A PUBLICATION OF CRITICAL RESISTANCE

THE ABOLITIONIST

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FREE TO PEOPLE IN PRISONS, JAILS, AND DETENTION CENTERS • ESPAÑOL AL REVÉS

ISSUE 26: OBSTACLES & OPPORTUNITIES

Letter from the Editors

Dear Readers,

Welcome to Issue 26 of *The Abolitionist!*

The ground is shifting beneath us. The harm and violence of the prison industrial complex (PIC) – including policing, imprisonment, and surveillance – have been pushed to the fore of people's consciousness. Yet we are not mere spectators to this shift; on the contrary, we know very well that this is the cumulative effect of collective struggle on many fronts. For instance, without the dedication and sacrifice of the California hunger strikers in 2011 and 2013, particularly those in Pelican Bay's solitary units and their supporters on the outside, we would not be witnessing an unprecedented denunciation of solitary confinement coming from virtually all layers of society. Similarly, without combative and sustained outrage by people in Ferguson in response to the killing of Michael Brown in 2014, we are doubtful that today's increased attention and resistance to policing would be as far-reaching. We are deeply inspired by this shift, and are energized by the potential to challenge the PIC in significant and lasting ways.

EDUARDO MUNOZ

As we continue to build on this momentum toward a world without cages, we are faced with what is being characterized as a "national conversation" and even "bipartisan consensus" around the need to address the harms of the PIC, particularly of policing and imprisonment. There are widespread calls for different types of reforms, coming from radical, seasoned organizers to historically "tough on crime" politicians who have apparently changed their tune. We recognize the historic opportunities for challenging the state's tools of control, but are also aware of obstacles and reformist dead ends that are created by those who are invested in preserving repressive power.

For PIC abolitionists, the question is, what is the most strategic way to build and escalate the struggle during this time of increased calls to reform policing and prisons? What kinds of demands and strategies should we pursue that don't simply adjust the operations of the PIC, but disempower it? Ultimately, how do we expand the radical potential of our moment to realize what we want – a world free of policing, imprisonment, surveillance, and all the forms of political, social, and economic violence that they maintain?

In this issue of the *The Abolitionist*, our contributors consider these pressing questions with invaluable reflection, experience, and analysis, pushing us to dream beyond what those in power tell us is possible and desirable. We see examples of powerful organizing leading to historic victories and the strengthening of movements, from Chicago, to Palestine, to Argentina, with pieces from Alice Kim, Addameer, and Susana Draper. Ruth Wilson Gilmore, James Kilgore, and Misty Rojo remind and caution us against the obstacles that Malcolm X called "foxes in sheep's clothing" – continued social control and oppression disguised as support and sympathy for our movements. Asar Imhotep Amen, Bryan Welton, Erica Meiners and Judith Levine explore opportunities where current strategies and demands can be broadened to strengthen the fight against the PIC. Contributions by Christina Heatherton and Dylan Rodriguez critically reframe the terms of our fight, while the poet Franny Choy pictures a future beyond the PIC.

It is precisely a future beyond the PIC that we are fighting to achieve. Our vision is abolition, and we humbly join all those who seek to find every opportunity to make our movement flourish.

In Solidarity,
The Abolitionist Editorial Collective

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'Mass Incarceration' as Misnomer

BY DYLAN RODRÍGUEZ

"Mass Incarceration" has become a misleading, largely useless, and potentially dangerous term—a newly designated keyword, if you will, in the steadily expanding political vocabulary of post-racialism. We must ask ourselves what "Mass Incarceration" has actually come to mean, to what uses this phrase is being deployed, and whether, in our incessant and perhaps under-examined use of this phrase, some of us are becoming unwitting accomplices to the very regime of U.S. state violence to which we profess to be radically opposed.

Who, exactly, is the "mass" in Mass Incarceration? If it is not the case—really, not even remotely, astronomically the case—that Euro-descended people and those racially marked as "white" are being criminalized, policed, and incarcerated *en masse*, that is, if the common sense usage of "Mass Incarceration" already presumes casual and official white innocence and *de*-criminalization, then isn't this phrase closer to being a clumsy liberal racist euphemism for Mass Black Incarceration—and in many geographies, Mass *Brown* Incarceration?

There is an emerging liberal-to-progressive commonsense about U.S. policing, criminalization, and human capture that uses the language of Mass Incarceration within a sometimes sterilized rhetoric of national shame, shared suffering, and racial disparity. Notions of fundamental unfairness, systemic racial bias, and institutional dysfunction form the basis for numerous platforms advocating vigorous reforms of the criminal justice apparatus, largely by way of internal auditing, aggressive legal and policy shifts, and rearrangements of governmental infrastructure (e.g., "schools not prisons").

AS OBAMA, ET. AL. SING ALONGSIDE THE LIBERAL-PROGRESSIVE CHORUS OF DEMAND FOR AN END TO MASS INCARCERATION, THEY SIMULTANEOUSLY ADVOCATE FOR A REDISTRIBUTION OF STATE RESOURCES AWAY FROM PRISONS AND TOWARD THE POLICE.

What is largely beyond contestation is that this reform agenda rests on two widely shared premises: 1) that the current structure of US incarceration is bloated beyond reasonable, justifiable, or sustainable measure; and 2) that equal and rational treatment under the (criminal) law is both a feasible and desirable outcome of Mass Incarceration's imminent reform. What is less clear, however, is whether those who subscribe to this commonsense formulation of liberal-progressive solutions are willing to concede that they may have radically misconceived *the problem*.

While we cannot reproduce them here, every conceivable statistical measure clearly demonstrates that the impact of the last four decades of state-planned criminological apocalypse is historically, fundamentally asymmetrical (for lucid and concise summations of this evidence, see sentencingproject.org or criticalresistance.org, among many others). In other words, the post-racial euphemism of "Mass Incarceration" miserably fails to communicate how the *racist and anti-Black* form of the U.S. state is also its *paradigmatic* form, particularly in matters related to criminal justice policy and punishment.

Put another way, *there is no "Mass Incarceration."* The persistent use of this term is more than a semantic error, it is a political and conceptual sleight-of-hand with grave consequences: if language guides thought, action, and social vision, then there is an urgent need to dispose of this useless and potentially dangerous phrase and speak

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Critical Resistance seeks to build an international movement to end the prison industrial complex by challenging the belief that caging and controlling people makes us safe. We believe that basic necessities such as food, shelter, and freedom are what really make our communities secure. As such, our work is part of global struggles against inequality and powerlessness. The success of the movement requires that it reflect communities most affected by the PIC. Because we seek to abolish the PIC, we cannot support any work that extends its life or scope.

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Prisoners' Call for Solidarity

Over the last few years, we have seen the courage and resilience of prisoners in the US manifest into many powerful instances of resistance. More and more, prisoners are making connections with one another across bars and walls, building on the long history of inside-outside organizing, and declaring solidarity with all those who are standing up to demand their humanity.

This September 9, 2016 will mark 45 years since prisoners in Attica stood up and refused to allow their oppression to continue. In a historic protest that received global attention, those in Attica in 1971 powerfully declared "We are not beasts and do not intend to be beaten or driven as such. The entire prison populace has set forth to change forever the ruthless brutalization and disregard for the lives of the prisoners here and throughout the United States." This year, to mark the Attica anniversary, prisoners have put out a call for non-violent actions and solidarity to take place on September 9 to continue the legacy of resistance. Below is an excerpt from the prisoners' call, which has come from the Free Alabama Movement, among other groups:

Non-violent protests, work stoppages, hunger strikes and other refusals to participate in prison routines and needs have increased in recent years. The 2010 Georgia prison strike, the massive rolling California hunger strikes, the Free Alabama Movement's 2014 work stoppage, have gathered the most attention, but they are far from the only demonstrations of prisoner power. Large, sometimes effective hunger strikes have broken out at Ohio State Penitentiary, at Menard Correctional in Illinois, at Red Onion in Virginia as well as many other prisons. The burgeoning resistance movement is diverse and interconnected, including immigrant detention centers, women's prisons, and juvenile facilities. Last fall, women prisoners at Yuba County Jail in California joined a hunger strike initiated by women held in immigrant detention centers in California, Colorado, and Texas.

Prisoners all across the country regularly engage in myriad demonstrations of power on the inside. They have most often done so with solidarity, building coalitions across race lines and gang lines to confront the common oppressor.

Forty-five years after Attica, the waves of change are returning to America's prisons. This September 9 we hope to coordinate and generalize these non-violent protests, to build them into a single tidal shift that the American prison system cannot ignore or withstand. We hope to end prison slavery by making it impossible, by refusing to be slaves any longer.

To achieve this goal, we need support from people on the outside. A prison is an easy-lockdown environment, a place of control and confinement where repression is built into every stone wall and chain link, every gesture and routine. When we stand up, they come down on us, and the only protection we have is solidarity from the outside…

… Prison impacts everyone, when we stand up and refuse on September 9th, 2016, we need to know our friends, families and allies on the outside will have our backs. This spring and summer will be seasons of organizing, of spreading the word, building the networks of solidarity and showing that we're serious and what we're capable of.

For more information you can contact the Incarcerated Workers Organizing Committee at:

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California's Prison System Co-opts Reform Language While Increasing Its Budget

BY MISTY ROJO

This article was originally published as an op-ed on Truthout.org on June 4, 2016. Reprinted with permission.

To the outsider, the national conversation around prisons looks like it's shifting toward reduced incarceration. But in California, that same conversation is allowing the prison industrial complex to grow stronger, broader, and more powerful.

This year, California's proposed corrections budget is $13.5 billion -- up $3.5 billion from 2007, despite the prison population dropping by 45,000 during the same period of time. The California Department of Corrections and Rehabilitation's resilience is due to its success in co-opting the conversation dominating moderate bipartisan circles of decision-makers -- the idea to provide treatment and support instead of punishment. In reality, the services the state prison system claims to provide end up perpetuating harms that lead to imprisonment to begin with, and monopolizing resources that should be invested in truly supporting the communities that have been most impacted by incarceration.

When advocates began pushing for community-based alternatives to incarceration, the drive was to invest in mental health, education, addiction treatment, trauma treatment, and job opportunities in communities where people live, thereby addressing the root causes of criminalization and incarceration.

The California Department of Corrections and Rehabilitation responded by rebranding itself not just as a punisher, but also as a service-provider, expanding its reach by developing programs with names like "community re-entry programs," "parolee service centers," and "re-entry hubs." However, upon closer examination, it appears that the department is investing in its staffing and infrastructure -- not in the people it imprisons.

TRUE REFORM WILL NOT HAPPEN AS LONG AS LAW ENFORCEMENT CONTINUES TO BE AT THE HEAD OF THE TABLE IN THESE CONVERSATIONS.

One example of the department's co-optation of anti-incarceration advocates' ideas is their implementation of the Alternative Custody Program, which was packaged as a program that allows prisoners with dependent family members to finish their sentences in the community where they can care for their families (for example, through "home detention"). When people apply for the program, it is their understandable assumption that they would be able to return to the communities where those family members they need to care for actually live. But the reality is that the California Department of Corrections and Rehabilitation places Alternative Custody Program participants in any contracted bed that is available. One person from Bakersfield was released on the Alternative Custody Program, but was sent to Treasure Island in San Francisco, almost 300 miles from their home community. Holding a person far from their home is still imprisonment, and is not helpful for that person's re-entry or for the family they were supposedly released to care for.

By marketing facilities and programs with names like "community-based," "transitional," or "re-entry," the California Department of Corrections and Rehabilitation has made these expansions palatable to a public skeptical of mass incarceration, allowing them to not notice that these facilities are still prisons. These programs may initially sound palatable to people in prison, because they have no other options available.

Stephanie Golden, a 33-year-old woman with a 10-year-old daughter, applied for the Alternative Custody Program in 2013, got approved and was sent to a program in San Francisco County, 90-miles away from her community in Sacramento, California. Golden was promised she could have her child with her, but when she saw how the program ran, she "decided not to have her child with her," and as a result, was punished with restricted visits with her child. Golden said that while she was able to work and see her child, it didn't feel like she was rebuilding her life, but instead subject to more rules and biases. She said that "after 22 months in a program, it was like paroling all over again" and she "has to start from scratch" in her home community. After a year of release from the program, Golden is still struggling with unemployment and finding resources in Sacramento. She also says "a lot of triggers go with instability that cause people to commit new crimes."

Most would rather go back to their communities for support and re-entry rather than switch to "incarceration lite," but that option simply doesn't exist. Golden said, "A lot of people who got to the program full of hopes and aspirations were sent back to prison due to biases and racism," and "they lost their chance at success." These prison programs appear to still be based in punitive ideology -- that if a person just "pulls themselves up by their bootstraps" and makes better decisions, then they won't end up back in prison. This idea ignores the fact that decisions are limited by lack of access to education, health care, and employment. It ignores the fact that entire communities need trauma healing, as well as opportunities to be lifted out of oppressive conditions.

In order to advance community-based solutions, we cannot continue to increase the California Department of Corrections and Rehabilitation's budget and entrust them with undoing the mental, emotional, and physical trauma that has been sustained by people before -- and made worse by -- incarceration. We cannot continue to believe that behind walls, out of the sight of the public, that abuse does not continue. The department is continuing to cycle people in and out of prison in the name of "job security" while monopolizing resources that should be used to build strong communities and place people's care in the very communities they came from.

True reform will not happen as long as law enforcement continues to be at the head of the table in these conversations, flanked by legislators out of touch with the real problems of people and communities impacted by incarceration. True reform will not happen as long as those who are directly impacted by incarceration get two minutes to be tokenized and patted on the head for their stories at this table. Or as long as this same table excludes community members from conversations about solutions.

The opportunity to end mass incarceration will continue to be missed until those who are most impacted and destroyed by criminalization and incarceration are at the helm of forging solutions that take care of the very communities and families they come from.

***Misty Rojo** serves as the campaign and policy director for Justice Now, a member organization of Californians United for a Responsible Budget, whose mission is to end violence against women and stop their imprisonment. She is a survivor of domestic violence, a factor in the crime she committed that led to a 10-year prison sentence and separated her from her four young sons.*

ROGER RAB MOORE, CDCR #G-02296

While incarcerated in the Central California Women's Facility, Misty was mentored by true activists for social change and taught the meaning of self-determination and resilience. She believes community solutions can eliminate our reliance on policing and prisons. Misty's work focuses on campaigns to build coalitions and bring about policy change using an intersectional prison abolition framework. She continues to fight with fierceness and love for people still suffering at the hands of the state. She has learned that true liberation only comes when we stand together and fight together. Most fundamental to Misty's work, in the words of Audre Lorde, is the idea that, "I have a duty to speak the truth as I see it and share not just my triumphs, not just the things that felt good, but the pain, the intense, often unmitigated pain. It is important to share how I know survival is survival and not just a walk through the rain."

The Worrying State of the Anti-Prison Movement

BY RUTH WILSON GILMORE

This piece was originally published on the website for Social Justice Journal *in February 2015,* http://www.socialjusticejournal.org/debates

After declining for three consecutive years, the US prison and jail population increased in 2013. The widely declared victory over mass incarceration was premature at best. Below I raise four areas of particular concern about the state of the anti-prison movement.

1) A tendency to cozy up to the right wing, as though a superficial overlap in viewpoint meant a unified structural analysis for action.

Nearly 40 years ago, Tony Platt and Paul Takagi (1977) identified as "new realists" the law-and-order intellectuals who purveyed across all media and disciplines the necessity of being hard on the (especially Black) working class. Today's new "new realists"—the correct name for the "emerging bipartisan consensus"—exude the same stench. However differently calibrated, the mainstream merger depends on shoddy analysis and historical amnesia—most notably the fact that bipartisan consensus *built* the prison-industrial complex (PIC). The PIC isn't just the barred building, but the many ways in which un-freedom is enforced and continues to proliferate throughout urban and rural communities: injunction zones and intensive policing, felony jackets and outstanding warrants, as well as school expulsions and job exclusions. Racial justice and economic democracy demand different paths from the one the new "new realists" blazed. Their top-down technocratic tinkering with the system renovates and aggrandizes it for the next generation.

The left-liberal side of the bipartisan consensus co-opts vocabulary and rhetorical flourishes developed for different purposes by organizations engaged in bottom-up, antiracist struggle. Slogans such as "education, not incarceration" willfully obscure the vital distinctions between the new "new realists" and the grassroots organizations whose work they distort. Unfortunately, many who point out the cynical appropriation of tactical principles or highlight underlying strategic differences find themselves accused of obstructionism or worse.

Even before the eponymous book appeared, grassroots organizations knew that "the revolution will not be funded" (Incite 2007). That said, organizations rightly decided to take available money and run in order to popularize constructively radical remedies for fundamental social problems. Not surprisingly, the very few sources that once funded innovative work have abandoned it and they now wrap system-reinforcing work in phrases lifted from the thought and creativity of left and abolition grassroots struggle. Indeed, foundations cut loose the very organizations that came together in the 1998 Critical Resistance conference and consolidated the contemporary anti-prison movement. As a consequence, understanding and energy have taken a detour into reform for a few, while there is no change for the many.

Why the withdrawal of resources? From the perspective of the deep-pocket new "new realists," the organizations that built the movement over the past two decades are profoundly unrealistic: their politics are too radical, their grassroots constituents too unprofessional or too uneducated or too young or too formerly incarcerated, and their goals are too opposed to the status quo.

What is the status quo? Put simply, capitalism requires inequality and racism enshrines it. Thus, criminalization and mass incarceration are class war, as Platt and Takagi explained in 1977. Therefore, the struggle against group-differentiated vulnerability to premature death is waged in every milieu—environmental degradation, public-goods withdrawal, attacks on wages and unions, divide-and-conquer tactics among precarious workers, war, etc. Police killings are the most dramatic events in a contemporary landscape thick with preventable, premature deaths.

Although it has become mildly mainstream to decry outrages against poor people of color, the new "new realists" achieve their dominance by defining the problem as narrowly as possible in order to produce solutions that on closer examination will change little.

2) A tendency to aim substantial rhetorical and organizational resources at the tiny role of private prison firms in the prison-industrial complex, while minimizing the fact that 92 percent of the vast money-sloshing public system is central to how capitalism's racial inequality works.

The long-standing campaign against private prisons is based on the fictitious claim that revenues raked in from outsourced contracts explain the origin and growth of mass incarceration. In any encounter about mass incarceration, live or on the Internet, print or video, sooner rather than later somebody will insist that to end racism in criminal justice the first step is to challenge the use of private prisons.

Let us look at the numbers. Private prisons hold about 8 percent of the prison population and a barely measurable number (5 percent) of those in jails. Overall, about 5 percent of the people locked up are doing time in private prisons. What kind of future will prison divestment campaigns produce if they pay no attention to the money that flows through and is extracted from the public prisons and jails, where 95 percent of inmates are held? Jurisdiction by jurisdiction, we can see that contracts come and go, without a corresponding change in the number or the demographic identity of people in custody. In addition, many contracts are not even held by private firms, but rather by municipalities to whom custody has been delegated by state corrections departments.

3) A tendency to pretend that systematic criminalization will rust and crumble if some of those caught in its iron grip are extricated under the aegis of relative innocence.

One of the most troubling moves by the new "new realists" is to insist on foregrounding the relatively innocent: the third-striker in for stealing pizza or people in prison on drug possession convictions. The danger of this approach should be clear: by campaigning for the relatively innocent, advocates reinforce the assumption that others are relatively or absolutely guilty and do not deserve political or policy intervention. For example, most campaigns to decrease sentences for nonviolent convictions simultaneously decrease pressure to revise—indeed often explicitly promise never to change—sentences for serious, violent, or sexual felonies. Such advocacy adds to the legitimation of mass incarceration and ignores how police and district attorneys produce serious or violent felony charges, indictments, and convictions. It helps to obscure the fact that categories such as "serious" or "violent" felonies are not natural or self-evident, and more importantly, that their use is part of a racial apparatus for determining "dangerousness."

For example, campaigners for California's Proposition 47 placed a widely touted "bipartisan" op-ed in the *Los Angeles Times*, coauthored by Newt Gingrich and B. Wayne Hughes Jr., in which the authors argued that "California has been overusing incarceration. Prisons are for people we are afraid of, but we have been filling them with many folks we are just mad at."

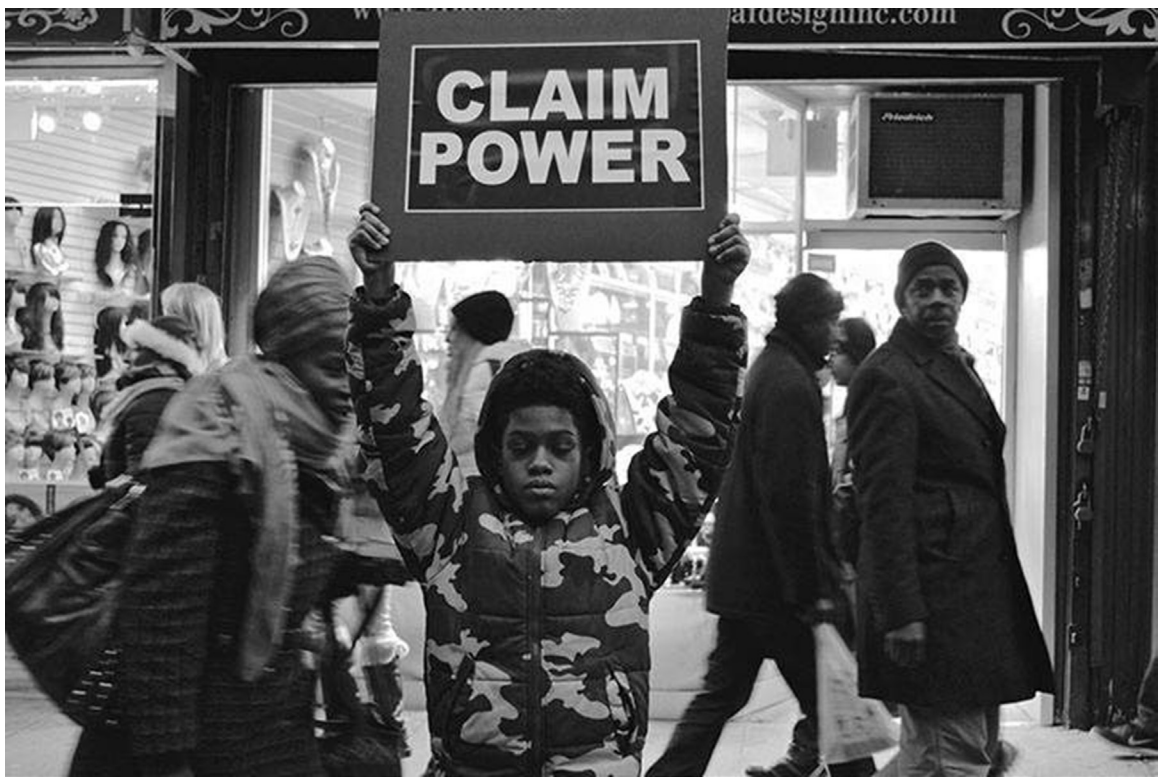
Note the use of the word "afraid." The new "new realists," with their top-down reforms, are trying to determine who constitutes "we;" worse, they also reinforce a criminal justice system, ideology, and image bank that justified Darren Wilson's grand jury testimony—just as it justified Bernard Goetz's actions three decades ago. #BlackLivesMatter is an absolute statement, watered down to #sometimes by the opportunistic relativism of the new "new realists."

4) A tendency to virulently oppose critique from the Left, as though the work of thinking hard about how and what we do interferes with the work of reform.

Opportunists beguile audiences and divert attention and resources from people and organizations that have been fighting for decades to change the foundations on which mass incarceration has been built: structural racism, structural poverty, and capitalism devouring the planet. And they succeed in part because it has become unhip to subject the decisions, rhetoric, and goals of reform campaigns to any kind of thoughtful scrutiny. At stake is not only how we fight to win, but also how prepared we are for victories. *Prepare to win* means *be ready for the morning after*. If, for example, Proposition 47 actually releases savings that can be spent by school districts, who can ensure that the money goes to real educational programs, and not to school cops, school discipline, and school exclusion programs?

Fight to win.

Ruth Wilson Gilmore *is Director of the Center for Place, Culture, and Politics, and Professor of Earth and Environmental Sciences at the Graduate Center, CUNY. She is a cofounder of many social justice organizations, including California Prison Moratorium Project, Critical Resistance, and the Central California Environmental Justice Network.*



UNARMED CIVILIAN

Field Trip to the Museum of Human History

BY FRANNY CHOI

Everyone had been talking about the new exhibit,

recently unearthed artifacts from a time

no living hands remember. What twelve year old

doesn't love a good scary story? Doesn't thrill

at rumors of her own darkness whispering

from the canyon? We shuffled in the dim light

and gaped at the secrets buried

in clay, reborn as warning signs:

a "nightstick," so called for its use

in extinguishing the lights in one's eyes.

A machine used for scanning fingerprints

like cattle ears, grain shipments. We shuddered,

shoved our fingers in our pockets, acted tough.

Pretended not to listen as the guide said,

Ancient American society was built on competition

and maintained through domination and control.

In place of modern-day accountability practices,

the institution known as "police" kept order

using intimidation, punishment, and force.

We pressed our noses to the glass,

strained to imagine strangers running into our homes,

pointing guns in our faces because we'd hoarded

too much of the wrong kind of property.

Jadera asked something about redistribution

and the guide spoke of safes, evidence rooms,

more profit. Marian asked about raiding the rich,

and the guide said, In America, there were no greater

protections from police than wealth and whiteness.

Finally, Zaki asked what we were all wondering:

But what if you didn't want to?

and the walls snickered and said, steel,

padlock, stripsearch, hardstop.

Dry-mouthed, we came upon a contraption

of chain and bolt, an ancient torture instrument

the guide called "handcuffs." We stared

at the diagrams and almost felt the cold metal

licking our wrists, almost tasted dirt,

almost heard the siren and slammed door,

the cold-blooded click of the cocked-back pistol,

and our palms were slick with some old recognition,

as if in some forgotten dream we did live this way,

in submission, in fear, assuming positions

of power were earned, or at least carved in steel,

that they couldn't be torn down like musty curtains,

an old house cleared of its dust and obsolete artifacts.

We threw open the doors to the museum,

shedding its nightmares on the marble steps,

and bounded into the sun, toward the school buses

or toward home, or the forests, or the fields,

or wherever our good legs could roam.

BEC YOUNG

Franny Choi *is a writer, teaching artist, and organizer fighting for police abolition. She is the author of* Floating, Brilliant, Gone *(Write Bloody Publishing) and a member of Dark Noise, a collective of artists of color. You can write to her at 46 Walnut St., Burlington, VT 05401.*

Addameer Prisoner Support and Human Rights Association

A CONVERSATION WITH CRITICAL RESISTANCE

Critical Resistance: Currently in the U.S., there is widespread attention and organizing around policing and imprisonment, with many increasingly making connections to struggles in Palestine. Yet, the relationship and solidarity between liberation movements in the U.S. and Palestine has existed for a long time, particularly visible in the 1960's and 70's. Do you see that solidarity being practiced inside and outside of prisons differently from the past, and how so?

Addameer Prisoner Support: In recent events, and in the aftermath of the Black Lives Matter campaign, Addameer has witnessed growing solidarity between the Black movement against racially motivated violence and excessive police force, with the movement against exclusionist policies and extra-judicial killings in occupied Palestine by Israeli police and soldiers. This comes as no surprise, given that the movement for equality and justice in the US is linked with the movement for Palestinian fundamental and human rights in a political context of repression. This is a historical connection. As Addameer wrote in the event of Black Lives Matter solidarity work,

> *Like Palestinians today, African Americans in America were disenfranchised, segregated, oppressed. The Jim Crow laws banned them from train cars, from classrooms and legislatures. These laws, which enforced racial segregation, have piercing links with the current laws in occupied Palestine, where roads continue to be for Israelis only, where Palestinians are forced to go through degrading checkpoints, where the right to movement is ever absent, and where the value of Palestinian human life and human dignity is devalued.*
>
> *The lynching of Emmett Till, a 14-year-old child in Mississippi in 1955, draws disturbing parallels with the burning alive of 16-year-old Palestinian Mohammad Abu Khdeir from Jerusalem in 2014. The impunity and lack of accountability is a marked and distressing similarity.*

CR: As people across the U.S. continue to call for reforms to reduce imprisoned populations, the use of electronic ankle monitoring has become a widespread practice and is often referred to as an "alternative" to imprisonment. We know it is used on youth in Palestine, with Israel being one of the largest producers of ankle monitors in the world. How does Addameer understand surveillance, electronic monitoring, and restriction in movement with relation to imprisonment? And how do you understand those things in relation to Israel's occupation more broadly?

APS: Addameer considers ankle monitoring and other forms of monitoring and surveillance as a form of control and domination. Surveillance, electronic monitoring, and restriction in movement are intrinsically linked to government repression of Palestinian youth, in occupied Jerusalem, the occupied West Bank, and historic Palestine. The Israeli occupation forces use such surveillance to actively repress Palestinian calls for basic fundamental rights – and an end to the occupation. The Israeli government has contracted with a security company G4S which provides such equipment, despite the systematic and widespread torture and ill treatment that takes place within Israeli prisons, where children are threatened with the arrest of family members, refused basic food and water, and physically and mentally tortured. This has in no way brought greater security or brought basic fundamental rights to Palestinian children who are systemically deprived of such in these detention centers.

CR: Over the years Addameer has played a significant role in advocating on behalf of prisoners and their struggles to get free, including hunger strikers. In California, inside-outside organizing blossomed during and after the hunger strikes of 2011 and 2013, and continues to grow. Can you talk about the organizing that prisoners are engaged in and how that connects to organizing efforts outside of prison walls? What are ways that people on the outside reach and engage prisoners in political organizing, and vice versa?

APS: Palestinian political prisoners have a common solidarity – they find themselves in these prisons and detention centers as a result of repression, occupation, domination. Having said that, Palestinian Prisoners are generally limited to attorney meetings – which are often denied on security grounds – and visits with family members – which are also often denied on security grounds. This severely limits their communication and interaction with the outside world. Despite all these restrictions, prisoners managed all these years to initiate joint hunger strikes and succeeded to communicate internally and with the outside, they played a role in pushing for the unity government so they are always connected politically and trying to take an active role, the Palestinian society is still sensitive to the issue of political prisoners and they show solidarity especially during times of hunger strike(s). All the efforts of the prison authorities to totally disconnect the prisoners from their society failed.

CR: On International Women's Day this year, you put out a report about Palestinian women prisoners. Given the infamous use of torture used in Israeli prisons, women in Palestine have often been at the forefront of the prisoner movement. What are the conditions facing women prisoners today? Can you talk about resistance to the imprisonment of women?

APS: The conditions for female Palestinians prisoners inside Israeli interrogation, detention, and prison centers and even hospitals are very bad and inhumane. The abuse, ill-treatment, and torture of Palestinian women and girls take place within the context of ongoing occupation and annexation of Palestinian lands. Female prisoners are often denied attorney access, and kept for several days or months under interrogation where they are subjected to torture and ill-treatment. A significant number of female detainees currently imprisoned are either wounded or ill. Some of them taken in the mass arrest campaigns that started in October 2015 were injured by bullets during their arrest, and have received little, if any, medical treatment. Also, prison conditions are not very hygienic – prison cells are very dirty and there is no special sensitivity for the needs of women in detention. Female prisoners have been subjected to sexual abuse whether physically or verbally, which impacts them negatively. The imprisonment of women and girls is a practice used by the Israeli government to repress Palestinian women, who resist the occupation, across sections of society, including students, mothers, political leaders, and children. In Israel there is just one prison for women. Still, the Palestinian women prisoners are held in two other facilities because they were attacked by Israeli women prisoners in the past in the facility for women. And still, even if they would be separated in a women's prison, they will be discriminated against in most of their rights since they would be considered "security prisoners."

CR: Khaled al-Azraq, a former Palestinian political prisoner, wrote while in an Israeli jail: "In prison I found what I was not expecting to find: I found inside the prison what I could not find outside of it. In prison I found Palestine's political, national, revolutionary university. It was in prison that I realized that knowledge is what paves the road to victory and freedom." How does education among Palestinian prisoners in Israeli prisons remain grounded by a vision of collective liberation – or is it?

APS: Education for Palestinian prisoners in Israeli detention is made conditional on security considerations. Accordingly, the prison commander may disqualify a prisoner from studies at any time for security, discipline, or other reasons. And since 2012, the high court decided that continuing study on the open Hebrew university is not allowed any more for political prisoners. After admission, only paper books are permitted, and the contents of each must be checked for security and noted in the prisoner's file for surveillance purposes before the prisoners are permitted to receive the book. While education plays an important role in forming a collective identity and collective ways of thinking about liberation, it remains highly restricted among prisoners. Since most political prisoners have nothing to do other than reading books, they become very well educated and aware of their surroundings. Some of them have written books while they are in prison and have stressed the importance of collective liberation, rather than individual. For most of them I would say, the prison becomes a school where they learn from books and from each other more than learning outside of prison. Although the prison is really bad, they are able to create space to construct and share their ideas of identity and liberation.

ADDAMEER *(Arabic for conscience) Prisoner Support and Human Rights Association is a Palestinian non-governmental, civil institution that works to support Palestinian political prisoners held in Israeli and Palestinian prisons. Established in 1992 by a group of activists interested in human rights, the center offers free legal aid to political prisoners, advocates their rights at the national and international level, and works to end torture and other violations of prisoners' rights through monitoring, legal procedures and solidarity campaigns.*

Thoughts on Our Agreement to End Hostilities
We Can't Breathe!

The Webster's New Universal Unabridged dictionary defines the word "hostility" as follows:

> 1.) A hostile state, condition, or attitude; enmity; antagonism; unfriendliness. 2.) A hostile act. 3.) Opposition or resistance to an idea, plan, project, etc. 4.) a.) Acts of warfare. b.) War.

So our initial question to the people is: "What does hostility mean to you?" During the formulization phase of constructing our position on this issue, a wise man was asked his thoughts on our agreement to end hostilities (A.E.H.) and he stated:

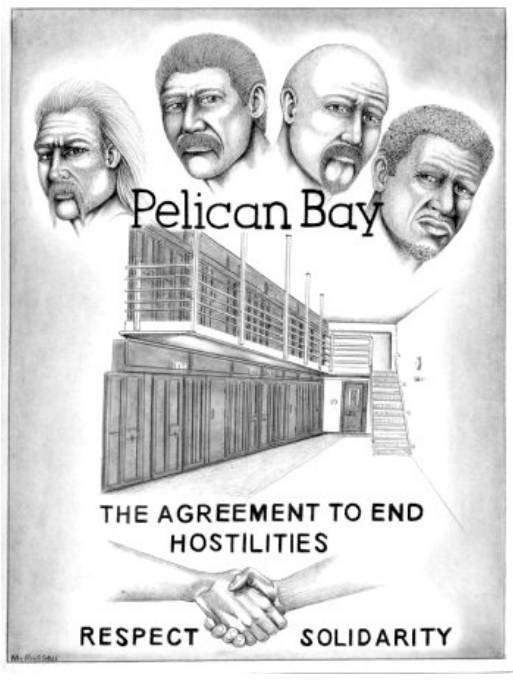
> "The inclusion of the agreement to end race-based hostilities to our struggle against California's solitary confinement policies represents a qualitative leap of the insight of all prisoner nationalities, and unites us beyond the fight to free ourselves from CDCR's torture units. Its promise may foreshadow the triumph of prisoner's quest for full human recognition…."

It has been said, that the average human being should be able to hold their breath under-water for at least two minutes without suffering any injury to the brain. But imagine being forcibly held underwater for ten to 40 plus years straight, without being able to come up for air?! It is impossible to ignore the potential psychological trauma involved in this process. But nonetheless, we prisoners have continued our struggle to come up for air, to only be repeatedly held down, and forced back underwater by the corrupt and powerful hands of CDCR! WE CAN'T BREATHE!

History has always proven to be a viable guide, with making qualitative assessments, in relation to where we have been, and with what lays ahead in the course of our struggle. Therefore, it is only appropriate that we highlight the essence of our human suffering with examples from our history in CDCR's solitary confinement units.

In the 1960s, we prisoners were suffocating under the inhumane and deplorable conditions in Soledad's O-wing, where prisoners were routinely placed in strip/quiet cells amidst the foul stench of urine and human feces. In most instances, human waste laid bare on the floor for all to see. And you could forget about the prison guards giving us anything to clean up the human waste, especially when you factor in how the prison guards wouldn't give us toilet paper to wipe ourselves or flush our floor-based toilets, on a regular basis, which could only be done by them. I mean, the prison guards wouldn't even give us drinking water! These contradictions brought about a rescue boat in the form of *Jordan v. Fitzharris*, but it did not contain any life preservers, because no sooner than when the federal court ruled these conditions to be unconstitutional, CDCR made no changes to improve the quality of life in O-wing for the captive prisoner class. WE CAN'T BREATHE!

In the 1970s, we prisoners were suffocating under the inhumane conditions of being deprived of outdoor exercise and access to natural sunlight. Our means of exercise consisted of being let out of our cells to occupy a space in front of it that was no bigger than a public sidewalk. In *Spain v. Procunier*, the court ruled these conditions to be unconstitutional, and set-forth the mandate on prisoners in solitary confinement receiving at least ten hours of outdoor exercise a week. But 36 years later, in 2015, Warden B. Wedertz of CCI-Tehachapi has admitted that this prison is ill-equipped to meet the mandate of ten hours of outdoor recreation. In other words, "caged monkeys" in a zoo are receiving more outdoor exercise and natural sunlight than us! WE CAN'T BREATHE!



MICHAEL D RUSSELL, CDCR #C90473

In the 1980s, we prisoners were suffocating under the deplorable and out-right inhumane conditions at Old Folsom and San Quentin State Prison. These conditions consisted of extreme cold weather during winter months, due to prison guards using their guns to shoot out the windows in the housing units. Rat feces circulated throughout the plumbing system, meaning that the designated shower areas for prisoners were inclusive of this type of filth. Once again, a rescue boat appeared on the horizon in the form of *Toussaint v. McCarthy*, where the federal court attempted to take previous rescue efforts a step further, by not only ruling these conditions to be unconstitutional, but also issuing a permanent injunction that mandated these conditions to be immediately changed. However, instead of any changes coming about, CDCR surreptitiously transferred prisoners out of Old Folsom/San Quentin en masse to Tehachapi, DVI-Tracy, Soledad State Prison, etc., thus nullifying the injunction. WE CAN'T BREATHE!

In the 1990s, we witnessed the expansion and usage of supermax control units (e.g. solitary confinement) take flight, wherein CDCR's objectives became ever more apparent in the form of torture-based population control. Our suffocation was two-fold. On the one hand, a culture of police beatings (excessive force) was finally exposed to the public in *Madrid v. Gomez* where prisoner Vaughn Dorich was forced into a tub of boiling hot water and had his skin ripped off of him in the most barbaric fashion possible. Prisoner Greg Dickerson was shot in his chest/stomach area at point blank range in his cell with a 38 millimeter gas gun via the false assertion of being non-cooperative with prison guards.

While on the other hand, prisoners were being forced to become informants for the state in order to be released from solitary confinement via "the CDCR inquisition" (e.g. "debriefing") program. This practice was exposed as being an "underground policy" in *Castillo v. Alameida* because CDCR never promulgated it through the Administrative Procedure Act (APA) to make it an actual policy. The Castillo case also brought about the six-year inactive gang status reviews, which meant prisoners were lead to believe we could be released from solitary confinement after six years. These reviews were a complete sham, as we prisoners had absolutely no constitutional protections under this process, wherein hardly any prisoners were released from SHU. WE CAN'T BREATHE!

It is through this spiral of development that the agreement to end hostilities (A.E.H.) became manifest in October of 2012. So in reflecting upon our collective struggle, in being unable to breathe for over a half-century of pure torture! It is hard to not think of Eric Garner in the minutes right before his demise, when he uttered the words: "I CAN'T BREATHE!"

It is this reality that we prisoners remain confronted with, when we put into perspective of why we ended our hostilities. As it amounts to freedom or death! It is every prisoner's aspiration to be liberated from prison. Our A.E.H. puts us in a viable position for this to happen. Especially when we consider how CDCR has routinely denied us parole, for simply being interned to indefinite solitary confinement status as alleged gang members, without a single act of violence to support their position. This speaks to the importance and the manner in which every prisoner has honored and adhered to our A.E.H.. This is commendable on all fronts! Our exemplary conduct has made C.D.C.R. completely powerless over us, as we have successfully taken away the fodder that used to fuel their political rhetoric in labeling us the "worst of the worst." Our unity now qualitatively threatens the political, social, and economic stability of CDCR, which is why their counter-intelligence unit (I.G.I.) is issuing all of these bogus CDC.115. Rules Violation Reports (RVR) for "promoting gang activity."

Our fortitude and resolve of continued unity ensures that our demand in wanting to be liberated from prison, will no longer fall on deaf ears! As power concedes nothing without demand! We now have the power to change the course of history, with regards to CDCR's routine parole board denials – just as we have done in building a movement around abolishing all solitary confinement units. We must begin a similar process in mobilizing our families on this very issue. But until then, "WE CAN'T BREATHE" must become our mantra going forward, as we prisoners refuse to ease up on the powers that be, until every prisoner is able to breathe, by being liberated from these prisons!

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To End Mass Incarceration, Our Society Must Look Beyond the "Non-Violent Drug Offenses"

BY ASAR IMHOTEP AMEN

President Obama took a notable step in July 2015 by granting clemency to 46 people convicted of non-violent drug offenses and using his bully pulpit to decry mass incarceration in the United States. The President's historic move comes on the heels of important scholarship—such as Michelle Alexander's celebrated book *The New Jim Crow* describing the role of the "War on Drugs" in contributing to our rising and racially disparate imprisonment rates. There is growing recognition across the political spectrum that American criminal courts punish nonviolent drug offenses in a racially disproportional and counterproductive way. But while Obama's focus on criminal justice reform is welcome, and arguably unprecedented, rhetoric suggesting that we curtail mass incarceration through a focus and leniency toward "non-violent drug offenders" is flawed and counterproductive.

First, it obscures the fact that "violent crime," and not "drug crime," is the primary engine of mass incarceration in this country. Economist and criminal justice scholar John Pfaff of Fordham Law School, using numbers from the National Prisoner Statistics Database, has shown that between 1980 and 2009, the increase in drug prosecutions accounted for only 21 percent of growth in state prison populations, while the increase in people convicted of violent offenses during that period accounted for over half of all prison population growth. Many have demanded reforms and leniency for drug convictions by pointing to the way these convictions target people of color, and Black communities primarily; these racist policies should no doubt be challenged. However, huge racial disparities also exist in violent crime prosecution rates, and within every level of the criminal justice system. If we want to significantly reduce the number of people in American prisons and jails, while also decreasing the racial disparities in our prison populations, we cannot focus solely, or even primarily, on non-violent drug offenses.

Second, rhetoric treating people locked up for non-violent drug convictions as qualitatively different from other prisoners belies the drug-related context and conduct underlying many crimes labeled "dangerous" or "violent" under most criminal codes. A war veteran struggling with heroin abuse who enters a house to steal some tools to feed their drug habit has committed a first-degree burglary, a "violent" crime under many state codes. A drug-motivated unarmed robbery in which the person pushes someone, takes cash from their wallet, and runs away is also a "violent" crime under most state laws. Any person with a felony who even possesses a firearm is guilty of a "dangerous" federal offense, and a person who has a firearm in their house while engaging in a drug deal, intending to exercise control over the firearm, has committed "crime of violence" under the federal sentencing guidelines. In short, "violent crime" is a legally constructed term that includes within its broad reach a great deal of drug-related conduct that fails to meet the profile of a "violent crime," as Americans generally use and understand the term.

Additionally, the routine strong-arming of guilty pleas through use of mandatory-minimum sentences and repeat-offender enhancements are fixtures not merely of drug prosecutions, but of all prosecutions in the modern "Tough on Crime" era where politicians can score easy political points—without meaningfully reducing harm—by proposing gratuitous increases in punishment for violent offenses. In Washington DC, an eighteen-year-old with a pocket knife who tells someone to get out of their car, and then takes the car for a quick ride, faces a mandatory 15 years in prison for "armed carjacking." In California, even after recent reforms to its three-strikes law, someone who takes the car from a driver by a verbal "threat," even if unarmed, would receive a mandatory life sentence if they have two prior convictions for serious felonies - which could include, for example, selling drugs to minors (essentially, selling drugs) or burglary of a garage. In most states, people selling drugs at a low-level can be guilty of first-degree murder of higher-ups in their operation, so long as those murders were foreseeable and in furtherance of the operation, under the broad theories of "co-conspirator" liability. Under the felony murder rule, a person committing a robbery, even if unarmed, is guilty of first-degree murder in many states if someone's death can be causally linked to the act, even if the death was purely accidental. And with a prior conviction for any felony, however low-level, many violent offenses absent physical injury, such as unarmed robbery, carry significant mandatory time in prison and maximum sentences up to 40 or more years.

To demonstrate this country's unparalleled obsession with locking people up, we can look at global comparisons in how we deal with those who are deemed the "most serious offenders" – people sentenced to Life Without the Possibility of Parole (LWOPP). The United States is virtually alone in its willingness to sentence people to die behind bars. Nearly 100 countries have signed the Rome Statute, which requires that all life sentences be reviewed after 25 years. A few countries have abolished LWOPP, and a handful of European countries have no statutes that mention life imprisonment, let alone LWOPP, even for what they define as the "most serious, violent crimes." According to a University of San Francisco School of Law study, the per capita number of prisoners serving LWOPP sentences in the United States is 51 times that of Australia, 173 times that of the United Kingdom, and 59 times that of the Netherlands. Even China and Pakistan review all life sentences after 25 years imprisonment. So while the rest of the world can see other ways of dealing with "serious crimes" (however imperfectly), the U.S. can't imagine alternatives to harsh sentences, punishment, or LWOPP - practices that in no way seek to address the root causes of "crime" in society.

Finally, focusing on people imprisoned for non-violent drug related convictions as a special group – or the only group – deserving leniency and freedom hardens the belief that imprisonment is acceptable for everyone else locked in a cage. If we are serious about taking on mass incarceration, it is counterproductive to pit classes of prisoners against each other. For instance, we must avoid pushing the belief that those inside for drug offenses can and should be released, but only at the expense of the "real criminals" that deserve to be locked up. Using this kind of rhetoric only reinforces the prison system's racist notion of "crime," and ultimately further deepens the hole that we are trying to get ourselves out of.

While the country celebrates the bipartisan movement to reform drug sentences, we should not allow the rhetoric about "non-violent drug offenders" to distract us from the continuing imperative to challenge imprisonment for anyone. Addressing the racism that targets Black and Brown people disproportionately for "serious offenses" is a necessary step toward shrinking this country's massive prison system. The sooner lawmakers and reformers come to terms with that uncomfortable truth, the sooner the U.S. can move beyond the scourge of mass incarceration.

What are we really afraid of?

We are never going to get to the root of the problem unless we get to the heart of the "punishment and torture paradigm," and the way we can do that is by asking, "is punishment and imprisonment keeping us safe, and does it even address social problems?"

Some policymakers and prisoner advocates worry that the discussion of how to release people from prison is fraught with race and class biases. In other words, by basing the sentencing decisions on static factors and immutable characteristics—like the defendant's education level, socioeconomic background, or neighborhood—they may exacerbate unwarranted and unjust disparities that are already far too common in our criminal justice system and in our society.

Policymakers claim our parole policies are harsh because they are afraid to release so-called dangerous people onto our streets. I take exception to the implication of the word "dangerous", because what society is really afraid of is men of color—not "crime." People lean on the criminal justice system as a way of keeping those scary people away from them. If we see people as "the other," we are less likely to have empathy towards them, respond to their needs, and truly begin to address the root causes of harm and "crime" in our society.

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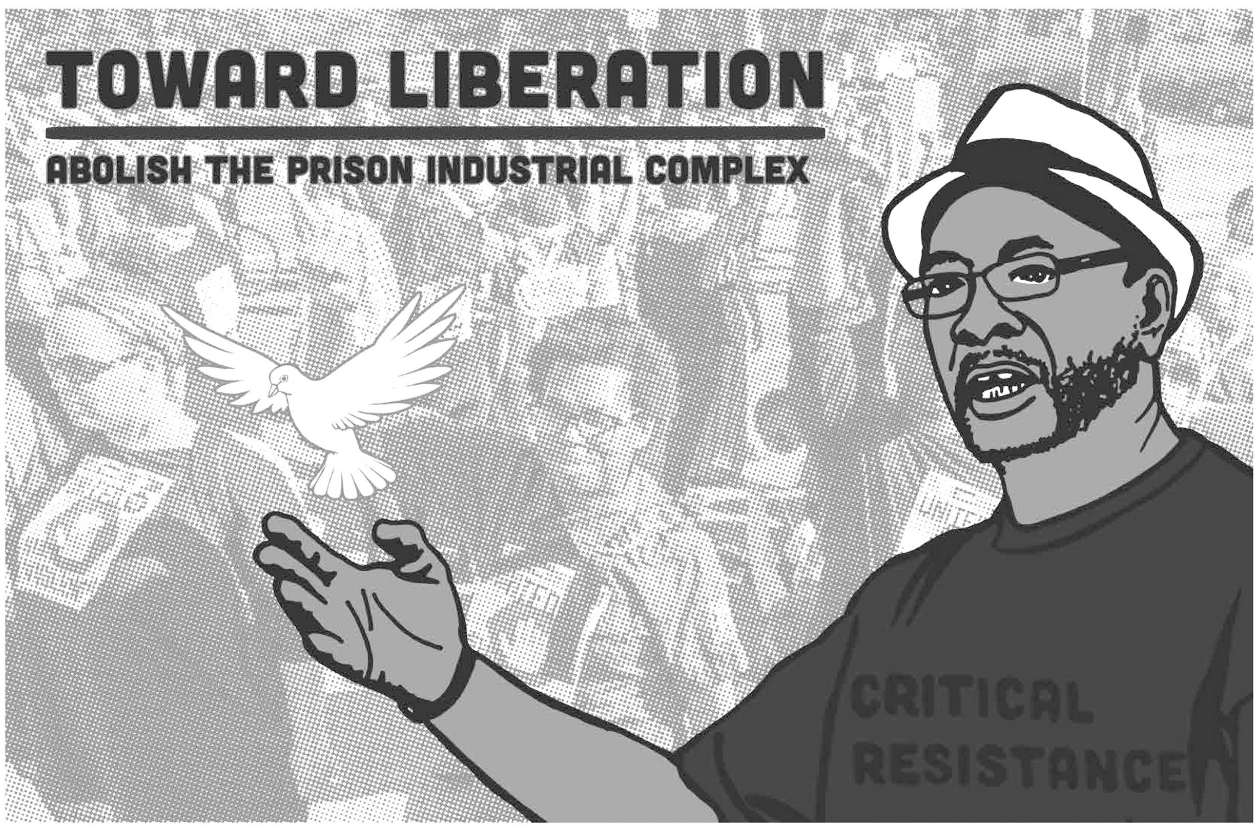

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The Contraband Rebellion in Skid Row

BY CHRISTINA HEATHERTON

A longstanding battle is being waged over the legal definition of poor and homeless people's belongings in Skid Row, Los Angeles. In March 2016, a group of homeless individuals along with the Los Angeles Community Action Network (LA CAN) and the LA Catholic Worker sued the city of Los Angeles. Their federal lawsuit accuses the city of endangering lives while routinely confiscating and destroying poor people's possessions. At the heart of the suit is a critical question: who has the protected right to claim space in this briskly gentrifying community?

According to the Los Angeles Police Department, what litters the sidewalk of Los Angeles' Skid Row is largely "contraband," illegal goods, items whose trade is prohibited or whose possession is forbidden. For years police have sought to clear downtown LA streets of "illegal" property while also seeking to remove the very people who own it. Working in alliance with new downtown business owners and developers, these efforts coincide with broader measures to gentrify the area and raise property values. In the process, this contraband hangs in legal limbo. Is it garbage? Dangerous trash? The unsightly mess that scares away customers, renters, and potential investors? Or is it something else?

This so-called contraband is also the stuff of life: photographs, favorite books, legal documents, ID cards, crutches, insulin, and other medications. It includes mirrors, diaries, and prayer beads: things that define who people are and where they come from. It is the artwork people have spent years creating, the music and instruments with which they make meaning. Also included are tents, blankets, sweatshirts, flashlights, and plates, things necessary for survival on the streets. Restrained by police, a woman was heard yelling, "Those are my father's ashes!" as city officials tossed her possessions into a dumpster. This is contraband: items owned by people who are routinely denied the legal right to exist in the city themselves.

Skid Row resident organizers have waged a decade-long confrontation against these processes. Earlier this year, a contingent of LA CAN activists took over City Council chambers dressed in garbage bags spray-painted with the words "I am human. Not trash." Lawmakers and political leaders are beginning to take heart. In April 2016, U.S. District Court Judge James Otero issued a temporary injunction, preventing LAPD officers and sanitation workers from seizing or destroying poor people's possessions without advance notice or storage. "To put it bluntly," Otero wrote, "Plaintiffs may not survive without some of the essential property that has been confiscated." The injunction will hold until the lawsuit is decided.

Legal definitions of poor people's belongings have shifted as Skid Row has become a hotly contested site of development. The area contains the densest concentration of poverty in Los Angeles; a city the National Coalition for the Homeless has deemed the homeless capital of the U.S. It also contains the largest centralized cluster of counseling, recovery, and survival services in the city and has long held a large supply of affordable housing stock. For people reeling from the ravages of economic crisis and the compounded effects of earlier crises, Skid Row has been a necessary home. Groups like LA CAN have been critical to defending the area's affordable housing stock and services.

More recently, Skid Row has become attractive to real estate speculators and foreign investors eager to "revitalize downtown." Parts of the area have been rebranded "Gallery Row" or "the new downtown." Expensive new restaurants, bars, nightclubs, boutique stores, and stylish apartments have been built from the bones of former low-income single room occupancy hotels. This redevelopment has been made possible through multiple mechanisms of displacement and control. The removal of Skid Row's residents, many of whom previously resided in the area's low-income housing, has been accomplished primarily through intensified policing. With increased contact, surveillance, ticketing, arrests, and increasing violence, Skid Row residents experience the incursion of "the new downtown" as an unprecedented police occupation: a city under siege.

In 2006, the LAPD along with the mayor's office unveiled the Safer Cities Initiative (SCI), a measure authorizing $6.5 million for additional police resources mostly concentrated in a 15 to 20-block Skid Row enforcement zone. LA CAN demonstrated that this single allocation exceeded the meager $5.7 million budgeted for all homeless services citywide. Under SCI the LAPD has routinely cited and ticketed poor people for minor offenses such as jaywalking, loitering, and littering. In the first three years of SCI, the LAPD gave out over 40,000 citations and made 28,000 arrests in a place home to fewer than 15,000 people. Skid Row officers issued citations 50 times more often than the rest of the city. When SCI was first initiated, residents drew straws among neighbors deciding who would to leave the building in order to buy food or cigarettes; the likelihood of arrest was so great.

These numbers have only gotten worse. A recent audit by the LA City Administrative Office showed that in 2014, LA devoted $100 million to homelessness, $87 million of which went to policing. With SCI, the police can reasonably treat any person they chose as an arrest-able suspect. Once people are stopped for minor infractions, their record is pulled up. The failure to pay a previous citation can be the pretext for arrest the next time they are stopped. Since most low-income residents are unable to pay the minor fines, unpaid tickets often lapse into warrants and then arrests, a situation similar to Ferguson, Missouri, as the recent Department of Justice report concluded.

These conditions represent a form of "trap economics" according to the late geographer Clyde Woods. When every act from "walking too fast, walking too slow, eating, and standing" is criminalized, the city is incentivized to see the very existence of the poor as illegal and as a fetter to local development. In turn, the possession of personal property becomes another site of contestation. Woods used the term "asset stripping" to describe how poor people are

Continued on page 8, "Skid Row"

Electronic Monitors

Why Virtual Incarceration is Not An Alternative

BY JAMES KILGORE

Mass incarceration is trending. Events that were unimaginable a year ago have become ordinary. Obama visits a federal prison and orders a few thousand people released. Presidential debates address excessive corrections spending, the War on Drugs, and many other results of the three plus decades of "tough on crime" policies. Even Hillary Clinton makes half-hearted efforts to distance herself from her complicity in the massive additions to prison rolls during her husband's administration. And to top it off, the Koch Brothers are throwing a few million at reducing prison populations (though a few million isn't serious money for them). The rush is on for a quick-fix solution to a dehumanizing mess that all of sudden no one wants to own. Beware of quick-fixes. They are Tylenol for a malignant tumor. They might ease the pain for a minute but the malignancy keeps on growing.

One of the most popular quick fixes at the moment is electronic monitoring, typically an ankle bracelet connected to a GPS tracking device. I wore one of these for a year as a condition of my own parole. Whenever I complained about the rules and regulations or how the device kept breaking down, people always reminded me "well, at least you're not in prison." True, the bracelet was better than being in prison but I was supposed to be "free," not transferred to a virtual cell in my living room. Let's not get confused about all this. Incarceration is incarceration. Being in a minimum security prison camp is not as bad as being in a supermax. Granted. But both are prison. We need to think about electronic monitoring in the same way.

House Arrest = Liberty Deprivation

When you are on a monitor you are deprived of your liberty. Your default position is house arrest. You can't leave your house without permission from your parole or probation officer or whoever is in charge of you. Getting permission for "movement" is not always easy. You may have a medical emergency or be called on short notice for a job interview. If you can't reach your parole officer, you have to make a choice – let the wound keep bleeding or run the risk of being violated and sent back to prison; write off the job interview or run the risk of being violated and sent back to prison. These are tough choices a person should never have to make. You have done your time, paid your debt to society. The cells doors, be they steel or electronic, should be out of your life. If you are released on bail pre-trial, you remain innocent until proven guilty. Why should you be locked up again in a virtual cell and get no credit for the time served on the monitor?

We need to start changing the debate on electronic monitoring. Two simple points can kick off the exchange: 1) an electronic monitor should not be a condition of parole or probation; 2) If you are on a bracelet as a condition of pre-trial, you should get credit for the time served, just like if you were in a halfway house.

These proposals may sound good, but in the real world of our horrific criminal legal system, things are a bit more complicated than that. People want to get out of prison or jail and understandably they will accept almost any condition to do so. How do we handle all that? Let's take a look.

Monitors During Pre-Trial

The most common use of an ankle bracelet comes during pre-trial release. The bracelet, even with house arrest, may allow a person awaiting adjudication to keep their job, keep looking after their kids, and help prepare their legal case. It is difficult to ask someone to say "no" to that option when so much is at stake. So at the individual level, maybe we leave well enough alone. But in the long run, we need to push back, to press the courts to recognize that electronic monitoring is a form of incarceration and should only be imposed in lieu of being in a steel and concrete cage. We need to get this idea out there before we have hundreds of thousands of people running around with devices dangling from their ankle, their wrist, maybe in the future from their ear lobe or even tucked in under their skin. For people who are fighting against mass incarceration, fighting for prison abolition, we need to be clear that electronic monitors with house arrest constitute a form of incarceration. In legal terms this amounts to deprivation of liberty.

Framing the Debate

There are four other key points about EM we need to keep raising.

The first is net widening. Because we have such a loose definition of electronic monitoring, judges and courts are applying monitors in all kinds of situations where they don't belong. School kids are getting monitors for truancy violations or other petty juvenile offenses. I talked to one high school student in Los Angeles who told me they had a room in his high school where people could go to plug in their ankle bracelets to re-charge the battery- a graphic illustration of the school to prison pipeline in action. The GEO Group's subsidiary BI Incorporated, the largest electronic monitoring firm in the US, is applying ankle bracelets to immigrants who are awaiting adjudication in asylum cases. If we let them put these devices on school truants and the undocumented, they will be looking for other vulnerable ankles not far down the road-people with a history of substance abuse or mental illness, maybe even those who receive public benefits or perhaps folks who are identified by authorities as "troublemakers," "dissidents," "radicals," "revolutionaries," or "prison abolitionists."

Second, we must stop the widening of the capacity of the technology. When EM began, it was simply a way of enforcing a curfew. Based on radio frequency technology, the monitor told the authorities that the wearer was in their house during the night time. In the day, the monitored individual could come and go as they pleased. Then came GPS and location tracking. The rise of GPS turned an ankle bracelet into a surveillance device. With tracking came the capacity to monitor and control where a person went and who a person interacted with. When the GPS geeks added exclusion zones, suddenly the technology became a personal mapping device, laying out "go" and "no-go" areas for individual users. These exclusion zones are most frequently applied to people with sex offense or gang histories. In several states, certain categories of sex offense convictions carry lifetime GPS monitoring, though quite often the house arrest component is removed at the end of a parole or probation term.

Moreover, mapping via GPS comes with increased data storage capacity The movements of individuals on monitors land on a law enforcement cloud and seemingly don't go away. One EM provider, Satellite Tracking of People (STOP) boasts that they store their tracking data for at least seven years. While the middle classes worry about the NSA randomly snooping on their emails and cellphone records (not that they shouldn't), poor people of color experience tracking technology in a much more direct and oppressive way. The tracking becomes part of keeping them in the system, inside the net of carceral control.

Third, we need to remember that EM as presently constituted is a business, whether run by private companies or government corrections officials. In most cases, people are paying user fees to be on the bracelet-ten to twenty dollars a day is typical. User fees are wrong in principle, part of the building of debtors' jails on the basis of the neoliberal principle of cost recovery. This has been going on for years but only came to mainstream light when the uprising in Ferguson clued in the rest of the country. Local governments are using the criminalization of the poor through fines and user fees as a way of paying their bills (it seems to be a much more politically acceptable option than taxing the rich). This amounts to a form of privatization- local governments operating according to the revenue and profit generating principles of corporations. We must put a halt to user fees for ankle bracelets. No one should have to pay rent on a jail cell, virtual or otherwise. Criminal justice is a fundamental service of the state, funded by tax dollars. It should not be supported by additional fines and fees that penalize the poor disproportionately. And since the poor and those caught in the criminal legal revolving door are disproportionately Black and Brown, these fines are objectively racist, "colorblind" policies that hit people of color.

My final point is that electronic monitoring, as presently used, is not an alternative to incarceration at all. An alternative to incarceration must embody an alternative philosophy. "Alternatives" must not be infused with the punitive mentality that dominates our criminal legal and prison system today. We can't have an alternative that is run by "haters." While no perfect alternative may currently exist, looking beyond the US borders can yield some important results.

For example, people in Europe have been using EM for a while and they actually have carefully considered the importance of respecting human rights in applying electronic monitoring. In fact, the European Union Committee of Ministers passed a resolution in 2014 that, among other things, recommended that in establishing a person on electronic monitoring "account should be taken of its impact on the rights and interests of families and third parties in the place to which the suspect or offender is confined."

In 2014, I attended a conference that European Union member states held on "Human Rights and Electronic Monitoring." In the US no one links human rights to people on an electronic monitor. The debate hasn't gotten there yet. At the conference I spoke to a room of 200 probation officers. I told them if I was speaking to such a crowd in the US I would be scared to death. But these probation officers self-identified as social workers. A local judge was there and she insisted that every probation officer under her jurisdiction wear an ankle bracelet for two weeks to see what it was like to experience the stigma, the stares, the glances that tell you the person eyeing you is wondering how many children you have molested. The distance between most current practice in the US and the European Union sensibility is vast. While the European agenda is nothing more than moderate reform, the US remains mired in the "tough on crime" paradigm even when implementing so-called alternatives.

Ultimately, no one can supervise an electronic monitoring program that is an alternative if they don't think the person wearing the bracelet is a human being entitled to the full menu of rights. Most of our parole and probation officers want to be seen as law enforcement. Many are strapped, loaded for war. They believe that bullets, billy clubs, and pepper spray constitute the complete toolbox for rehabilitation. Then they add an electronic monitor and wonder why things don't dramatically change. We need to keep pushing the idea that an alternative to incarceration only becomes an alternative when the mindset changes, when the hate and the haters are gone, when those of us with felony convictions and prison histories are greeted and treated like everyone else. Electronic monitoring might ease some short-term pain but ultimately we don't need new forms of incarceration. We need new forms of cooperation and building a society based on justice, forgiveness, equality, and democracy. That's not going to be delivered to us by the GEO Group but only via a massive social movement capable of imagining and delivering genuine alternatives.

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ROGER PEETS

Reimagining and Repurposing Divestment

BY BRYAN WELTON

Following decades of determined agitation and imaginative organizing, the prison industrial complex has become a key issue in contemporary politics. Consensus is forming that reform is necessary, and forces across the political spectrum are realigning to define its direction. From migrant-led movements to Ivy League students, many activists are targeting privately-managed prisons for divestment. Abolitionists have long argued that this strategy will not yield the victories we desire, and may even strengthen our opponents. As we struggle to make our freedom dreams a material force, we clarify the stakes by looking beyond profits to political economy.

Of the 2.3 million people currently imprisoned in the US, over 2 million are confined in public sector prisons. The remaining fraction are outsourced to private contractors. Although catching the criminalization current that multiplied prison populations by 500 percent over three decades, privately-managed prisons never passed 9 percent of the total. After peaking in 2012, their share of the sum total is steadily shrinking. However, attention to these peripheral profiteers has never been greater.

For nearly twenty years, activists and intellectuals struggling on both sides of prison walls have used the term "prison industrial complex" to broadly describe the combined forces of government and industry that rely on caging and repressive control to resolve economic, social, and political problems. Since then, some others have narrowed their definition to focus on prison profiteering or the exploitation of captive labor. Replacing radical analysis with symptomatic treatment, this partial focus on profits obscures the ideology and infrastructural power that underlie criminalization.

In 2011, labor and community activists launched the Prison Divestment Campaign. Over the last five years, the campaign has connected with some of the most significant social movements in recent US history. In 2012, Occupy activists joined the campaign in thirteen cities for a National Day of Action targeting GEO Group and its investors. Leading formations in the Black Lives Matter movement have adopted prison divestment in their platforms. New York City-based divestment activists strengthen solidarities with the Palestinian-led Boycott, Divestment, and Sanctions movement by targeting the transnational contracts of GEO Group competitor G4S. The campaign has also proven its power to move major institutions. From financial interests (Wells Fargo) to faith organizations (United Methodist Church), from elite colleges (Columbia) to statewide school systems (University of California), activists have waged successful campaigns to divest from CCA and GEO Group.

To explain this focus on private contractors, divestment strategists insist the profit motive and lobby influence of CCA and GEO Group cause the general rise of imprisonment and immigrant detention. Relating rising revenues to quota clauses in contracts, the Prison Divestment Campaign implies that policing and immigration enforcement are merely accessories for profiteering schemes. This claim maps convincingly onto market ideology, where the movement of money appears to determine the character of capitalism. However, for prisoners and anti-prison activists, this apparent separation of the 'economic' and 'political' spheres has practical consequences. Focusing on privately-managed prisons not only excludes 92 percent of the people imprisoned in the US, it also obscures the forces that cage people in CCA and GEO Group prisons.

The causal claims made by divestment strategists also defy chronology. Rather than lead legislation against dispossessed communities, CCA and GEO Group's fortunes follow the state-organized massification of imprisonment and detention. Beyond the motive of particular profiteers, political economy reveals complex institutional arrangements and a structural imperative to reproduce class relations and racial hierarchies through repression. In her essential book *Golden Gulag*, abolitionist intellectual Ruth Wilson Gilmore deftly uncovers the centrality of carcerality in restructuring US political economy since the 1970s. Historians Mae Ngai and Kelly Lytle Hernandez trace carceral reaction to crisis, focusing on US immigration enforcement's growing legitimacy, logistical and military capacity, and command of resources and territory over time. Extending historical enclosure and exclusion acts, these developments underlie the rise of the prison industrial complex and precede the appearance of CCA and GEO Group.

The prison privatization boom, however, parallels a more recent movement to expel union labor from state services through outsourcing. This is not unrelated to the apparent conservative reversal on prison policy. As reformers propose a range of response to the prison crisis, private contractors speculate across the carceral continuum. From locked door "treatment centers" to electronic monitoring, CCA and GEO group follow criminal justice trends to sell their services and technology. But politics, not profits, determine their carceral character. If activists continue to mistake symptom for cause, their energies may be enlisted again for a new round of competition between unions and contractors for their share of the spoils.

Organized labor has provided powerful leverage for divestment activism. During the privatization boom of the 1980s-2000s, public sector unions campaigned to secure bargaining contracts in privately-managed prisons. But after these attempts were defeated in precedent-setting court decisions, they shifted their strategy. Representing 62,000 prison guards and 23,000 additional prison personnel, AFSCME was an early supporter of the Prison Divestment Campaign. Today, SEIU sit on the campaign's Steering Committee while fighting to preserve contracts for prison health workers and 25,000 prison guards. AFSCME and SEIU also provide research and analysis for prison divestment activists and journalists. Through lobbying, litigation, and mobilization, guard unions compete against CCA and GEO Group by leading the fight against prison privatization.

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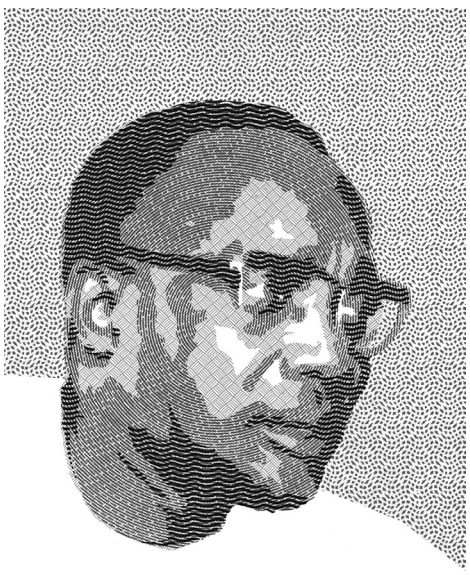

HIDE NOTHING FROM OUR PEOPLE. TELL NO LIES.
MASK NO DIFFICULTIES, MISTAKES, FAILURES. CLAIM NO EASY VICTORIES.
AMILCAR CABRAL 1924-1973

JOSH MACPHEE/JUSTSEEDS

Yet, the guard unions themselves remain a difficult obstacle to decarceration. Through PACS, fear-mongering media, and union-funded Victim's Rights groups, guard unions join law enforcement on the leading edge of "tough on crime" legislation. Also opposing reform, guard unions defensively organize against prison closures, parole, and conditions improvements for prisoners and their visitors. In a single state, political contributions and lobby spending by the California Correctional Peace Officers Association eclipse what CCA and GEO Group spend nationwide. Competing with contractors, AFSCME and SEIU guards in public sector prisons keep more people in cages than CCA and GEO Group combined. Attention to this contradiction is critical as we assess the scope of the Prison Divestment Campaign.

Five years into the campaign, grassroots activists in collaboration with guard unions have popularized a critique of privately-managed prisons and pressured institutions to move their money. Inspired by these victories, activists are launching new divestment fights across the US. Since 2012, the percentage of people in privately-managed prisons continues to decline. States such as Alaska, Idaho, and Pennsylvania significantly reduced their reliance on contractors, and Kentucky and Wisconsin completely cancelled their contracts.

However, major divestment and anti-privatization victories did not result in a single person being freed. As percentages in privately-managed prisons declined, the total prison population was unaffected. In some states, the political power of guard unions grew as prison management moved from the private to public sector. The divestment strategy reaches this limit because the state remains the locus of criminalization.

The Prison Divestment Campaign has connected creative, talented, resourceful, and militant grassroots activists across the US. Many divestment activists are fighting with fierce urgency for the freedom of their loved ones and themselves. While guard unions benefit from divestment and anti-privatization victories, history documents their hostility to decarceration. What remains to be seen is what the anti-prison movement, including people in or facing imprisonment, can win through this strategy. As divestment activists make new alliances, attract new funding, and build infrastructure along the way, it can be challenging to change course. But without decarceration, divestment wins follow a path to greater defeat.

With reimagining and repurposing, it may be possible to unite divestment tactics with abolitionist strategy. Divestment activists who prioritize attacking profits can more effectively target bondholders that finance (public and private) prison construction through public debt. The creditor stranglehold on state budgets remains an obstacle to prison closure. Moving beyond profits to politics, coalitions like Californians United for a Responsible Budget (CURB) and No New Jails (Los Angeles and San Francisco) challenge planning schemes and public policies to defeat prison and jail expansion. This struggle to divest state power from caging and repressive control aims to unlock resources and radical imaginaries that strengthen free communities. Focusing on the state rather than particular firms entails a change in analysis and strategy, with potential for enormous and qualitatively different impact.

Abolition insists that we envision, prepare, and fight for life beyond the prison industrial complex. For the Prison Divestment Campaign, theoretical questions remain that can only be resolved through practice. Will divestment strategists look beyond profits to target the repressive function of the state? Will grassroots anti-prison and anti-detention activists steer AFSCME and SEIU toward divesting from public sector prisons? Can that shift the strategy for labor, from corporatism to advancing anti-racist class politics?

Change is not only possible but already constant. As we assess our strategies and imagine other possibilities, our challenge is to point change purposefully toward liberation.

Bryan Welton *is a member of Critical Resistance.*

Breaking Walls, Making History

Lessons from Chicago

BY ALICE KIM

On May 6, 2015, fourteen torture survivors – all African American men – stood up at the Chicago City Council meeting as their names were read aloud by Alderman Joe Moreno, a chief sponsor of the Reparations Ordinance for Chicago Police Torture Survivors. Each one of these men had been tortured by former Commander Jon Burge or officers under his command; many had languished behind bars incarcerated for decades as a result of confessions elicited by torture. As the City Council unanimously passed a reparations package for Burge torture survivors, they received a long overdue apology from Mayor Rahm Emanuel on behalf of the city and a standing ovation from the City Council.

For Anthony Holmes, this moment was a long time coming. He had fallen prey to Burge in 1973 in an interrogation room at Area 2 Police Headquarters on the South Side of Chicago. There, Burge repeatedly electric-shocked and suffocated him with a plastic bag. Holmes's tortured confession was the only evidence against him – and he served ten years in prison for a murder he did not commit.

"What really hurt me is that no one really listened to what I had to say," Holmes testified at Burge's sentencing hearing in 2011. "No one believed in me." Forty-three years after he had been tortured, the City of Chicago finally began a process to make amends.

I witnessed this historic moment in City Council chambers along with hundreds of activists and family members who had participated in countless protests, marches, rallies, teach-ins, sing-ins, Twitter power hours, and train take-overs over the prior six months. One of these activists was Mary L. Johnson, whose son Michael Johnson was tortured by Burge in 1982 and is currently serving a life sentence without the possibility of parole (for an unrelated conviction). She was one of the first people to file a complaint against Burge and for more than three decades she has been unceasing in her efforts seeking justice for her son and all Chicago police torture survivors. Like several other intrepid mothers who have been the heart and the backbone of the movement, her steadfast activism helped pave the way for the campaign that successfully organized and won reparations.

Emboldened by the emergence of Black Lives Matter as young Black activists took to the streets to confront police violence in Ferguson and beyond, Burge torture survivors and a new coalition came together to forge an unrelenting six-month #RahmRepNow campaign to build support for the reparations ordinance in the midst of a hotly contested mayoral election. This coalition was comprised of Chicago Torture Justice Memorials, Project NIA, We Charge Genocide, and Amnesty International USA with critical organizing efforts from Black Youth Project 100 and the Chicago Alliance Against Racism and Political Repression. Ultimately, Chicago was transformed from a city that had covered up the systematic torture of African Americans by white officers—125 fully documented cases— into one taking unprecedented measures of redress for Burge torture survivors. This was the result of struggle and coalition work as well as the courage and determination of the survivors, not the benevolence of politicians.

When Chicago passed the reparations legislation in May 2015, it marked the first time in US history that a municipality was providing reparations for racially motivated police violence. This did not happen overnight. In 2006, human rights attorney Stan Willis founded Black People Against Police Torture (BPAPT) to galvanize the support of the Black community for the Burge survivors, and Willis and BPAPT made the initial demand for reparations to heal the long-term trauma of torture for individuals and their families, and to obtain redress. Introducing the language, demand, and possibility into the political vernacular of the city was a huge opening. Building upon this foundation, Chicago Torture Justice Memorials formed in 2011 to organize a campaign fueled by an expansive vision for justice that was informed by input from torture survivors, family members, and extensive research on reparations.

The reparations package came to fruition, including: a $5.5 million fund that was disbursed to 57 torture survivors at the beginning of the new year; a curriculum about the Burge torture cases that will be piloted this spring for 8th and 10th graders in Chicago Public Schools; a community center on the South Side providing specialized trauma counseling and other services for Burge torture survivors and their family members; free tuition at Chicago City Colleges for survivors and their family members including grandchildren; the creation of a public memorial; and an official apology from the city.

While this legislation is limited in scope, providing reparations only to those who were violated by Burge's torture ring among Chicago's all too many victims of police violence, the legislation offers something else: a new paradigm for addressing the violence of policing. As Joey Mogul, the attorney-activist who drafted the Chicago Reparations Ordinance with input from torture survivors and the community, said, "Chicago's approach to systemic racial harm offers a glimmer of a possible future in which the nation as a whole might finally grapple with reparations for the legacy of slavery, Jim Crow, and its direct descendant, mass incarceration, each of which echo through the Chicago Police Torture cases."

In particular, for me there are three enduring lessons from this recent struggle.

First, reparations did not come easy. Despite numerous allegations of torture, for years the city and the courts not only turned a blind eye but also actively covered up the torture claims. While Burge and officers under his command were promoted, their victims faced convictions and long prison sentences, including death row for some. In fact, every win in the long history of struggle in the Burge torture cases came about as a result of the consistent courage of the survivors and their family members, on-the-ground activism, and organized pressure.

In the 1980s, community activists demanded an official investigation of the torture allegations and Burge's successful removal from the police force in 1993. In the late 1990s, Burge torture survivors who had been sentenced to death organized themselves from their prison cells. Calling themselves the Death Row 10, they demanded new hearings in their cases and the abolition of the death penalty. In the 2000s, unable to find justice in our own courts, human rights attorneys and activists took the Burge torture cases to the Inter-American Commission on Human Rights and the United Nations Committee Against Torture (UNCAT). In May 2006, the UNCAT condemned the US for failing to bring Burge and his officers to justice. Within a year and a half, Burge was indicted for perjury and obstruction of justice for lying about the crimes of torture he and others committed.

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Over the decades, inventive organizing practices helped to build and sustain the struggle for justice in the Burge torture cases even as the nation embraced a "tough on crime" agenda that served to further criminalize and warehouse Black and brown people. In 2008, when Chicago was a finalist for the 2016 Olympic bid, BPAPT organized to expose the city as "the torture capital of the world" and protested bringing the games here. As part of their campaign for justice, Death Row 10 members participated in countless Live From Death Row events where they shared their firsthand accounts of torture live from their prison cells to audiences around the country via amplified telephone hook-up.

From Burge being fired in 1993, to the commutations of all Illinois death sentences to prison time in 2003 (as well as pardons for four members of the Death Row 10), to Burge's prosecution and conviction in 2010 for lying about the torture, none of these measures came readily from the courts or elected officials. Instead, at every step of the way, justice was sought, demanded, and insisted upon by the survivors and their family members, community activists, and attorneys. The reparations legislation that was passed last May was the culmination of decades of struggle around the Burge torture cases.

Second, though many activists raised the slogan to "Jail Jon Burge" and worked to secure his prosecution, in the aftermath of his conviction in 2010 it became apparent that justice remained elusive for the torture survivors. While Burge's conviction was in and of itself remarkable because of the court's prior unwillingness to prosecute the perpetrators of torture – which stood in stark contrast to their zealous prosecution of Burge's victims – it ultimately failed to address the systemic harm that was done to the survivors. Moreover, Burge's conviction did nothing to challenge the racism endemic in the criminal legal system and apparent at all levels of the city's governance. It became increasingly clear that seeking justice within the confines of the legal system had limited our vision for what justice could and should be. And as abolition activists constantly remind us - jails, in general, even for those whose crimes are as heinous as Burge's don't offer lasting solutions to violence and injustice.

Left with this glaring reality, in 2011, the same year that Burge was sentenced, a group of activists, educators, artists, and an attorney came together to form the Chicago Torture Justice Memorials (CTJM). Our first call to action was to announce an Open Call for speculative memorials commemorating the Burge torture cases. In essence, through this open call we were asking the public – and ourselves – to re-imagine what justice could look like in the Burge torture cases.

CTJM received over 70 submissions, all of which were displayed in an exhibit entitled "Opening the Black Box: The Charge Is Torture" at the School of the Art Institute of Chicago's Sullivan Galleries in 2012. The original draft of the Reparations Ordinance for Burge torture survivors was first introduced to the public on the walls of this exhibit as was Carla Mayer's re-imagined Chicago flag with a fifth black star added to the existing four red stars. Later, emblazoned on movement t-shirts worn by protestors, Mayer's flag became the iconic image of the reparations campaign.

The ordinance itself reflected the experiences and material needs expressed by the survivors. "I still have nightmares," Anthony Holmes said in his court testimony at Burge's sentencing hearing. "I see myself falling in a deep hole and no one helping me to get out."

"We are individuals that have suffered," torture survivor Mark Clements said as hundreds of protesters delivered nearly 40,000 signatures on a petition supporting the Reparations Ordinance to Mayor Emanuel's office in December 2014. "Each and every day, I suffer. Where is my psychological treatment?"

"I'll be doggoned if this wasn't a war that we were involved in, too, here in the United States," Darrell Cannon said at a roundtable conversation about the exhibit, "and we deserve reparations."

Seeking reparations – and insisting on the term even when various Aldermen questioned its use as divisive or controversial – was important because reparations are a way to reckon with the past, in this specific case, Chicago's brutal history of systematic torture carried out by Burge and his detectives against African Americans. And it was essential to address the racial nature of this violence and address the individual and collective trauma that resulted from the systematic torture of African Americans by white police officers. At a time when police accountability is sought by many through prosecutions all over the country, reparations offers a new model for accountability, one that can provide tangible and meaningful redress that criminal prosecutions fail to offer.

Third, and perhaps most importantly, the struggle for justice in the Burge torture cases must be seen as a struggle for self-determination. The survivors have been central actors in this fight from the beginning to the present. In the face of sadistic, racist brutality carried out against them by white police officers; a hostile criminal legal system; racist media; and a corrupt city leadership from the mayor on down, their insistence that their lives matter stand as testaments to the power of people who fight for themselves against seemingly impossible obstacles.

Andrew Wilson, for example, convicted of killing two white police officers in 1982, dared to raise his voice and speak out about the torture he endured. He had been shocked with electrodes, burned by a radiator, suffocated with a plastic bag, kicked in the eye, and badly beaten. Without a lawyer, he filed a civil suit in 1986, and his case would be pivotal in exposing the systematic torture carried out by Burge and his torture ring.

Darrell Cannon used pen and paper as weapons in his defense. From his cell at Cook County Jail just days after he was tortured and arrested, Cannon drew in detail how three officers in Burge's crew took him to an abandoned parking lot and proceeded to shock his genitals with an electric cattle prod and ram what they made him believe was a loaded a shotgun into his mouth, pulling the trigger in a mock execution. His drawings were submitted as evidence and Cannon says that even the psychiatrist for the state's attorney said the level of detail in his drawings indicated that he had indeed been tortured. A vocal leader in the Chicago reparations campaign, Cannon tells his personal story time and time again in spite of how emotionally taxing it is for him. "It's torturous any time I have to talk about this here," Cannon said, "but it would be more torturous if I didn't."

The Death Row 10 announced their first rally in the fall of 1998, making the flyer by cutting and pasting words from newspaper and magazine articles. Though modest in size, with 60 to 70 family members and activists in attendance, their demonstration still managed to get local and national media coverage. As The New Abolitionist reported, that night, prisoners and others nationwide saw mothers and fathers of the Death Row 10 marching around the precinct carrying pictures of their sons. The survivors' efforts, in conjunction with those of their mothers who organized a private meeting with Governor Ryan that is rarely mentioned in any media reports, helped shift the tide of public opinion in the campaign for commutations of all Illinois death sentences in 2003 and lead to the abolition of the state's death penalty eight years later. Interrupting a dehumanizing narrative casting death row prisoners as the "worst of the worst," their campaign put a human face on the death penalty.

From the abolition of the death penalty to reparations, Burge torture survivors have been at the center of struggles that have changed and made history.

As Darrell Cannon said, "It's never been done in the US, but Chicago will get it [reparations]. Why? Because of people like Darrell Cannon and others, we refused to give up."

The last chapter in this story has yet to be written. There is much more to do in order to create a society based on respect for human rights and dignity. There is much to accomplish in terms of demilitarizing our cities, ending police violence, and building the power of communities to control the resources that keep them safe. There is more to organize, in terms of linking racial justice with economic and global justice. But the story to this point teaches us a lesson we must never forget: The power of a people organized and mobilized in the cause of justice can break walls and make history.

Alice Kim *is a Co-founder of Chicago Torture Justice Memorials*

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routinely stripped of their possessions in Skid Row. Customarily used to describe large-scale takeovers of companies, mass firings, and the selling off of assets, "asset stripping," for Woods, instead describes the confrontation between private property interests and poor people's personal possessions in downtown LA. For Woods, such confiscations have a deeper history.

Skid Row's population reflects massive historical shifts in the local LA economy. As LA's former economic lifeblood – industries such as steel, rubber, auto, and munitions -were sapped dry in the 1970s and 1980s, the primarily Black industrial workforce found itself out of work. Massive disinvestments in housing, schools, transportation, and hospitals alongside massive public investments in policing and prisons, especially in the 1990s and early 2000s, meant that residents of areas like Watts, Compton, Inglewood, and South Central gradually found themselves with fewer options for employment or housing. Long-time residents as well as newer tenants, who are veterans, physically disabled, former aid recipients, or the recently evicted, are all migrants of the changed economic landscape. Residents are the living consequences of massive shifts in public investment. Accordingly, many see the struggle over their possessions as a larger struggle over space.

The original concept of a contraband rebellion was forged in liberation struggle. During the Civil War, enslaved people who stole their own bodies and joined the Union Army were themselves defined as "contraband." Trapped beyond the law, between categories of property and personhood, they were rendered illicit as they fled to escape their condition. Stealing themselves, they defied their categorization as property. Repurposing their legal limbo, they joined the Union army, abolished slavery, and in the process, won their own freedom. Many of the resident organizers in Skid Row call upon the historical roots of this contraband struggle.

Skid Row is home to veterans from the city's long history of political organizing. Activists of the civil rights movement, the Black Panther Party, the struggle to defend Angela Y. Davis in the 1970s as well as other political prisoners throughout the 1980s, people influenced by the 1992 rebellion (often called the "LA riots" which was sparked by the filmed beating of Black motorist, Rodney King by the LAPD), the Zapatista movement (an indigenous-led anti-globalization movement based in Chiapas, Mexico) in the late 1990s and early 2000s, as well as younger members of the Occupy movement, all continue to fight for social justice. Many are active with LA CAN and see the current struggle as a revolt over people and things deemed contraband.

In their fierce organizing against draconian measures to evict, arrest, and confiscate property, Skid Row residents with LA CAN are defying the logics of trap economics. In their campaigns to protect housing, prevent gentrification, contest criminalization, and resist police violence, the residents of Skid Row are working to defend themselves, their possessions, and their community. Just as importantly, their actions offer a radical redefinition of property and safety, in line with what W. E. B. Du Bois called "abolition democracy." This concept suggests that no one can be free in a society premised on exclusion. In Skid Row, this translates into the idea that no person's freedom can come at the "unfreedom"—the jailing, displacement, deportation, imprisonment, or murder—of another. As expenditures for policing and prisons continue to exceed state and national budgets for housing and other resources, and as mobilization against police violence continue to grow, we can all learn from the contraband rebellion being waged in Skid Row.

Christina Heatherton *is an Assistant Professor of American Studies at Trinity College, and co-editor of* Policing the Planet: Why the Policing Crisis Led to Black Lives Matter.

Building Roads to the Outside

The Experience of the YO NO FUI Collective in Argentina

BY SUSANA DRAPER

Prison abolition forces us *to push* the limits that have been imposed on our forms of imagining alternatives to the naturalized violence of imprisonment. I conceived of the "roads to abolition" as a way of thinking about abolition by walking through a road of real, yet tiny, possibilities. The problem at stake is *where* to start, *how* to begin building paths that would make abolition more feasible? One of the hardest issues at hand is thinking through the temporalities that social and collective change take, or could take, outside of the linear forms in which we are trained to understand them. Usually, we conceptualize change in terms of a line leading from a "before" to an "after." For instance, when we discuss abolition with people skeptical of it and they say: "First figure what you will do *after*, and then it will be more *feasible* to listen to what you have to say about abolition...." When is "after" made *if not "before"?* What if abolition implied a complex set of tiny efforts that can begin to work together, so as to construct a road to another form of social life? What if the day after takes place both yesterday and today?

These reflections come to mind while mapping the work of collectives of women prisoners and former prisoners in Latin America, who have been collaborating in the last decade in order to start *walking an abolitionist path from everyday forms of collective self-determination, insisting on working through the connection between the inside and outside of the prison.* Some of these roads were built from the exigencies of everyday forms of (re)reproduction of their lives in prison while looking for forms of collective (self)-organization that would allow them to build a real and practical way to exit the system. Their work constitutes what Andréa María calls "prefigurative praxis", meaning "the ways people in struggle put prefigurative aspirations into practice and develop, from our practices, those prefigurative aspects that are already present." Searching for a dialogue between North-South forms of working collectively to dismantle the prison industrial complex, the text below is built like a collage of voices narrating the history of *Yo No Fui*, a collective created by Argentinian women inside the Ezeiza Women's Facility in 2002. The text searches for a dialogue between North-South forms of working collectively to dismantle the PIC. The group has continued work until the present, grounding community-based work inside and outside of prison walls, with the goal of constructing a way out through practices of self-determination and collective-self-management.

Yo No Fui- It wasn't me

It all started in 2002 when María Medrano, journalist and poet, started a poetry workshop in the "Unidad 3" and "Unidad 31" of the Ezeiza minimum security women's prison in the outskirts of Buenos Aires. At its onset, the idea of a poetry workshop generated certain scorn; who reads poetry nowadays? Who would be interested in doing so in the harsh conditions of imprisonment? Soon after, the workshop became the space for the beginning of a process of collective empowerment that continues into the present. In a Zapatista way, words started *walking and building a road*, and the poetry workshop led to a proliferation of similar workshops and projects inside the prison that made women feel they were not alone, building a space of affect, containment and survival. María says: "In the workshop, the word is the protagonist... words take an immense weight; it is the urgent necessity of *saying*... a saying that is not just a denunciation but also a desire. This was the base that started to nurture all the other spaces created by Yo No Fui".

The name of the organization, Yo No Fui (It Wasn't Me) emerged when the group was thinking of possible titles for the first book of poems written inside the prison. Ramona, now released and in charge of the print workshop (*serigrafía*), remembers how the name was determined:

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"The idea was to find a title that would represent what the space of the poetry workshop became for us: *energy, resistance, vitality*. So one of us said: "Yo no fui! - that's what we all say when we get here!" And we all started to laugh—and to think more deeply about the expression... about what was implied in that frequent saying... and about all the things that one *did not* stop being just because of the fact of being imprisoned..." Soon after, the poetry workshop became a key space from which a series of other workshops and projects began: photography, sewing, bookbinding, journalism, shoe-making, machine reparation, printing, pinhole photography...

Liliana Cabrera, released a year ago, remembers: "When I arrived in 2006, I joined the poetry workshop ... After that, I also started going to the workshop on stenopeic photography. It was a revolution in the prison because we were not allowed to take photos. If someone wanted to take photos, you needed to seek audience in order to be able to start the process of asking for permission and be able to take a photo, for instance, on your birthday during visits. So, a pinhole photography workshop was something in which everyone wanted to participate, and there was a long wait list to participate!" Liliana became a poet, and in order to publish poetry from the inside, they created a modest publisher along the lines of the autonomist publishing cooperatives or *cartoneras* that proliferated in Argentina after the 2001 economic crash. It consists of creating handmade books with cardboard covers, and it was called *Cartonera del encierro*. At this point, they were then able to sell the books of poetry outside, in bookstores, or could be exchanged for items that would equal 10 argentine pesos (calling cards, mail stamps, notebooks, pencil, pens, paper, cigarettes). On this process, Liliana says: "the first thing I *felt* was realizing that I was *able to do something* from the inside... I realized that one feels more imprisoned if one is also imprisoned *in the head*."

Reflecting on the fact that all of this was created by women, María adds that gender played a crucial role in the process of empowerment, as the difficulty of giving value to oneself is harder for women prisoners: "We talk about women who live permanent sexual violence, psychological abuse... And what these other- more autonomous, collective- spaces inside, like the poetry or the photography workshops started doing *was to save zones of oneself*, to be able to say: "This, you cannot touch!" You cannot imprison the essence of someone... Sometimes, the contrary occurs, and this essence can get out and float stronger than before. This is part of a power of poetry. One that allowed women to empower themselves through the words."

How to get out from this?

As some of the prisoners started to be released, the question of having a simultaneous series of workshops inside and outside was posed; however, *the main issue was survival outside –not having money, not qualifying for jobs after prison, not having a place to live*. Some women were rejected by their family, the community, the whole of society. Thus, not having a real "outside" support system would result in released women going back to prison. An idea started to develop: to create different workshops *inside and outside* that would provide women with the skills to qualify for jobs. This is something that led to the creation of workshops (*talleres*) that help to develop skills needed in order to be able to get a job, and to create products that those released from prison can then sell. In the workshops outside, taught by released prisoners and volunteers who joined the collective, different women participate: those in house arrest, the recently released, and those in transitory releases. The road out was piecemeal built, in a collective and self-determined way. Ramona Leiva remembers: "we were looking for the connection between the inside and the outside, and it started to take place through the textile work, book binding, then printing, and after that, it was just a lot of other workshops: carpentry, poetry, journalism, drawing, textile design, shoe-making."

Soon after, the process took a more interesting direction; women started building their own means of survival, by forming cooperatives of different sorts. María remembers: "In 2007, we decided to transform our collective into a "civil association". We processed the legal entity, and then, we started thinking of constituting a working cooperative. In December 2014, we presented all the papers to become a working cooperative, a textile cooperative." As Ramona continues: "the cooperative started with workshops (spaces for training), where we started to produce lots of products. By this, we are able to have jobs and offer jobs to the girls coming out, and also to show what we can do together." María adds: "it takes a lot of work, lots of paperwork, lots of dealing with the state...but, to tell you the truth, all these networks that started to exist, with other cooperatives and associations, allowed us to create a space for ourselves. We even got a space, through the city, a lot of 600 meters in La Boca neighborhood. Friends from other organizations helped us with the plans for construction, and we are now starting fundraising so as to build and start in a new space next year, where we could have all the workshops." In the process of learning about how to build a cooperative, they faced a challenge that led to another struggle: the derogation of article 64 in the Law of Cooperatives, which states that people with a criminal record cannot be part of the board. At present, they have also started to organize a network of cooperatives of released prisoners, "the network of cooperatives by the recently released" (*Red de Cooperativa de Liberadxs*).

In the meantime, as the textile and design workshops were producing many objects, they also opened a little store, La tiendita Yo No Fui (the Yo No Fui Little Store) where they could start selling the products made in the workshops in and out of prison. All of this work outside the prison takes place in simultaneity to the work inside, with the women who are held at the Ezeiza facility. María adds: "We work inside, not because we are interested in "improving" the prison as we know that the prison is impossible, that it does not work, and we all know that. But, we keep working inside because we are interested in being with, accompanying the women inside to be able to get out, to have a place outside where they could really have a life." Liliana remembers, "Sometimes, you are released but you don't have anyone there... I had only my father, but he was in Carlos Paz... My family now is Yo No Fui."

"Yo SOY" - I am

Through the experience, Yo No Fui responded to a double challenge: how to get out of the prison, in a society that rejects people with criminal records, having neither opportunities nor support after release. It also responded to the idea of building a self-managed collective space, avoiding the usual organizations that try to help women by victimizing them, treating them as inferior. All the projects that the collective have are self-managed by the group (*autogestivos*).

Recently, the group working on the journalist workshop (the Tinta Revuelta collective/Ink in Revolt collective) started a publication, "Yo SOY." María says: "The work with the publication is really important for us, as after many years, having been able to create our own means of communication, a space where we can think of the themes that we all experience, and to think the prison complex from there ... When we started to think about a name for the publication, it was like a turn to the name of our group, "Yo no fui", a turn to the idea and the intention behind the expression, when people use it tell you, "Uf, ¿estás en cana?, ¡fuiste!" ("Are you in jail? You're dead!") And one was not. One is. I AM. Yo SOY! That was a turn with the name: an affirmation of ourselves, of our beings." Karina adds that the publication is also important because, "It is a space where the voices of those inside can be heard."

The last issue covers the problematic of the transition to the outside. Liliana says: "not just what the outside is for us at the sensory level when we are released, what to meet the streets again implies, but also the problem of getting a job, of finding where to live, to find oneself again in a place from where one felt outside, but no ... that's not true. People think that one is not there.... but one is also there. To go back to that world after having been inside, like inside a Tupperware, is really hard..."

"Yo Soy" ("I Am") implied a shift towards the process of empowerment experienced by most of the women involved in this project. The "Yo No Fui" idea plays not only on what each prisoner proclaimed when first entering prison, but also with the idea of social death that imprisonment involves in our societies. The resulting "Yo Soy" publication circulates inside and outside of the prison, trying to work as a bridge, and deals with key issues women face both in prisons and in their life after release.

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LYDIA CRUMBLEY

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truth through a more descriptive, thoughtful activist vocabulary.

The twenty-year history of "Mass Incarceration's" entrance into the popular vocabulary illuminates the lurking dilemma at hand: While its etymological origins can be traced further back in time, the contemporary use of the phrase emerged in the mid-1990s, owing in significant part to the work of the National Criminal Justice Commission between 1994-1996. The NCJC generated a comprehensive analysis of what it then deemed "the largest and most frenetic correctional buildup of any country in the history of the world," and summarized its findings in the widely cited text *The Real War on Crime*, published by the mega-trade press HarperCollins. The terms Mass Incarceration, "mass imprisonment," and similar ones persisted through latter-1990s and early 2000s, surfacing in academic, activist, and public policy rhetoric as well as influential texts like Marc Mauer and Meda Chesney-Lind's 2002 anthology *Invisible Punishment*: *The Collateral Consequences of Mass Imprisonment* and, of course, Michelle Alexander's widely read, deeply flawed 2010 book *The New Jim Crow*: *Mass Incarceration in the Age of Colorblindness*.

Since the publication of Alexander's text, "Mass Incarceration" has not only entered the post-racial lexicon as a euphemism for racist criminalization and targeted, asymmetrical incarceration, it has also been absorbed into the operative language of the US government and its highest-profile representatives. Let us briefly consider three prominent examples of this creeping co-optation, spanning ten months in 2014-2015. US Attorney General Eric Holder's keynote address on "over-incarceration" at NYU Law School in September 2014 was one of the early indications of a reformist shift in the US state's internal deliberations on national criminal justice policy. Crucially, Holder's speech occurs just one month after the police killing of Michael Brown in Ferguson, MO, amidst an unfolding national revolt against anti-Black, racist police violence. Against this burgeoning climate of anti-racist protest, Holder panders to law enforcement in the same breath that he decries the "rise in incarceration and the escalating costs it has imposed on our country:"

> We can *all* be proud of the progress that's been made at reducing the crime rate over the past two decades – thanks to the tireless work of prosecutors and the bravery of law enforcement officials across America.

Soon after Holder's resignation from the Attorney General post, freshly declared Presidential candidate Hillary Clinton calls for a new era of criminal justice reform in an April 2015 speech at Columbia University. Echoing Holder's verbal genuflection to police power, Candidate Clinton laments the "era of mass incarceration" while lambasting the contemporaneous uprisings in Black Baltimore over the police torture and killing of Freddie Gray. Scolding the Baltimore protestors for "instigating further violence," "disrespecting the Gray family," and thus "compounding the tragedy of Freddie Gray's death," Clinton declares, "we must urgently begin to rebuild bonds of trust and respect among Americans, between police and citizens."

Not to be outdone, Pres. Barack Obama resoundingly hails the onset of carceral reform in a somewhat remarkable July 2015 address at the NAACP's national convention in Philadelphia. To a series of standing ovations, Obama declares, "our criminal justice system isn't... keeping us as safe as it should be. It is not as fair as it should be. Mass incarceration makes our country worse off, and we need to do something about it." Amplifying the Holder-Clinton script, Obama proclaims the need for *more policing of African American communities*, to the audible praise of the NAACP crowd. Obama's subsequent historical mis-characterization of policing under US apartheid is peculiar at best:

> Historically, in fact, the African American community oftentimes was under-policed rather than over-policed. Folks were very interested in containing the African American community so it couldn't leave segregated areas, *but within those areas there wasn't enough police presence*.

Herein lies the punchline of the multiculturalist racial state's co-optation of the Mass Incarceration rhetoric and its conjoined reform agenda: as Obama, et. al. sing alongside the liberal-progressive chorus of demand for an end to Mass Incarceration, they simultaneously advocate for a redistribution of state resources away from prisons *and toward the police*. For Obama, the salve for rampant racist police violence and mounting popular revolt against the default prestige of the badge-and-gun is "hiring more police and giving them the resources that would allow them to do a more effective job community policing."

There is something lurking beneath this still-emerging liberal-progressive, and now official state reformist discourse of Mass Incarceration that is worth some critical, radical scrutiny.

We are witnessing the early stages of a subtle though potentially significant shift in the *statecraft of policing*: the reform of Mass Incarceration is becoming insidiously linked to calls for a kinder, gentler, *and expanded* form of law-and-order policing. This growing, technologically enhanced and body camera-strapped police power, in turn, implicitly promises to kill and maim fewer unarmed (Black and Brown) people, while also subjecting them to more effective forms of surveillance, control, and discipline (community policing or "peacekeeping"). Riding the wave of a Mass Incarceration reform renaissance, the multicultural racist state, in loose coalition with an ensemble of liberal-progressive consensus makers (professional activists, academics, nonprofit and foundation executives, policy think tanks, religious leaders), is building a refurbished pro-police national consensus by naturalizing the utterly bogus connection between de-carceration, "community safety," and expanded police capacity/power. This is a statecraft that intends to win hearts-and-minds even as it focuses its punitive, disciplinary crosshairs on those fitting the profile of "real criminals" (whatever that might mean in a given time and place).

If the current political discourse on Mass Incarceration is allowed to remain intact, it is almost certain that the technologies and institutional reach of policing will increase, expand, and intensify even as the thing being called "Mass Incarceration" is subjected to reformist scrutiny from within and beyond the racial state.

Perhaps, then, it is the moment in which the public intellectuals and figureheads of the US state begin to deploy the allegedly critical language of Mass Incarceration that we must admit to ourselves that this term may have reached its point of explanatory and analytical obsolescence—that is, if it ever adequately explained and analyzed anything to begin with. It is becoming ever-clearer that the US racist state is both willing and capable of re-narrating the story of Mass Incarceration as a call for *better*, that is, *more tolerable and consensus-building* technologies of criminalization, policing, and incarceration.

The historical rhythm of US nation-building plays on the percussive terrors of domestic warfare and gendered racial criminalization (literally, the creation of crime and criminals through the raw material of racial- and gender-marked bodies). A spectrum of selective, targeted forms of incarceration—from Middle Passage slave ships and California missions to Mexican labor camps and federal supermax prisons—has produced multi-generational terror, suffering, and freedom struggle for populations at the underside of white American (and now multiculturalist, post-racial) civil society across its various phases of historical development.

In addition to challenging and ultimately dismantling the idiom of Mass Incarceration, we must come to terms with the need for a more comprehensive, flexible critical/activist language that does not fixate on prisons and jails—or even on "criminal justice"—as the exclusive sites of institutionalized racist state violence. Contemporary systems of human incarceration, from Pelican Bay to Guantanamo Bay, are inseparable from both 1) the growing ideological, institutional, and militarized regime of US policing and 2) the larger cultural-legal technologies of criminalization, including popular entertainment, corporate and social media, and the law itself.

Thus, the problem is not merely one of "incarceration," it is also a matter of an overlapping, symbiotic ensemble of institutions and systems that implicates the entire apparatus of the law-and-order United States as a form of asymmetrical, domestic war against criminalized people and places.

Certainly, the rebellions against police violence across the US over the last two years are forcing a partial disruption of classical white supremacist and anti-Black policing strategies such as those seen in places like Ferguson, MO and Baltimore, MD. Yet at the very same time, in response to this climate of protest and uprising, the statecraft of criminal justice reform is premised on a strengthening and re-legitimation of police authority and prestige. As the phrase "Mass Incarceration" is absorbed into the operative language of the state, does it not become necessary to consider how this rhetoric is becoming more of an accomplice to the racist state than an effective language of opposition to it?

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Don't Just Get Kids Off the Sex Offender Registry. Abolish It

BY JUDITH LEVINE AND ERICA MEINERS (FIRST PUBLISHED BY COUNTERPUNCH, 4.8.2016)

Recently the *New Yorker* published a major article about juvenile "sex offenders." The story, by staff writer Sarah Stillman, is far ranging, moving and important. Stillman writes about many young people who were caught doing anything from playing doctor to sexually coercing another person (usually another child). Convicted for sex crimes, some of these youth are incarcerated and subject to lifelong sex offender registration—a kind of social death sentence.

The *New Yorker* article follows a year in which the juvenile sex offender (JSO) was frequently in the news. Josh Gravens, a Texas father of four convicted at age 12 of sexual contact with his younger sister, was profiled by Reuters and the *Dallas Observer*, which celebrated him as one of "the metro area's most interesting characters." Zachary Anderson's case, and a photo of his parents, appeared on the cover of the *New York Times*. At 19 Zach, an Indiana computer studies student, had sex with a woman who presented herself as 17, but was 14. He too faced sex offender registration.

In stark contrast to earlier iterations–Jeffrey Dahmer, Jesse Timmendequas, or the villains on "Law & Order: SVU" – these "new" sex offenders are humanized: attractive, promising, law-abiding heterosexual sons and fathers who made some youthful mistakes and deserve a second chance.

Behind this sympathetic media coverage are decades of organizing by groups like Reform Sex Offender Laws (RSOL) and recent policy reports, including Human Rights Watch's groundbreaking *Raised on the Registry* (2013), by Nicole Pittman, that have raised the visibility of registered sex offenders, particularly those convicted as juveniles.

Most recently, with Project Impact, Pittman has launched the Center on Youth Registration Reform (CYRR), whose mission is to "eliminate the practice of placing children on sex offender registries in the U.S." Although the grassroots RSOL network—comprised largely of registered offenders and their families—has long advocated for youth caught up in the sex offender regime, thanks in part to the *New Yorker* article, and a companion video about Pittman, CYRR shows the potential of becoming the face of JSO advocacy. And with what what it describes as a "zealous, unwavering, [and] tactical" strategy, the campaign has a good chance of success in removing many kids from the registry. This will improve countless lives.

These campaigns follow a well-worn criminal justice system reform track: advocating for more compassionate treatment specifically for young people who break the law, from drug dealing to homicide. This tactic—reinforced by frequent reference to research showing that teenage brains aren't fully developed—has had some traction in other areas of criminal justice reform, for instance, to eliminate the death penalty and reduce life without parole for those convicted as juveniles.

A focus on the juvenile sex offender—or any juvenile offender—has potential upsides. It invites audiences to see a whole person and a complex situation and to empathize with the person who has done, or been accused of doing, harm. The invocation of childhood, and its suggestion of innocence by reason of immaturity, can spread sympathy more widely to whole communities harmed by the carceral state, particularly when kids are secondary victims of parental incarceration and systemic "civil death" or disenfranchisement.

Coverage of the JSO often unpacks the category of "sex offender"—pointing out that it includes convictions for sexting, public urination and consensual sex between minors, as well as violent rape and the abuse of children; it can expose the uniquely harsh treatment of all these people by the US criminal justice system and the public. These stories point to the youthful offender as collateral damage in a regime of indiscriminate and ever-escalating penalties.

For instance, The Marshall Project approached the issue of civil commitment through the story of the resident/inmate Jhon Sanchez, convicted of sexual assault at the age of 13. The headline foregrounded the kid—"Why Some Young Sex Offenders are Held Indefinitely"; only in the subhead was the reader clued in that the story goes "inside the world of civil commitment."

An organizing example: Before International Megan's Law passed in early 2016, requiring citizens convicted of sex offenses to carry passports that visibly mark their status as sex offenders, a small network of groups mobilized across the county to encourage Obama to veto this bill. The talking points for opposition to the law zeroed in on the ways it would harm juveniles. "The law pins this scarlet letter most senselessly on children adjudicated in juvenile or family court," read one email circulated to activists.

Why youth?

In one way, it makes sense to focus on extricating juvenile sex offenders from the registry. An estimated one-fourth of the people on the public sex offender registries were convicted as juveniles. Fifteen states post the names and photos of offenders who are minors on the online registries. Thirteen of the 20 states that lock up people in indefinite civil commitment—preventive, dubiously therapeutic detention for crimes not yet committed—include people who committed their offenses as juveniles. "The single age with the greatest number of offenders from the perspective of law enforcement was age 14," according to the US Department of Justice.

As *Raised on the Registry* powerfully showed, with little or no intervention these young people are virtually guaranteed not to "reoffend," mainly because so many of them are penalized for engaging in sex play—things that, even if not always entirely consensual, are common among children and usually without long-lasting harm.

There is no question that getting some people off the list can be a first step toward getting others off—and a way of chipping away at the policy. One RSOL leader compared this tactic to the anti-choice movement's success in virtually banning legal access to abortion, one little restriction at a time.

Why not only youth?

But there are also significant downsides to campaigns that construct children as exceptional and different from adults. The public may just as easily be left feeling that adults who break the law are bad and deserve all they get—or that guilty people do not deserve fairness or sympathy. This gives legislators a rationale for trading off youth-friendly criminal justice policies for harder adult penalties, as recently happened when New Mexico legalized sexting between teens but increased penalties for people 18 and older sexting with people under 18. Not just adults but some youth can be penalized by the focus on "children." Call the person who breaks the law a "child," and there's a danger that any young person not demonstrably childlike will end up prosecuted as an adult.

Exclusive focus on the young offender—rather than a rejection of the entire sex offender regime—avoids the larger, less politically popular truth. "Sex offender registries are harmful to kids and to adults," says Emily Horowitz, associate professor of sociology and criminal justice at St. Francis College in Brooklyn, and a board member of the National Center for Reason & Justice, which works for sensible child-protective policies and against unjust sex laws. "No evidence exists that they prevent sex crimes either by juvenile offenders or adult offenders."

Such a strategy can invite a wider range of supporters, but it also can mean inadvertent acceptance or even endorsement of policies that are antagonist to justice for wider groups, if not for everyone. For instance, CYRR is collaborating with Eli Lehrer, of the free-market think tank R Street; he is also a signatory of the conservative Right on Crime initiative. Flagged on the CYRR site is an article by Lehrer, published this winter in *National Affairs*, that argues for taking kids off the registry. But the piece also concludes that ending the registries would be "unwise" and suggests they'd be really good with a few "sensible" tweaks. Lehrer also proposes hardening policies—such as "serious" penalties for child pornography possession and the expanded use of civil commitment—that data reveal to be arbitrary or ineffective and many regard as gross violations of constitutional and human rights.

In a more recent piece in the *Daily Caller*, as well as testimony before the South Dakota legislature this session, Lehrer repeats how important it is to punish "child molesters" harshly, and while he notes the low recidivism rate for juvenile sex offenders, does not mention that other adults with sex offenses show similarly low rates.

Similarly, at the top of an important page of CYRR's site is a quote from a Seattle special victims unit cop: "The most recent laws dilute the effectiveness of the registry as a public safety tool, by flooding it with thousands of low risk offenders like children." This is a common argument: that a less-cluttered registry would allow police to keep track of the "worst of the worst." Are these CYRR's positions? Pittman declined to speak on the record.

But CYRR is not alone in its reluctance to speak out for total abolition of failed and unjust sex offender policies. The National RSOL group—composed of people whose lives have been destroyed by these policies—advocates for registries accessible to law enforcement only. This is the kind of list that police used in the mid-20th century to terrorize and criminalize "known homosexuals" and men who had sex with other men. RSOL also wants to "reform," not end, civil commitment, the indefinite post-sentence preventive detention of sex offenders deemed at risk to reoffend, a policy that's been condemned as a human rights violation.

Whiteness, the hidden persuader

There's another challenge with mobilizing the idea of childhood to reform sex crimes policy: childhood sexual innocence, or its absence, is profoundly racialized. Even if one is careful to represent JSOs of diverse races and classes—as are Stillman, Pittman, and the writer of the Marshall Project piece—childhood is tied to race, and whiteness is implicitly being recruited in the rehabilitation of the sex offender's image.

With few exceptions, a striking difference is evident between the object of juvenile justice reform—the youth who has committed, say a drug crime or a shooting—and the image of the young sex offender. The former is typically nonwhite. In journalism, activism, and popular culture the latter is frequently white.

For movements against registries, there are two problems with this picture. As a group sex offenders are more racially proportionate to the general population than, say, drug offenders. Like every other criminal population people convicted and punished for sex crimes are disproportionately African-American.

Second, it is politically and culturally troublesome. To elicit warm emotions for maltreated white "children" accused of sex crimes—even if the goal is to free all young offenders—is to mobilize a chain of sexually and racially problematic tropes: that "children" are sexually innocent (that is, ignorant and desireless); that sexually innocent children are white; that white, sexually innocent children are uniquely vulnerable to victimization; and that these vulnerable, victimized children deserve extra compassion and leniency.

Whiteness confers an assumption of legal innocence. But not just that. It also brings with it a dominant cultural assumption of sexual purity, from which, as Harvard historian Robin Bernstein shows in *Racial Innocence: Performing American Childhood from Slavery to Civil Rights*, the nonwhite, specifically the Black, child was pointedly excluded. "The concept of 'childhood innocence' has been central to US racial formation since the mid-nineteenth century," Bernstein writes. White children have been "imbued with innocence, Black ones excluded from it, and others of color erased by it."

And just as race helped to create the idea of childhood, "children have been a vital part of the process of creating—and reinforcing—racial difference in the US since the days of the Puritans," notes University of Connecticut Professor Anna Mae Duane, author of *The Children's Table Childhood Studies and the Humanities*.

In a nation where 18-year-old Michael Brown is compared by the police officer Darren Wilson to the comic book character the Hulk; where 12-year-old Tamir Rice is lethally assumed to be playing in the park with a real, not a toy, gun; and where white teachers identify 8-year-old Black boys as "unchildlike" and "dangerous" (as sociologistAnn Ferguson documents), not all children or juveniles invite equal sympathy. As powerfully broadcast by #BlackLivesMatter and associated organizing including the Black Youth Project 100, many in law enforcement cannot conceive of any African American as innocent, or childlike.

Child sexual victimization—who is the perpetrator, who the victim—continues to be racially coded. The children in whose names the registries and other hyper-punitive sex offender policies were written—Megan Kanka, Adam Walsh, Jessica Lunsford—were all white middle-class victims of spectacularly violent crimes. Meanwhile, non-white youth are likely to be described not as prey but as predators. Remember the media's term "wilding," a clear reference to savage beasts, used in 1989 to describe the activities of the Central Park Five the night they were accused, and later when they were wrongly convicted, of raping and killing a white female jogger.

The strategy of pulling heartstrings for a white, sexually innocent child can move us in the wrong direction. It deepens rather than reduces historic divides between those who have access to the flexible, protective mantle of childhood and those who do not. It reinforces the same racially coded ideologies about children and sex—as well as myths about armies of adult perverts on the loose—that built the unjust sex offender regime in the first place.

Organizing alliances

Organizing against registries and other harsh treatment of people convicted of sex offenses often seems to be unfolding apart from the wider anti-carceral movement, for whom naming structural, and specifically, anti-Black, racism is often a key strategy. But nothing in the criminal justice system is race neutral, including the treatment of sex offenders. This fact should help forge alliances between activists such as RSOL and CYRR and others invested in dismantling our carceral state, who have often kept a distance from people with charges or convictions for sex offenses.

As these alliances form, key political and tactical questions emerge. Should the focus of a key campaign be around a single issue, a single reform, such as more compassionate treatment of juveniles in the criminal justice system? Or do we need a broader vision and a more fundamental agreement with our allies on political principles?

"We question the reform logic founded on a premise that a child under 18 is deserving of support and transformative justice but a parent, sibling, family member, or neighbor over that age is deserving of control, surveillance, and caging," Lily Fahsi-Haskell, Campaign Director of Critical Resistance, wrote in an email. "The elimination of registries for people with convictions for sex offenses is only one aspect of building communities that do not rely on punishing, isolating, caging, or policing in response to social problems. The other critical component is the creation of new mechanisms of safety and accountability to address systemic and interpersonal harms."

Similarly, University of Wisconsin scholar Jenna Loyd, co-editor of *Beyond Walls and Cages: Prisons, Borders, and Global Crisis*, notes that the strategy of exempting juveniles from the registries rests on the "idea of an out-of-control system that unfairly robs rehabilitated youth of their adulthood, while simultaneously protecting them from the adults who are not redeemable and must always be watched. Rather than chipping away at the system, this approach instead shores up the conceit that registries work to prevent sexual violence."

Incrementalism, or taking small steps, has often been posited as the pathway to justice–"Wait. We'll make reforms now and work on the wider problem later." Incrementalism can work. Reforms are necessary because they improve daily existence for the people inside the system—in court, in juvenile or immigrant detention, in jails and prison. But organizers must constantly calibrate the tension between reform and radical change, and the dangers of reform without a vision of radical change. By cleaning up a fundamentally corrupt institution, reforms risk legitimizing the institution, often just enough to make it politically palatable. As Martin Luther King wrote in his Letter from Birmingham Jail, "Wait almost always means never."

Not only what we organize for, but also whom we organize with, matters. Many in criminal justice reform circles have applauded "bipartisan" prison reform efforts and gladly worked with conservative groups like the Right on Crime Initiative and ALEC's Task Force on Criminal Justice Reform. It is tempting to join forces with such people when they endorse a cause we champion and offer needed resources.

But it's a mistake to see these groups as true allies. Right on Crime recently blogged positively on Lehrer's efforts to take kids off the registry. At the same time, one of the initiative's most powerful members, the libertarian far-right Koch-funded policy factory ALEC, has crafted model legislation on sexual offenses against children that includes mandatory minimum sentences of 30 years to life for a second offense and execution if the crime resulted in the minors' death. Not to mention that ALEC supports prison privatization and has written a slew of retrogressive criminal policies. To ally with such groups without disavowing their retrogressive policies is tacitly to give them a public stamp of approval.

We are heartened by the nascent alliances forming between people convicted of sex offenses (and their advocates) and movements against policing, surveillance, and imprisonment. Particularly exciting is the transformative justice movement, which, recognizing the interconnections between state violence and interpersonal violence, is working toward cultural change and employing concrete practices to end (or at least reduce) sexual violence without embracing the state's power to punish. These movements hold the promise not just of freeing the youthful few, but of finally dismantling the registry while building real safety, for all.

We need to care about children—both those who commit harm and those who experience of harm. But we must not build movements that collude with a system that deems only some people—due to age, race, sex, gender expression, sexuality or criminal status—worth of compassion, justice, and life. For justice and for an end to violence, it's time to abolish the sex offender registry.

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