these factors, and that she would not have access to any level of treatment in county jail, nor any place to go after her first ‘stint’ in county jail, she would seek out drugs and began selling her body for sex immediately upon her release.

Third, she admits to feelings of guilt, remorsefully acknowledging that it was her choice to use after she became a mother, and visibly becoming upset with herself for not being able to say no. But she quickly acknowledges that now she knows it was not *all* her fault. She understands being surrounded by drug addicts and abusive men as a child makes it even more difficult to escape as an adult. Aisha did not have a family member with whom she could live, so she turned to the community she had, the one to which as a child she was sold for drugs. As a young teenager, this was the only support that Aisha had, and after months of feeling helpless and alone in county jail, she went back to the only space where she felt welcome. This is an example of how lack of resources that prisoners are offered directly correlates with recidivism. Even after a prisoner has “served her time”, she is not provided with adequate pay, even though she has conducted hours of manual labor for the institution. Because of this, most women are unable to build a foundation for their futures, and face barriers in finding work, because they have been legally labeled and further ostracized as a felon.

“But when you pick up a flower...”

Throughout our conversation, Aisha kept coming back to varying abstract definitions of education, teaching, and learning. She would provide elaborate explanations of how these terms have materialized and are reflected in her own experience. She acknowledges that she has had

some access to classes in this institution, but that they are mostly vocational and manual labor intensive. Even though she has been incarcerated five different times at this facility alone, she has not completed her GED, and not because of lack of desire. This is important to note because she had applied for the GED class during each of her five sentences, and was never permitted to complete the course.

Her theorization of education explores how different mechanisms of learning shape how individuals and communities see the world.

School should be more like a catch phrase, maybe more people would go to school...like if I say (laughs), today, you are going to climb this building and we are gonna see how far we can go up before we get scared... Then you can kind of see what is going to elevate the student...what is going to be fun for this person, and what is not going to be fun for this person. *what you are going to be enthused about*, and what you aren't going to be enthused about...I mean really, how far up this building do you really want to go?

This narrative is important because it actively challenges the assumption on behalf of the International Review Board, that she, and other prisoners, are not interested in taking part in a learning space. Aisha tells me she thinks that enthusiasm has lacked in this particular prison, but is starting to improve, albeit however slowly. She maintains that the most important element to a learning space is the level of enthusiasm. She also expresses that enthusiasm is hard to come by in incarcerated spaces, so she is aware that she needs to be that enthusiasm and energy, not just for herself, but for the younger women incarcerated here. Who she observes are left feeling helpless, especially when they cannot access educational programming. This is another example of a reaction to bearing witness to constant suffering, and how women are forced to be the rehabilitation they often desperately need and desire in this space. Often not just for themselves, but as mentors for the women around them.

The early questions in my questionnaire focused on access to structured K-12 education, as well as family life experiences prior to her first incarceration. As she began to unpack her life experiences and share her trauma with me, I began to realize that the answers I was seeking were not going to be found in the questions I had prepared. I expected her to tell me that because she had such little access to education that it had attributed to her incarceration, and that an unjust system had given up on her. But her answers went way beyond that, as visible mechanisms of structural violence became evident in her stories, going back further to her mother's experience with the justice system as a young pregnant teenager who had found herself in trouble. Aisha's story actively works to show visible signs of state violence has shaped her life, family, and trauma over time and space.

Her mother, who also had experienced incarceration as a teenage, was released before she gave birth to Aisha, so she was not forcibly removed from her custody. Her mother was not given access to any kind of educational or economic opportunities, and like her daughter would do years later, would seek refuge in a circle of drugs and sexual exploitation upon her release. Neither Aisha nor her mother qualified for any level of treatment during their incarcerations as minors. After Aisha was born, they would often become homeless. Her mother would disappear for long stretches of time whenever they could not afford their rent. This was a cyclical pattern, and Aisha said she remembered always feeling so sure that her mother would eventually return for her. During Aisha's mother's long disappearances, she would bounce from shelter to shelter, waiting for her mother to come looking for her. As an adult, Aisha acknowledges that her mother's behavior was not right, and contributed to her own life struggles as a young, black mother without any support.

I wasn't raised by none of them. I was raised by pimps and hoes. To sum it up... real talk, I was raised by the streets. I am going to be honest with you. I went to

kindergarten. But I don't really know. My mom. Back in those days. We did not have lights or gas. Back in them days, they didn't have to put kids in school until they was ready...I remember kindergarten.

Keep in mind that Aisha is only 44-years-old. This quote is important because it give insight into the socio-economic status that Aisha experienced growing up, at times when she did live in an apartment with her mother. Showing that even in her 'most stable' home, she did not have access to light, gas, or heat. When they were not homeless, moving from shelter to shelter, Aisha lived in an apartment without amenities that could enable her to complete homework, or cook a meal. Throughout her childhood she was constantly uprooted and lacked any semblance of security.

Aisha describes her minimal in-class experience as something she craved as a child. She would beg her mother and her abusers to allow her to attend school, even as an elementary school child. Because their situation was so unstable they moved around a lot, Aisha was rarely formerly registered in school, and because of their limited access to a landline, when and if schools reached out to see where Aisha had been, the phone number left would be disconnected.

After she turned 11-years-old, she started to physically mature, which was noticed by everyone that her mother brought into their apartment. Her mother, who was a young, poor drug addict in Missouri, would make a deal with her drug dealer: Aisha in exchange for an ongoing supply of crack cocaine.

My mom gave me away to the Cubans when I was 11. [Then] on to the Dominicans, to where I could be selling dope. She was a drug addict and she sold me for some dope. Okay, so these people taught me my education was drugs and money, adornment, a car, and a gun. That was how I was supposed to get my education. So, when I complained to these people, say, "I want to go to school", they would send me to go school, but I had to sell dope. So I would dump the dope before school, hide it under a tree. And after school I'll go sell it later, say, "I sold it at school." But I was learning different things in school.

This narrative is particularly important for three reasons. Aisha recalls being sold by her mother, in exchange for drugs as an eleven-year-old child, after having already endured years of sexual

trauma. She is aware that her mother physically sold her body to men decades older than she. This is trauma that is not expounded upon, considered, or evaluated when methods such as the deprivation and imported methods are utilized. In fact, past abuse, whether sexual, physical, or emotional, does not account as a factor in the mock determinations of acclimation unless a doctor has previously substantiated claims of abuse or addiction. Because this particular prison has a history of sexual misconduct with prisoners, it is important to examine how fear of sexual assault would shape a sexually assaulted woman's experience in this space.

Second it becomes clear that there is a tension between two elements of education that Aisha experienced. Her abusers—so called boyfriends that promised her that they loved her—who bought her fancy clothes, so that she would attract higher paying clients. They supplied her with drugs, in attempts to make her feel numb, and to convince her that she “was just doing a job.” At that time in her life, it was her only experience with education as a teenager, learning how to pretend to be a hyper-sexualized adult from people who bought her nice things. On the other hand as she started to get older, she had started going to school again with more regularity. Being in a physical classroom challenged and upset the image of the world that her other life had created.

Third, Aisha was forced to negotiate and navigate the world in ways that most children are not accustomed. These past experience were not considered, when later it was determined she was not qualified as able to complete GED courses in any of her five sentences at this location. When she finally convinced her abusers to allow her to attend school as a teenager, her abusers made a deal with her. As long as she sold drugs at the school, she could attend. Aisha navigated this deal by separating her two spaces, one where she wanted to be an astute student, and the other, where she was forced to be a “drug dealing sex seller.” Aisha was constantly having to beg

for her right to education, whether begging her perceived “owners”, her mother, or later, the institution which confined her. This is how structural violence becomes nuanced in the experiences of women over time and space. As Aisha shared her stories with me, I could not help but question the structures that are supposedly put in place to help the most vulnerable kids, living in the most unimaginable situations. *How many teachers did not reach out to Aisha’s parents? How many teachers realized there was not a parent to call?*

Aisha leans in closer to me, and starts to whisper, like she is going to tell me a secret. I am engrossed with her story, and quickly lean in towards her to hear her better as she compares and contrasts the tensions of her two major experiences with education as a child. That as provided by her mother and her pimps, and the education that she experienced inside of a public school in rural Missouri.

I am going to expound about this a little bit. I am going to graduate your mind right here. I learned what I was capable of learning. I did the best I could. When they put a textbook in my hand, I read it. When they gave me a book I read it. When they said write an essay, I wrote it. But at the same time, I can go over here, when they say pick up a gun, I picked it up. When my mama say, put it down, I put it down. *See education is everywhere you go.* You are gonna learn how to shoot it or you gonna learn how to read it. You gonna learn how to kill it, or you gonna learn how to destroy it. [pauses and takes a deep breath] You gonna learn how to build it. And you are gonna make it become a success. You got it?

This quote is important for two main reasons. First, Aisha is a product of her experiences, and as a child, she was forced to navigate the world and the streets without any level of stable support. In her statements comparing her access to education, she is still trying to navigate this tension, acknowledging that she knows now that her suffering is an accumulation of her lack of opportunities throughout her lifetime.

Second, she articulates the struggle that a child has in trying to please everyone, desperate for attention and love. She was torn between wanting to appease her abusers and her teachers,

and said that she fell short somewhere in between. She was forced to hide, and therefore feel same, when she completed her homework. She constantly made up excuses to read books assigned, all the while still working the streets every night. As she was expected to bring home a certain profit from the previous night's work, it was difficult for her to participate in her own education. She began to see the school as a refuge, sometimes, the only safe place where she could sleep. Aisha presses her fists into the table, inhales deeply, releases the pressure, *exhales*, and repeatedly points down, tapping onto the table with her cracked fingernails. And quickly follows up her story with: "Complacency kills growth!" She tells me she is sick and tired of other people determining what she can do in school or not.

Before continuing, Aisha takes a moment to just breathe, she rubs at her eyes, and stares out the window into the cold, but bright winter sun. I take this moment to analyze how differently the room feels now; I sense the altered energy filling up the space we occupy. Does it feel less cramped now, maybe even a little cozy? Did we really only meet 26 minutes ago? We sat there for another moment, as if we were old friends having coffee, merely taking in each other's company and the view of the newly planted colorful flowers in front of us. She exhales, and again, I am spellbound.

Aisha again acknowledges that her current and past incarcerations are because of her actions, but she no longer views her failures as being "at the fault of her heart", but in relation to structures that have surrounded her, her whole life.

I have a lot of misprints in my life. I don't look at them as failures. I look at them as teachable moments. Every failure is a teachable moment. Every experience is a teachable moment. Life is a teachable moment...My drug addicted self was stealing generators to TVs, I was a mess. I was addicted to crack cocaine. The reason I stayed addicted was because I did not know who I was. I didn't know how smart I really was...I didn't even know what would happen to me if I even pretended I was smart.

This quote is important for two reasons. The first, Aisha contradicts the notion that women do not desire to access skill building and educational programming beyond vocational training in this space. The misplaced assumption of women of color in this space, particularly on behalf of the International Review Board and the prison personnel, actively inhibits women from assessing secular learning opportunities. This is a challenge, because those who have the most control have the least to lose when creating harsher punishments and stricter guidelines for access in incarcerated spaces.

Second, both Aisha and her mother were victims of the crack cocaine epidemic. Because communities of color are primarily targeted for drug related charges, she faced harsher punishments, without ever having access to drug treatment during her span of over 29 years in incarceration. Aisha entered the system at the height of the War on Drugs. Looking at the history of the American justice system and penal institutions, it is impossible to overlook the dilapidating effects that the War on Drugs had on black communities. At the height of the drug war in 1989, which is the first year that Aisha would spend in a general to maximum security prison, the arrest rates for African American had climbed to 1,460 per hundred thousand compared to 365 for white people (Western, 46). Aisha grew up in the height of this epidemic and would be greatly punished and deprived of other opportunities for that.

There is a conspicuous link between drug control, and conservative ideals, and states' rights, which has allowed for the creation of a system that unapologetically destroys communities. Bill Clinton's passage of the Violent Crime Control and Law Enforcement Act in 1994 bolstered police officers with military grade weaponry and training. It also provided nearly \$10 billion to build new prisons, and expanded sentencing through mandatory minimums, and

approved over 50 more crimes that which could receive a verdict of the death penalty. None of this funding would be put towards rehabilitation or treatment in incarcerated spaces.

Aisha continued to unpack the tension between her two drastically different experiences with education in her youth. Especially as she gained more experience as a freshman in high school, she slowly started to come to terms with the trauma in which she was exposed, stating she began to feel depressed and helpless in realizing how “deep she was into it.”

I was learning different things, but the more I kept learning in school, I wasn't getting no where, because I wasn't comfortable with the situation I was living in...when you got somebody on your back about something. You got to have the right amount of money...and you scared...but at the bottom line, why did my momma do that to me?

She smiled, more to herself than to me, and she pointed to the window, where another “buddy” of hers was walking with three books she had picked up from the library. She acknowledged that it was through friendships that she had survived this long in this space.

This quote is important for two reasons. First, Aisha became aware of her own suffering, but as a child, did not know how to make it stop. She elaborates on the terror she would feel when she did not make enough money from the night before, and how that fear was compounded with forgetting to do the chapter reading from *War and Peace* that was due the next day for 9th grade English Composition. She recognizes that she struggled in her classes, because its difficult to retain information when you are constantly considering the threat you will physically face later that evening, and each evening after that. And how, when exhausted, a student may struggle to comprehend the difficult material, which was a catalyst in making her question her own worth, leading her to recall that at 14, she did not think she deserved to be a student in a school. Her abusers had made her question her own worth and deservingness of access. These condition would be reproduced in prison on and off for more than 29 years.

Second, she acknowledged that her mother must feel pain in places she could never understand. Her empathy for her mother's pain is accompanied by a few tears. But she recognizes that her mom had struggled because of her own lack of opportunity, which would ultimately render her daughter to the same fate. This is a mechanism of structural violence, which made itself visible in access across generations of black women. Aisha spoke often of her own history and her mother's history, and how their experiences might contribute to her own daughters' and granddaughters' future relationships with the justice system. Aisha's story is an example of how structural violence utilizes methods that link and carry suffering across time and space, and across generations and geographic locations.

Aisha confirms that in part her lack of support growing up, and then throughout her four years of intermittent stays in county jail as a teenager, and eventually ending up in mixed security prison, contributed and shaped her subjectivities of access in this institution. Aisha, like Hope, felt that her only option for rehabilitation would be self mediated. Hope came to this conclusion during her first sentence, through having immense levels of familial support, coming from a stable home, and the peace of mind in knowing that her children were safe. Meaning, Hope had some access to monetary stability and has a safe place to return to when she will leave prison. It would take Aisha five sentences, without any familial support, and over 29 years to help her make a similar conclusion. Not that two situations can ever truly be compared, it is important to reflect on how situations vary based on family support in incarcerated spaces.

Aisha did not qualify for the required drug treatment program (SARP), and spent much of her prison sentences on the waiting list for the volunteer drug treatment program (SAP) available at this facility.

When you just thrown into an institution with no background. Nobody to really be there for you and you lose everything in the process, and you have to learn to gain

everything back. And its a teaching moment... I am gonna be real honest with you about something. I have to say this. And I am going to say this over and over again. If I hit that dope, I am going to die. I am not going to live, Jenn. And in my heart and soul, and everything I know about God, and everything is telling me. So my biggest goal is this, *to love Aisha at all costs*. And all the ability that *she* has to do something different. I am going to get into a habit of going to school. Getting a job. Growing up more. Growing up in my decisions. Growing up in my education. Growing up in my thoughts and plans and futures. All this negativity hasn't worked in my life, but this positivity is paying off.

This is important for two reasons; first she provides an example as to how difficult prison is without familial support. Without family support, the lack of instructional support becomes even clearer. She recognizes that incarcerated spaces are meant to deprive people of everything they have, she equates her experience to losing everything, and being forced to try to gain everything back. But she questions, what about the people who do not have anything, and never really did? This is important to analyze, because Aisha was herself vulnerable, and did not necessarily have a starting point to work to get back to, as all of her experiences with stability were tarnished with abuse and trauma. With this, labor compensation must be evaluated, because compensation in incarcerated spaces is not enough to prepare for a future outside of the prison. Thus every time she experienced some semblance of freedom, she fell back into the physical and metaphorical arms of her abuser because she did not have any monetary security.

Second, Aisha expresses everyday ways that she will challenge the educational access she has experienced over 44 years. She tells me she wants to get her GED and eventually go to college. Aisha is an example of someone whose experiences and opportunities have been shaped by structural violence, yet she is still intent on obtaining the education she has been seeking her entire life.

Aisha challenges anyone who deems prisoners as bereft of ability in any capacity. *“But when you pick up a flower, and it has been welting, and you go and plant it somewhere else, and*

you water it, and you come back a week later and its growing. What does that mean?" This is important for two reasons. Aisha is keenly aware that she almost died many times. She expressed that she herself was a wilting flower, and through the power of asserting her own history and preparing for her future with aspirations of higher education, she sees herself growing in her future.

Concluding thoughts

Aisha challenges the deprivation and imported models as being adequate in assessing a prisoner's "ability to acclimate." She shows evidence as to how the most vulnerable of women are legally left without access to necessary treatments, whether for sexual abuse or drug addiction. Because Aisha was one of many who were unable to provide documentation regarding the extent of her need for treatment, she was not qualified for educational opportunities or health treatment. Because, she, like many, was unable to provide paper evidence of her suffering and trauma, she was forced to be her own rehabilitation. This actively works to erase women's history, whether in the courtroom, or once they arrive in prison, they are forced to spend all of their time resuscitating all that has been deprived of them.

Aisha's story actively works to show visible signs of state violence shape life, family, and trauma over time and space. Aisha experienced deprivation long before she came to prison for the first time. She was deprived of a safe and secure home, which would greatly inhibit the access she would have to opportunities for educational and economic advancements. Aisha's story is an example of how structural violence utilizes methods that link and carry suffering across time and space, and across generations and geographic locations. But she is also an example of how women in incarcerated spaces desire access to education beyond what is being granted to them.

I am aware that I cannot carve Aisha's infectious, deep laugh directly onto the paper, but maybe you can still hear it. I hope that her sardonic wit comes across as strong as she casted it. I hope you can hear the multiple times she brought her fists heavy onto the table as to not raise her voice, but to show me some of the other ways she hurt. It is my honor to create a medium that puts her poetry into print.

Beauty comes from the ugliest of things...
So there is no way we have to stay down in life
We can get up
We can accomplish things that we have never accomplished in our life
We can get somewhere that is better than
Feeling like
I had to go have sex with this man
For money
So I can go get me some dope
I don't have to do that today
I don't have to lie
on my back...
So now when I walk out of here
I am 44...
Its time for me to move on and not stay stuck...

Loss is not just a death
Loss is a whole lot
Losing yourself is loss
That is a death within itself...

So you know
If you accomplish some of the goals
Even if they are
just
little
bitty
goals
You take them to the next level
And you
Become a habit of that

Conclusion

The conversion of Kansas's state capital's first black college to a prison where women of color are overrepresented is significant. This history tells a bigger story about American inequality and how women of color continue to be subjected to racism, classism, and gender biases. In a place where women should thrive and excel, they are held marginalized and held captive. Processes of deprivation that operate along the intersectional lines of race, class, and gender have shaped their lives in many ways. The six buildings scattered throughout the prison are historical sites, yet nothing marks the gymnasium, former academic buildings, or the barn as being places that were constructed by the hands of students. The buildings are inaccessible to the prisoners, yet they constantly catch glimpses of the brick and stone structures. The only building that some of the women have access to has been converted from a girls' dormitory, to a medium security cell house. There is a plaque on the front door to remind the women what the building once was every time they enter the building. For future research, I would like to learn more about the process of the college becoming a historical site, and who determined on which building to put the plaque.

By reasserting the history of the college into their narratives women accomplish two important points that are relevant to my research. First, they transform the prison from a symbol of discipline to one of inequality. This allows the women to demonstrate how opportunities eventually become deprivations for women of color who find many odds stacked against them. This process also lends them a moral authority over those who are responsible for running the prison as a punitive space. Second, it enables them to lay claim to the space as one of belonging while simultaneously rejecting the legitimacy and relevance of the prison structure. Resuscitating this history equalizes access to this space, and is an important part of finding belonging and

making sense of the factors that contributed to their imprisonments. Third, by bringing in the history of academic scholasticism they support their claims for more representative reading lists, access to educational opportunities, and support for higher education.

This research shows that deprivation is being reproduced through the carceral system. Research participants felt they needed to contextualize their histories because they had been removed or deprived of context through bureaucratic practices and policies. Their full histories are excluded from courtrooms and their files. These deprivations during the pre-incarceration phase lead to various deprivations in the prison. The outcome is that women who do not have a record of mental illness, for example, will be unable to access treatment because there is no precedent for it. The precedent has been made absent by Kansas policies regarding battered women. The stories they reassert help clarify how deprivation carries over across time and space because structures do not change. Thus deprivation actively shapes how resources and opportunities are distributed among women in this before and during incarceration.

Over time, state and prison officials work together with corporate elites on prison expansion. For-profit prisons extort prison labor, which renders prisoners' labor valueless. This power imbalance enables the prisoner's labor to only be profitable to the institution. Through reformatories in the 1700s and 1800s, convict leasing, and limited educational funding, women of color have historically been denied access to the prison as a rehabilitative space. They experience the space as a punitive one and adjust their behaviors, movements, and expectations accordingly.

Because prisons in the United States have never have spaces of rehabilitation, it becomes evident that the deprivation and imported methods are ineffective. It becomes visible that these methods are to fine-tune and better predict which prisoners will break rules. Because these

methods primarily determine that people from “urban backgrounds” are going to cause rule infractions, people of color disproportionately have less access to good, rights, and services within the prison. Reliance on methods that privilege those who already have had access to these services in the past assures that the system does not have to tend to the needs of a majority of their population, finding yet another way to cut costs for penological interests.

By laying claim to the space, they are creating a legacy beyond their functions as prisoners to remind people of what once existed in this space, and of what could again be possible. The women work to remind people that they have in the past and continue to bear witness to the structural violence that has shaped their life experiences before, during, and after their incarcerations. Taking responsibility—in the form of accepting blame, professing guilt, or maintaining innocence—was also an active process that unfolded through the narratives. Their resuscitation of history shows that the women there are not passive during their imprisonment, but are reflecting their agential capacities in this space. The women there are constantly trying to find opportunities to improve their lives inside the prison, while attempting to prepare for a future that will be shaped by this space. But unfortunately, these obstacles, which take the shape of arbitrary rules and then punishments, time and time again confront and impede them.

Deprivation is more than a model against which to measure prisoner adjustment or a method for improving disciplinary tactics. It did not begin with the prison or its policies. Deprivation is a source of social suffering for incarcerated women of color that is imposed through systems that perpetuate, exploit, and marginalize women of color. The structures that enabled deprivation outside of prison are also at play inside its walls. But every day, women there are discovering creative ways to control elements of their lives in confinement. The narratives help make the social and political structures of deprivations experienced by these

women more visible. This is especially important considering many were discouraged from going to trial and never had an opportunity to share their stories. Each of the narratives I have presented reveal different facets of the process of becoming deprived. But they also show that women are not passive in the face of these subjugating forces. Women find creative ways to navigate their lives under these conditions, constrained as they are, all along the way.

Works Cited

- Alexander, Michelle. *The New Jim Crow : Mass Incarceration in the Age of Colorblindness*. New York : [Jackson, Tenn.] :New Press ; Distributed by Perseus Distribution, 2010. Print.
- Ambrosio Tara-Jen, Shiraldi, Vincent, "From Classrooms to Cellblocks: A National perspective," Washington DC: Justice Policy Institute, 1997. 7-20)
- Ajinkya, Julie, *Rethinking How to Address the Growing Female Prison Population*, <https://www.americanprogress.org/issues/women/news/2013/03/08/55787/rethinking-how-to-address-the-growing-female-prison-population/>, accessed February 17, 2018
- American Friends Service Committee, *Struggle for Justice: A Report on Crime and Punishment in America* (New York: Hill and Wang, 1971, pg 8
- American Prison Association, Committee on Institution Libraries. *Library Manual for Correctional Institutions*. New York. American Prisons associations, 1950.
- Archibald, Joanne. "Being in Prison." In *Interrupted Life: Experiences of Incarcerated Women in the United States*, by Solinger, Rickie, and Rebecca Sharitz., edited by Rebecca Sharitz. University of California Press, 2010.
- Billington, Josie. "'Reading for Life': Prison Reading Groups in Practice and Theory" *Critical Survey*, Vol 23, issue 3 (2011) 68-85
- Brown, Elenor Francis, "Bibliotherapy and its widening applications". *NJ Metuchen Scarecrow Press*, 1975
- Burkhart, Kathryn. "Women in Prison:Inside the Concrete Womb. Garden City, NY; Doubleday and Company, 1973
- Burns, Anna C. "Beard v. Banks: Restricted Reading, Rehabilitation, and Prisoners' First Amendment Rights." *Journal of Law and Policy* 15.3 (2007): 1225-1270
- Brazell, Diana, Crayton, Anna, Mukamal, Debbie, Soloman, Amy and Lindahl, Nicole, "From the Classroom to the Community, Exploring the Role of Education during incarceration and Re-Entry" *Washington DC Urban Institute*, 2009
- Bureau of Justice Statistics, *Census of State and Federal Correction Facilities* Washington D.C: US Department of Justice, 2005, 5, Table 6
- Bureau of Justice Statistics, *Census of State and Federal Correction Facilities* Washington D.C: US Department of Justice, 2005, 5, Table 16
- Calvert, Clay; Hayes, Justin B. "To Defer or Not to Defer - Deference and Its Differential Impact on First Amendment Rights in the Roberts Court." *Case Western Reserve Law Review* 63.1 (2012): 13-56.
- Chappell, Cathryn, "Post Secondary Correctional Educton and Recidivism: A Meta-analysis of Research Conducted 1990-1999", *Journal of Correctional Education* (June 2004) 148-169)
- Clear, Todd R. 2009. *Imprisoning communities: how mass incarceration makes disadvantaged neighborhoods worse*. New York: *Oxford University Press*.
- Cummins, Eric. 1994. *The rise and fall of California's radical prison movement*. Stanford, Calif: *Stanford University Press*.
- Davis, Angela Y, and Frank Barat. *Freedom Is a Constant Struggle: Ferguson, Palestine, and the Foundations of a Movement*. Chicago: Haymarket Books, 2016. Print.
- Davis, Angela Y. *Are Prisons Obsolete?*, 2003. Print.
- Davis, Mike. "Hell Factories in the Field: A Prison Industrial Complex" *Nation*, February 1995

- Díaz-Cotto, Juanita. 1996. *Gender, ethnicity, and the state: Latina and Latino prison politics*. Albany: State University of New York Press.
- Díaz-Cotto, Juanita “Lesbian Prisoners,” in *Encyclopedia of Lesbian Histories and Culture*, ed. Bonnie Zimmerman. New York: Garland Publishing, 2000
- Digital Assets, UK(http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/dh_103175.pdf, 52. Accessed 9 November 2017).
- Dhami, Mandeep K. Ayton, Peter. Lowenstein, George. “Adaption to Imprisonment"indigenous" or Imported?” *Criminal Justice and Behavior*, Vol. 34 No. 8, August 2007, 1085-1100
- Dhondt, Geert, “Big Prisons and Small Towns” (Amherst, MA: Center for Popular Economics, 2002
- Doherty, Fiona, *Indeterminate Sentencing Returns: The Inventions of Supervised Release*, New York University Law Review, June 2013 Issue: Volume 88, Number 3
- Dorfman, Lori; Vincent Schiraldi. *Off Balance: Youth, Race, and Crime in the News*. 2001. Online: <http://www.buildingblocksforyouth.org>.
- Dowrick, Christopher, *Beyond Depression*, 2nd edition. *Oxford University Press*, 2009, 174
- Dyer, Joel, *The Perpetual Prisoner Machine: How America Profits from Crime* (Boulder, CO: Westview 2000)
- Erzen, Tanya, “Religious Literacy in a Faith-Based Prison”, *PMLA* Vol 123, 2008, 659-664
- Erzen, Tanya, “God in Captivity: The Rise of Faith-Based Prison Ministries in the Age of Mass Incarceration”, *Beacon Press*, 2017
- Faller, Jan “A View of Dwight—Part II: Former Inmate Tells of Life There,” *Chicago Defender*, 28 February 1977, p. 10
- Farmer, Paul. “An Anthropology fo Structural Violence” *Sidney W. Mintz Lecture*, 2001
- Farmer, Paul, “On Suffering and Structural Violence: A View From Below” *Race/Ethnicity: Multidisciplinary Global Contexts*, Vol 3, No 1, 2009.
- Farmer, Paul, *Pathologies Of Power : Health, Human Rights, and the New War on thePoor:with a New Preface by the Author*. Berkeley: University of California Press, 2005.
- Floch, Maurice. “Bibliotherapy and the Library” *The Bookmark* 18 (December 1958): 57-59.
- Flock Maurice. “Correctional Treatment and the Library” *Wilson Library Bulletin* 26 (February 1952): 425-455
- Freire, Paulo. 2015. *Pedagogy of the oppressed*.
- Foucoult, Michael, *Discipline and Punish*, New York: Vintage Books, 1979, p138
- FY 2012 Legislative Budget Headings—ADC Data and Information. Pheonix, Arizona: Arizona Department of Corrections, 2011, Section 7-1)
- Feeley, Malcolm, and Austin Sarat. 1980. *The policy dilemma: Federal crime policy and the Law Enforcement Assistance Administration*. Minneapolis: *University of Minnesota Press*.
- Gilmore, Ruthie, *Golden Gulag: Prisons, Surplus, Crisis, and Opportunity in Globalizing California*”. Berkley CA, 2007
- Ghazali, Marwa, “Being In Between Worlds: Illness (*Marad*), Embodiment, and Social Suffering in Cairo’s City of the Dead” University of Kansas, 2017
- Goode, Judith, “From New Deal to Bad Deal: Racial and Political Implications of U.S. Welfare Reform”. Philadelphia, 2003
- Gottschalk, Marie. 2006. *The prison and the gallows: the politics of mass incarceration in America*. New York: *Cambridge University Press*.

- Griffith, Mary, *God's Daughters: Evangelical Women and the Power of Submission*, Berkeley University of California Press, 1997 & Brasher, Brenda, *Godly Women: Fundamentalism and Female Power*, New Brunswick, NJ: Rutgers University Press, 1998.
- Gubert, Betty K. "Sadie Peterson Delaney: Pioneer Bibliotherapist American Libraries" feb 1993 VOL 24 NO 2
- Gutiérrez, Kris D, "Developing Sociocritical Literacy in a Third Space" *Research Quarterly*, April 2008
- Hallinan, Joseph T. *Going up the river Travels in a prison nation*. New York, Random House
- Harris, Tina, "Grounded Theory" *Nursing Standard*, 2014
- Heath, Melissa Allen, et al. "Strengthening elementary school bully prevention with bibliotherapy." *Communique*, June 2011,
- Heitzeg, Nancy A, "Criminalizing Education: Zero Tolerance Policies, Police in the Hallways, and the School to Prison Pipeline, 2014.
- Henriques, Zelma Weston, and Norma Manatu-Rupert. "Living on the outside: African American women before, during, and after imprisonment." *The Prison Journal* 81.1 (2001): 6-19.
- Hereth, Jane, Kaba, Mariame, Meiners, Erica R, Wallace, Lewis Restorative Justice is not Enough: School Based Interventions in the Carceral State Disrupting the School to Prison Pipeline, *Harvard Educational Review*, 2012
- Jackson, Chuck, "What Looms: The University, the Jailhouse, and Pedagogy, *Pedagogy*, Vol 9 issue 2, 2009: 315-324)
- Jackson, Noura *Wrongful Conviction* with Noura Jackson, August 2017, Podcast
- Jackson, Jessi Lee "Situational Lesbians & the Daddy Tank: Women Prisoners Negotiating Queer Identity and Space 1970-1980" *Genders* vol. no 53, spring 2011
- Jacobi, Tobi, "Speaking Out for Social Justice: The Problems and Possibilities of US Women's Prison and Jail Writing Workshops Critical Survey" Vol. 23, No. 3, *Reading and Writing in Prison* (2011), pp. 40-54
- Johnson, Robert. 2002. *Hard time: understanding and reforming the prison*. Belmont, CA: Wadsworth.
- "Law Requires Segregating Lesbians," *NewsWest*, October 15, 1976
- Leavy, Patricia, "Research Design", *The Guilford Press*, 2017
- Lesbians in Prison: Three Women Tell Their Stories, "Seattle Gay News, 27 April 1979, p. 6
- Leslie, Elizabeth. "Who Said Women Can't Get Along?" In *Interrupted Life: Experiences of Incarcerated Women in the United States*, by Solinger, Rickie, and Rebecca Sharitz., edited by Rebecca Sharitz. University of California Press, 2010.
- Liquan, Cao, Zhao, Jihong, Van Dine, Steve, "Prison Disciplinary Tickets: A Test of the Deprivation and Importation Models" *Journal of Criminal Justice*. Vol. 25, No. 2 1997 103-113
- Litchfield, Katrina Sarah. "A Critical Impasse: Literacy Practice in American Prisons and the Future of Transformative Reading". University of Iowa, 2014.
- Lockard, Joe and Rankins-Robertson, Sherry. "The Right to Education, Prison— Univesrity Partnerships, and Online Writing Pedagogy in the U.S. a Critical Survey." Vol. 23, No. 3, *Reading and Writing in Prison* (2011), pp. 23-39
- Marable, Manning. *Race, Reform, and Rebellion: The Second Reconstruction in Black America, 1945-1990*. Second edition. Jackson: University Press of Mississippi, 1991.

Martin, Glenn. "This is Personal", *Pod Save the People*, November 21, 2017, Podcast

National Women's Law Center, "Welfare Reform Should Help Women Striving to Support their Families, Not Hold Them Back" Washington, DC. February 2003

Nelson-Pallmeyer, Jack. *Brave New World Order: Must We Pledge Allegiance?* (Maryknoll, NY: Orbis, 1992), 14

Ohio Department of Rehabilitation and Correction, Best Practices Toolkit: Faith-Based Programming, Reentry and Recidivism, prepared by Coretta Pettaway, Ohio Institute on Correctional Best Practices, 2007

Sarah Pemberton, "Enforcing Gender: The Constitution of Sex and Gender in Prison Regimes," *Signs: Journal of Women in Culture and Society* 39, no. 1 (Autumn 2013): 151-175.

Pew Center, *One in One Hundred: Behind Bars in America* 2008, Washington DCL 2008, 1

Texas House of Representatives, House Bill 1879 (2011)

Pod Save the People, "It's Such BS," Podcast December 5 2017

Pod Save the People, "Lets Do Better In the New Year", Podcast, December 2018

Pod Save the People, "Lifting Others Up", Podcast January 2 2018

Pod Save the People, "Put Your Plan Together", Podcast, January 10 2018

"Prisoners' Right to Read", American Library Association, April 6, 2011. <http://www.ala.org/ascla/resources/prisonersright> (Accessed May 9, 2017) Document ID: 141bed27-4a68-13b4-2d66-a277607033dd

Procunier v. Martinez, 416 U.S. 396, 428 (1974) (Marshall, J., concurring), *overruled by* Thornburgh v. Abbott, 490 U.S. 104 (1989).

Quintard Taylor, *In Search of the Racial Frontier: African Americans in the American West 1528-1990* (New York: W.W. Norton and Co., 1998); Thomas C. Cox, *Blacks in Topeka, Kansas, 1865-1915: A Social History* (Baton Rouge: Louisiana State University Press, 1982).

Rafter, Nicole Hahn. 2017. Partial justice: women, prisons and social control.

Rathbone, Cynthia, *A World Apart: Women, Prison, and Life Behind Bars*, New York: Random House, 2005

Reynolds, Tina. "Glossary of Terms." In *Interrupted Life: Experiences of Incarcerated Women in the United States*, by Solinger, Rickie, and Rebecca Sharitz., edited by Rebecca Sharitz. University of California Press, 2010.

Schechter, Susan. 1984. *Women and male violence: the visions and struggles of the battered women's movement*. London: *Pluto Press*.

Simon, Johnathon, *Governing Through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear*, Oxford University Press, 2007

Spector, Herman K. Letter to Dr Sadie T Delaney. 21 Feb. 1957. Sadie Peterson Delaney Papers. Schomburg Center for Research in Black Culture, New York.

Special Litigation Section of the Civil Rights Division, U.S. Department of Justice September 06, 2012

Sudbury, Julia. "Unpacking the Crisis: Women of Color, Globalization, and the Prison-Industrial Complex." In *Interrupted Life: Experiences of Incarcerated Women in the United States*, by Solinger, Rickie, and Rebecca Sharitz., edited by Rebecca Sharitz. University of California Press, 2010.

Sullivan and Vogel Sullivan, Larry E., and Brenda Vogel. "Reachin' Behind Bars" Library Outreach to Prisoners." In *Libraries to the People: Histories of Outreach*, Jefferson, NC, McFarland & co. 2003

- Sullivan, Winnifred Fallers, *The Impossibility of Religious Freedom*, Princeton, NJ; Princeton University Press, 2007
- Stevens, John Paul. Dissenting opinion. Beard, Secretary, Pennsylvania Department of Corrections v. Banks. No. 04–1739. Supreme Ct. of the US. 28 June 2006.
- Suttner, Bertha von, 1843-1914. *Lay Down Your Arms : the Autobiography of Martha Von Tilling*. New York :Longmans, Green, 1914. Print.
- Swanson, Jenna. Audio files. January 2017-April 2017
- Sweeney, Megan. “Beard V Banks: Deprivation as Rehabilitation”. *PMLA* 122.2 May 2007: 779-83
- Sweeney, Megan. "Reading and Reckoning in a Women's Prison." *Texas Studies in Literature & Language*, vol. 50, no. 3, Fall2008, pp. 304-328.
- Sykes, Gresham M. 2007. “The society of captives: a study of a maximum security prison.” Princeton, N.J. [u.a.]: *Princeton University Press*.
- Taussig, Michael. 1984. “Culture of Terror, Space of Death. Roger Casement’s Putumayo Report and the Explanation of Torture.” *Comparative Studies in Society and History* 26(3): 467-497.
- Tonry, Michael H. 2012. Punishing race: a continuing American dilemma. New York: *Oxford University Press*.
- United States District Court for the District of Kansas. *American Humanist Association Kansas Department of Corrections*, 2017
- U.S. Department of Justice, Bureau of Justice Statistics, *Special Report: Women in Prison* (Washington DC, 1994).
- U.S. CONSTITUTION.” United States House of Representatives, 111th Congress, 1st Session, www.house.gov/house/Constitution/Constitution.html.
- Van Dijk, Jan, “Ideological Trends Within the Victims Movement: An International Perspective,” *Victims of Crime: A New Deal?*, ed Mike Maquire and John Pointing, Buckingham, UK: Open university Press, 1988.
- Waquant, Loïc. “Race as Civic Felony”, *International Social Science Journal*. (March 2005) 127-142)
- Welsh, Michelle F, “The Effects of the Elimination of Pell Grant Eligibility for State Prison Inmates,” *Journal of Correctional Education* 53(4) December 2002: 54-58
- Western, Bruce. 2006. Punishment and inequality in America. New York: R. Sage Foundation
Whose doing the touching...No more Cages. February-April 1980
- Whitney, Emily. “Correctional Rehabilitation Programs and the Adoption of International Standards: How the United States can Reduce Recidivism and Promote the National Interest,” *Transnational Law and Contemporary Problems* 18 (Fall 2009): 777-809
- Wilhelm, Daniel F, Turner Nicholas R., “Is the Budget Crisis Changing the Way We Look at Sentencing and Incarceration?” *Federal Sentencing Reporter*, Vol. 15 No. 1, October 2002; (pp. 41-49)
- Worth, Robert. “A Model Prison” *The Atlantic Monthly* (Nov 1995) 38-44
- Yaeger, Patricia, “Prisons, Activism, and the Academy—A Roundtable with Buzz Alexander, Bell Gale Chevigny, Stephen J. Hartnett, Janie Paul, and Judith Tannenbaum”, *PMLA* 123.3 (May 2008):522.