

## Improbablevoices.net

An Improbable Monument to Witnessing and the Ethics of Trespass

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**'Improbable'** means 'unlikely' – but also 'marvellous' and 'tall', as in a 'tall tale'...A tall tale relates the story of an imagined, and, sometimes, marvellous world. Imagining can be a point of departure for building something marvellous.

'Monument' is defined as 'an important site that is marked and preserved as public property'.<sup>1</sup> Monuments are usually public works – structures constructed at government expense for public use. Why do societies care about these enough to invest in building, guarding and, upon occasion, destroying them? Perhaps because monuments are mirrors that reflect social values; they also serve to fix or render permanent the collective memory of significant events. Traditionally, memorials and monuments commemorate authorised histories and foster historical consciousness in conformance with narratives of power. But ideally, monuments, as a form of public architecture, have the potential to resist erasure, counter ignorance, and to act upon the world with a view to reshaping it.

The definition of 'monument' also includes 'a repository'. The general reference is to a 'burial vault', but a 'repository' is also described as 'a person to whom a secret is entrusted' and 'a facility where things can be deposited for storage or safekeeping'. The form of 'monument' might be productively re-conceptualised as 'repository', in the sense of an archive or repository of information. Thus, while 'monument' has traditionally been associated with the 'monumental', 'monolithic' and mono-vocal (or univocal) – a uniform and authoritative representation – a monument might also, equally, take the form of a repository or an archive, and provide a crucial space for collecting information, objects and memories, and compiling diverse perspectives to produce an unauthorised, multi-vocal representation of social truths.

Currently, prisons in the United States function as both monument and repository, in the very worst sense of each term. They are monuments to the criminalisation of poverty, and human repositories where the secrets of economic and political power are kept safe. The 'prison industrial complex' is the quintessential embodiment of power and authority in capitalist America – a corporate/state collaboration designed to profit from the incarceration of marginalised communities on a massive scale, and to enforce their continual political disenfranchisement by law.

The legal rights of prisoners are outlined in the US Constitution – a document that was designed to protect the rights and privileges of its authors (white, male, propertied citizens) at the expense of a host of ‘others’ (including women and people of colour). The legitimisation of the institution of slavery was at the heart of its formulation. The majority of the framers of the Constitution were slave owners who recognised the tremendous economic advantage to be gained from the long-term exploitation of black labour and the efficacy of making slavery a hereditary and lifetime condition. Slaves were property, and the rights to be protected by the Constitution were primarily the property rights of legally recognised persons. The revolution of Jefferson, Washington and Madison was never intended to liberate the black slave, who was not seen fully as a person by society or by law. The Constitution guaranteed the continuation of the slave trade, provided for the return of recaptured slaves to their owners, and for purposes of taxation and political representation, defined blacks as three-fifths human. This legislated a social order assuring white dominance and making black people into virtual non-persons without any right to family, free movement, choice or political citizenship.

Logically, the Civil War and a series of constitutional amendments up to the Civil Rights Amendment should have made a difference to this racial-legal dynamic, but they have not. Racism and economic exploitation remain essentially intact as the legal system continues to create and protect a racially segregated society, and the government manipulates the law to disenfranchise black citizens.<sup>2</sup> The fundamental premises and goals of the institution of slavery are now realised through the agency of the US criminal justice system and the prison industrial complex.

The weak protection of prisoners’ rights under federal law (provided in the Constitution) allows state law to violate them. The regulation of prisoners, their rights, and their living conditions are left to state governments who appoint governing boards to oversee prison administrations. This essentially leaves prisoner’s rights, or lack thereof, in the hands of politicians, prison administrators and guards – ‘interested parties’ who are economically dependent upon the growth of the prison industrial complex.

A market economy for prisons has led to a market demand for prisoners (a strong lobby for ever-tougher sentencing to satisfy the need for more cheap labour and maintain the corrections economy). For example, inmates in state and federal prisons are often employed by private corporations for extremely low pay, and prisons are ‘serviced’ by giant corporations, like MCI and Marriott, with monopoly contracts for catering, telephone service and medical care.

Over the past two decades, California alone has built 21 new prisons, spending roughly \$4.4 billion on infrastructure, and an estimated \$26.2 billion more to keep it functioning. California Department of Corrections spending has exploded, from just under \$300 million in 1984 to the current \$5.7 billion a year. Currently, California spends more to expand and maintain the prison system than it spends on public education. This expansion has transformed remote, rural and financially struggling towns into thriving economic hubs in the prison industrial complex. A once-small public employees union, the California Correctional Peace Officers Association, has become a political behemoth that contributes millions of dollars to both Democratic and Republican governors and legislators. While

prisoners in California are permanently stripped of their right to vote, prison guards enjoy considerable political clout. Since prison populations are disproportionately comprised of people of colour, the loss of voting rights means that millions of black and brown citizens and their communities are effectively disempowered in the political realm.

The systematic violation of the human rights of these communities, on a daily basis, is a primary cause of their encounters with regimes of enforcement, and consequent high rates of incarceration. The Universal Declaration of Human Rights (UDHR), 1948, stipulates the right to economic security, education, citizenship, privacy, adequate medical care and intellectual property. It protects the right of universal suffrage, freedom of speech and the freedom to disseminate opinions and ideas through the media. It protects against torture, inhuman or degrading treatment, racial discrimination, arbitrary detention and slavery. For poor persons of colour, the violation of these rights on the street (poor quality of education, lack of economic security, racial and sexual discrimination) leads to crimes of poverty and subsequent incarceration. Upon conviction, a prisoner is stripped of most if not all of his/her human rights.

A prisoner's right to free speech, her claim to intellectual property, personhood and citizenship are all contested. The prisoner is a 'legal subject' subordinate to the rule of the state, but denied the right to political participation that should be normatively assumed by citizens. The prisoner is de-subjectified – in every sense of the word 'subject' – political, psychological, and philosophical. She is denied agency, stripped of her individuality, receives cruel and inhumane treatment, and is literally objectified. For example, a prisoner's body is the property of the state – a legal object. In California, a prisoner who attempts suicide unsuccessfully can actually be charged with destruction of state property.<sup>3</sup>

The majority of US prisoners have a history of being raised in poverty and have struggled with addiction and mental health disorders. This is particularly true of women of colour in prison. The image of poverty and 'otherness' they evoke is a provocation to the state, challenging its complacency and contradicting its democratic self-image. A political prisoner is "anyone held in prison because their ideas or images either challenge or pose a real or potential threat to the state".<sup>4</sup> Given the social conditions that the majority of prisoners experience before incarceration, conditions which restrict their right to determine their political status and to pursue their economic, social and cultural development, a substantial percentage of the prison population, both male and female, should be considered political prisoners.

One in four prisoners in the US is serving time for a non-violent drug law violation. These are prisoners of war – the US war on drugs – which, is essentially a war on race, a war on gender, a war against the socio-economic 'other'.<sup>5</sup> The rights guaranteed to prisoners of war by the Geneva Convention are not extended to these prisoners (another example, along with Abu Ghraib and Guantanamo Bay, of how the US selectively adheres to international conventions and human rights law).

*UDHR Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*

Access to prisoners and prisons by the media or human rights investigators is virtually non-existent. In direct contradiction of Article 19 of the UDHR, several states, including California, have enacted media bans, making it illegal for the media to conduct face-to-face interviews with prisoners that are not censored by prison officials. In the current political climate in the US – one that supports shutting down public access to information about government conduct, increasing repression against people of colour and immigrants, the dissolution of civil rights and disregard for international human rights law – it is necessary to find alternative means of getting information into the public sphere.

Legally authorised violations of human rights like the California prisons' media ban must, in some cases, be addressed through 'bare acts' of trespass. In this context an illicit, transgressive act, an act of witnessing and giving voice, is a necessary act of political resistance. Such 'bare acts' require a rethinking of codes of ethics and of aesthetics – codes that merge at the intersection of action and expression. I have intentionally disobeyed this media ban, and gained access to inmates in the California state prison system by posing as a legal advocate. I have broken the law in order to act as a witness and publish evidence of the contradictions and inequities of the implementation of its 'bare acts'.

For the past two years I have collaborated with Justice Now ([jnow.org](http://jnow.org)), a non-profit, human rights organisation that works with women in prison. Together we are documenting conversations with women prisoners and publishing their views in the public domain of the media in an attempt to bring forward alternative, more accurate representations of prisoners and the social repercussions of imprisonment. Our work has been based on interactions with 10 women incarcerated at the Central California Women's Facility (CCWF) in Chowchilla, CA. For these women, our conversations are acts of juridical and political testimony. By giving evidence, by acting as witnesses to their own experience, by publishing their statements along with their names, Beatrice Smith-Dyer,<sup>6</sup> Misty Rojo,<sup>7</sup> Lana Porter,<sup>8</sup> Beverly Henry,<sup>9</sup> Zundre Johnson,<sup>10</sup> Jane Dorotik,<sup>11</sup> Marie Bandrup,<sup>12</sup> Yvonne (Hakim) Anderson,<sup>13</sup> Genea Scott,<sup>14</sup> and Valerie Biedler<sup>15</sup> become the morally and legally recognised source of self-narration and re-subjectification, and stake a claim to dignity. It is this claim to dignity and subjectivity that enables these women to challenge the underlying principles of distributive justice and the dehumanising mechanisms of the prison industrial complex.<sup>16</sup> These women are quite literally historians and theorists, but they speak in collective resistance and do not claim the status of individual author/owner of their images and ideas. I collaborate with them as a witness and facilitator, sharing in collective production with an activist intent.

All women convicted in California are assigned to the general prison population, regardless of the nature of their crimes. There is no minimum-to-maximum security classification for women, so all restrictions apply equally to all inmates. Those who are moved to the Segregated Housing Unit for administrative segregation in response to an internal infraction suffer greater isolation. Women incarcerated in California are allowed visits only from family members and legal representatives. Inmates are not allowed access to computers, cameras, tape recorders or media equipment of any kind. Given the ban on contact with the media, and restrictions on visits and phone calls, I would not have had

access to these women without the support of Justice Now. I visit CCWF with Justice Now in the guise of 'legal advocate'; I record my conversations with the women and solicit their stories, ideas, and opinions. Because Justice Now supports women prisoners in cases of sexual harassment, physical and administrative abuse, medical neglect, compassionate release, and assists prisoners in their own efforts to organise and campaign for their civil and human rights, our relationship with the prison administration is adversarial.

The visits require adherence to Kafkaesque regulations and acceptance of invasive search and surveillance procedures. Visitors must be 'cleared' by the prison administration, based on identification papers and lack of police record. I am registered for each visit in advance and searched on entry. I am allowed to bring in only a clear plastic baggie with a clear ink pen, my identification, a blank legal pad and my mini-disc recorder. The recorder has to be approved weeks in advance (the serial number is registered and checked) and the device is inspected on entry and exit. Only factory-sealed discs are permitted.

After our interviews, the women are subject to strip search and visual body cavity searches that may be performed by male guards.

Clearly, these women are highly politicised and seriously committed to having their voices heard. In our documented conversations, the participants articulate their experience, history, social position and political views. These recorded and written statements are extraordinary. Each participant's personal narrative is compelling, and political analysis acute and incisive. Each of the participants asked to have their full name associated with their statements online despite the possibility of retaliation by the authorities. Prisoners do not enjoy the status of autonomous individuals, hence are vulnerable to all kinds of abusive retaliation by guards and/or administrators including physical abuse, segregation, re-assignment and disciplinary charges that might constitute a second or third 'strike' under the three strikes law (see below), and thus lead to extended time or even a life sentence.

The website *ImprobableVoices.net*, which was commissioned in 2004 for the online exhibition *ImprobableMonuments* at *CameraWorkSF.org*, is the first publication resulting from our collaboration. The title of the project refers to the *Improbable* – as both unlikely and marvellous – and the *monumental*, a public symbol that reflects social values and fixes a culture's collective memory. Our *Improbable Monument* is meant to celebrate the impossibility of traditional representation from a single point of view in contemporary public art and politics. It functions as a repository or archive – not as an authorised, monolithic representation – but as a site of multi-vocal negotiation among individuals who are ready to take responsibility for representing themselves. As 'improbable' as it may seem, improbable in the sense of unlikely and in the sense of marvellous, we are actively imagining (and thus making the first steps toward building) a world without prisons. *The Proposal for an Improbable Monument to the End of the Prison Industrial Complex* tells a 'tall tale', an alternative to narratives of power in both content and form; an unauthorised representation; a story told from diverse perspectives. The website functions both as a proposal and a monument-cum-repository of (currently) 143 audio files. These include the inmates' compelling personal histories, descriptions of their prison experience, details of the human rights violations inflicted upon them, and their imaginative and speculative proposals for the renovation of CCWF as a monument to the end of the prison industrial complex. Given the

relentless de-personalisation that the inmates experience on a daily basis, I have been continually astonished by the creativity and sincerity of their 'proposals', the variety, breadth and depth of their voices, personalities and viewpoints.

### **Sentencing**

In the 1980s, within the US there was a dramatic shift in attitude toward crime and punishment in the US. Lawmakers dismantled programs designed to help rehabilitate criminals, and passed tough new sentencing laws that put more people in prison for longer periods of time. For example, California's 'three strikes and you're out' law, under which a person who commits a felony and has one previous 'violent' or 'serious' felony conviction (which includes burglary of an unoccupied dwelling, possession of a controlled substance, solicitation for prostitution, cheque fraud, etc.), is sentenced to twice the term prescribed by law for each new felony. If the person has two previous violent or serious felony convictions, he or she is sentenced to life. Because 'three strikes' is applied retroactively, it is in direct violation of Article 11(2) of the UDHR.

*UDHR Article 11 (2): No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.*

As a result of 'three strikes', mandatory sentencing laws, prosecution of minors in adult courts and 'tough on crime' legislation, inmate populations have exploded, and so has the prison industrial complex.

### **Beverly Henry**

"I talked to a girl last night – she's 19 – she has 60 years at 80 % – and wait – life with the possibility [of parole] running bowlegged with 60 at 80 % - it doesn't run together— why didn't you just tell her you wanted to bury her – she's 19 – so, when you finish your 80% of 60, start this 'life with the possibility' – of course, its 'gang related' – anything that is 'gang related' – these kids are buried here – but they're so young...Oh, I've got one in my room – 45-to-life – she's 22 – she still had braces on her teeth when they brought her here – I go, 'What are you doing here with braces on your teeth?', little chubby kid, and she's like, 'I have braces', and I said, 'Well, when did they pick you up?' and she says, 'I had just turned 18' – she was a passenger in a car and the driver shot up another car – she knew him – she liked him – he was a gang member – he was 'cool' – they couldn't tie her into any gang but they told her that because she lived in central south Los Angeles, she's Mexican, she had four tattoos – they told her, 'You're a gang member' – and that got her 45-to-life – the shooter got away.

"They told her 'Give us the shooter', and she said, 'No. I don't know what happened'. Well they got one man dead and another man wounded. They told her, 'Well, you'll have enough time to think about it'. They found her guilty – gave her first-degree murder – there was no gun residue on her hands – nothing – this kid is my roommate – her parents didn't

have money – so poor Mexican girl – her momma works in a factory and they commute between Tijuana and here.

“And she won’t tell on him because ‘That’s the “home-boy” – that’s what she told me – and I go ‘The “home-boy” is not going to look out for you – for 45 years – do you get this?’ and she goes ‘But I can’t say nothing about him’. ‘Oh Christ’, I said, ‘OK, in about five years you tell me if you have not changed your mind – ‘cause I plan to keep in touch with you, and you need to report his ass’.

“And I thought, you know, I’m doing fine – so I have to tell you I’m doing fine – ‘cause they got some kids on that yard that will never get out if no one intervenes – they are going to fucking die here – they’re not even 25 years old – 60 at 80% and she is just as bubbly and giggly – I go, do you know what you have been sentenced to?’ And she goes, ‘Yeah’.

“Then there’s one they just brought over – even the police are discussing her – she threw a beer can – I don’t know if I told you – she threw a beer can at the squad car – there was a ruckus going on and the gang members are out there and she’s out there and one of the gang members is her boyfriend – and she starts mouthing off – and the police are telling her to shut her mouth ‘cause there’s been some gun play going down and they’ve confiscated some weapons and one guy’s been wounded – so she throws her beer can – she has ‘60-to’- 60-to-life – why does that kid have 60-to-life for throwing a beer can? She is only 23 years old...”

### **Sexual Discrimination and Exploitation**

Women are increasingly given harsher sentences than men – especially women of colour.

*UDHR Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.*

Women often play minor roles in ‘gang-related’ and drug-related crimes, yet serve longer prison sentences than their male partners.

#### **Valerie Biedler**

“In my experience – when I was on one of my court dates – when I was sitting there, there was a female and a male charged with the same crime – the female had never been in trouble before, this was her first time in trouble – he had been in trouble before – she got more time for the same crime than he did – with the same judge in the same court at the same moment – I think he got 16 months and she got five years – and it was to teach her a lesson, he said – that kinda opened my eyes there that it seems to me that women are getting slammed with more time than men for the same crimes – and that’s what brings me to believe it is because we are easier to manage – and I do believe that – that is my opinion”.

The corrections economy is dependent upon a steady flow of prisoners to supply an economical and docile labour force for private corporations that set up shop in state and federal prisons. The economics of the Prison Industrial Complex – jobs for corrections

officers and monopoly contracts for multinationals that service prisons – are dependent upon a large population of prisoners that can be easily controlled in increasingly overcrowded conditions. Women prisoners work for slave wages (maximum 11 cents/hour) in prison sweatshops, soldering circuits and sewing flags, and are allowed only 15 minutes to consume substandard meals catered by the Marriott Corporation.

*UDHR Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.*

MCI holds a monopoly on long-distance calls from California prisons. Prisoners' families must have MCI as their long-distance service provider to communicate with their loved ones; calls are charged at seven times the normal long-distance rates. One pay phone in prison generates \$15,000 a year for MCI, which installs the phones for free.

Since 1980, the women's prison population has grown by almost 500%; over 80% of women in prison are serving time for non-violent, property or drug-related offences ('crimes' of survival).

### **Social and Economic Rights**

*UDHR Article 25 (1): Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.*

#### **Zundre Johnson**

"I'm saying that people do commit wrong – I know that. I know that...but the majority of the women that are in here – it was survival – just survival – you know, survival – for what ever reason they had to survive like that, they just survived like that – they haven't done anything horrific – they haven't been on TV or anything like that – they're just nobodies – that have committed a nobody's crime and ended up in a nobody's prison – ok – it's stupid, they had a 'rock' in their hand so they're doing 25-to-life – come on – you know – I mean it doesn't deter them from smoking rock 'cause people are still out there doing it – so what is the point of taking a mother, a woman, somebody's child, and putting them away because they had a nickel rock – when you really look at it and you go to everybody's cases 3% of the people here should really be — helped – not so much as locked up but helped because there is definitely something wrong – they need professional help".

*UDHR Article 22: Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.*

This article articulates the obligation of governments to take positive steps to implement social and economic rights in order to protect political and civil rights.

**Jane Dorotik**

"It's well documented that the incidence of violence is significantly decreased in countries that have highly developed social support systems – welfare, health care, etc. – until we as a society give up the idea of 'judge and punish' for a more humanitarian 'support, nurture and rehabilitate' view toward all relationships, we'll continue to build prisons. I think every member of society needs to be helped to have his or her needs met so that he or she can make a contribution that will be judged worthy by society. So... I think that – that we have to clearly help people to understand that there is a big difference between keeping society safe and locking up people who might have made a mistake – and a lot of the mistakes that we lock people up for are societal mistakes – that we have not supported well enough – and that is what we have to change".

**State Violence**

Conditions in US prisons violate the UDHR and US constitution's guarantee against cruel and unusual punishment. Inside prison, men and women are subject to state-sanctioned violence in the form of human rights abuses including medical neglect, brutality, and sexual abuse.

*UDHR Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.*

**Jane Dorotik**

"Prison in general is a very violent environment. I think it is more so for women because of the unique conditions that women are subjected to while in prison. In this country, despite objections from human rights groups – Amnesty International, etc. – female prisons are mostly staffed by male guards – this increases the discrimination and the inequality of treatment for women – it has been well documented that this discrimination includes many areas – up to and including rape and other sexual abuses perpetrated by COs – I think the abuses against women in prison are very often a re-victimisation of the injustices, social, personal, cultural – that they have suffered prior to entering prison, only now that they are incarcerated the amplitude is much greater – the level of hostility is just magnified".

Health care inside California women's prisons is in a state of crisis. Women are needlessly dying from chronic and treatable diseases. There is not one full-time, licenced Ob/Gyn on the staff at CCWF, the largest women's prison in the world. This facility houses nearly 3,600 women who need annual Ob/Gyn exams, standard pre- and postnatal care, and regular check-ups. Women with HIV and cancer are being denied medications and basic care. For women prisoners with HIV, inadequate and inhumane health care put their lives at risk every day. There are dangerous and unnecessary delays in the refill of HIV medications and other prescriptions. It routinely takes 45 days to see a doctor. These women rarely receive their prescribed medications on time and have difficulty in seeing doctors regularly.

Many prisons in California are operating at over twice their original capacity.

**Yvonne (Hakim) Anderson**

“Number one, having to live in a very small room with seven other women...so I'm dealing with literally about maybe two-and-a-half to three feet of space in what would be considered my area – six cubic feet altogether – but as I am walking into my area about two-and-a-half to three feet of space – you see what I'm saying...you don't have that much privacy – you don't have privacy because of the way the doors are made – like when you're taking a shower or when you're using the bathroom – you know, if a male officer came to the door and he wanted to, he could very well 'see something' – maybe not your actual 'private parts' but still all in all you don't want to be exposed in that manner — you know, the filth, the lack of sufficient cleaning supplies they give us in order to properly sanitise – the chipping paint – the infestation of insects...”

At CCWF, women who live in the Security Housing Units (SHUs) endure constant verbal and physical harassment in their isolated cells, as do many women in the general population.<sup>17</sup>

**Yvonne (Hakim) Anderson**

“The conditions in SHU which is the security housing unit – and EOP – I'm not quite sure what E-O-P stands for but I know it is the 'mentally challenged' section of Ad-Seg [Administrative Segregation or security housing unit]. I think those conditions need to improve. Because you have – first, just like in SHU – having to be back there in a segregated type of secluded environment – you're in a two-man cell but it is only going to be you in there for years and years – five years is the most for a SHU term – and you're by yourself – one hour of recreation a day – you might as well be at Pelican Bay [Maximum Security Prison for men] and we're women here – you know what I mean? If I did something, for instance I attacked an officer and that's how I got the SHU term – whoever is working there, if they don't like me because that officer I attacked is their friend they are going to mistreat me – I'm subject to being beaten back there – who's gonna find out? I could probably even be raped – who's gonna know? You could deprive me of my state issue food and clothes – who's gonna know? You're not going to give me a 602 so I can 602 you, which is a grievance type of process, you're not going to give me that so that I can grieve you, you know that you have done me harm – you know – it's too secluded – you're away from people who may be able to help you and you're in a part of the prison that hardly anyone ever goes to – the captain periodically will go back there but if he is an asshole captain what are your chances? You're not going to have anything coming...and EOP the mentally challenged people – they're fed drugs – they're doped up – there is no psychiatrist to help them go from point A to point B – if I'm too out of it to know that I need to take a bath the COPS (corrections officers) aren't see to it that I bathe – If I'm too out of it to know that I need to take a particular medication to keep a condition from growing worse the COPS aren't going to see to it; if I'm banging my head up against the wall they aren't going to stop me...”

After years in prison, women suffer both physical and psychological deprivation.

**Zundre Johnson**

“The rooms – you know – the rooms – they carry spirits...for everyone that leaves out of the room they leave a part of themselves in that room...So when the next person comes they feel the same pain. You almost go through the exact same thing – you’ll hear that too, you know, ‘Oh, you know, when so-and-so was in that bed she went through the same thing’...haunting, scary, it’s like the bed you were meant for – you know what I’m saying – it’s like a slab in the morgue – here the mattress is so thin it’s like a slab in a morgue – the mattress has been bled on, urinated on, so many of us has laid on that bed and each one of us left a part there – a lot of pain – lot of pain – from health pain to family pain to disease pain to freedom pain, worries, hunger, worries, hunger – that’s all you got in these rooms. For myself, I know, when I leave out of my room – it’s a lot of pain – whoever gets my bed is going to have me there – I just hope they can handle it – ‘cause that’s what happens is some people can’t handle it – they take their lives – attempt to take their lives – they begin to hear voices, talk to themselves – chalk them up as crazy – but they’re not crazy, it’s just everything that chose them comes on in their sounds – sometimes I hear things too but there don’t be anyone talking – be my mind – it’s everything that’s around me talking – you never get rid of who was there first – they always stay with you – every room got a gang of ghosts...and then the thing about it is that when we leave we got to shake all of ‘em – that’s what brings people back – you know, you gotta shake ‘em, but sometimes they linger on your body...”

**Self/Family/Community**

Families and communities are impacted by prison policies designed to corrupt, weaken and eventually destroy family ties.

*UDHR Article 25 (2): Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.*

**Jane Dorotik**

“Women should be provided assistance in raising their young not separated from them – and I think that is the biggest cost emotionally and a cost for the future of what our society is going to look like – the future is not a place we are going to, it’s something that we are creating and these prisons are creating a mess by separating mothers from their children that is going to take generations to get over”.

**Beverly Henry**

“I couldn’t tell you the diaper from the pin, I mean – so I was blessed to have my mother ‘cause I couldn’t have done it – there’s no telling what would have happened to my daughter – she stayed with my mom until she was what, 19 – I mean, my God, just suppose I didn’t have parents that were responsible – I’d have been in a pickle – like some of these women in here that have nobody – and *their* parents are in jail so the cycle just keeps going, you know – and now to see all these kids here its like, ‘Boy, I really let that generation down’, because, that’s my kid’s generation – and most of us were locked up or in and out of their lives and now, they’re here – many of them are right here looking at you...”

*UDHR Article 16 (3): The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.*

In many cases women of colour from three generations of the same family are incarcerated in at CCWF. When the state does not provide adequate opportunity for economic and domestic security, families and communities slip into a cycle of generational recidivism. An expectation of involvement with the criminal justice system and subsequent incarceration becomes a family legacy – a part of the unnatural course of life for the economically and social oppressed that is central to the construction of self as ‘outside’ or ‘other’. Beverly Henry describes Genea Scott to me as her “niece”. Beverly and Genea’s mother did drugs and did time together. Genea incorporated her mother’s addiction, her absence, and her status outside the law in the construction of her own ‘outsider’ identity that she used as a self-protective mechanism during her first prison term. When Genea was asked to imagine a monument to the end of the prison industrial complex she immediately proposed a ‘recognition’ and described both a self-recognition and a public recognition of herself as a person.

*UDHR Article 6: Everyone has a right to recognition as a person before the law.*

#### **Genea Scott**

“Me – I’d like for someone to say – you know, I have a nickname in here, I’m called Aries, like the zodiac sign – and I always been known as Aries – ‘She was a bad-assed actor in here [referring to her previous period of incarceration] – she got in so much trouble, she didn’t respect no one – she didn’t know how’, and now when they look at me, I tell them, you know, I found someone – when I was out there I found Genea, and I love her – you know I didn’t know her when I was here [before] I wasn’t in tune with her – I found her – I couldn’t find her in here, I had to hide behind something – I couldn’t be myself here, I was too afraid – I couldn’t let my guard down – that was definite – I didn’t know what would happen to me – but I found Genea and I love her – but in here I can’t be Genea. So I would want something to say ‘Genea’, that’s me – I’m not Aries, I’m Genea – and it would feel good to be known as her”.

The focus of many of our conversations with women at CCWF has been on imagining a world without prisons. Imagining is a step toward building. Building a world without prisons is a goal that is shared by many prison abolition activists as well as incarcerated women.

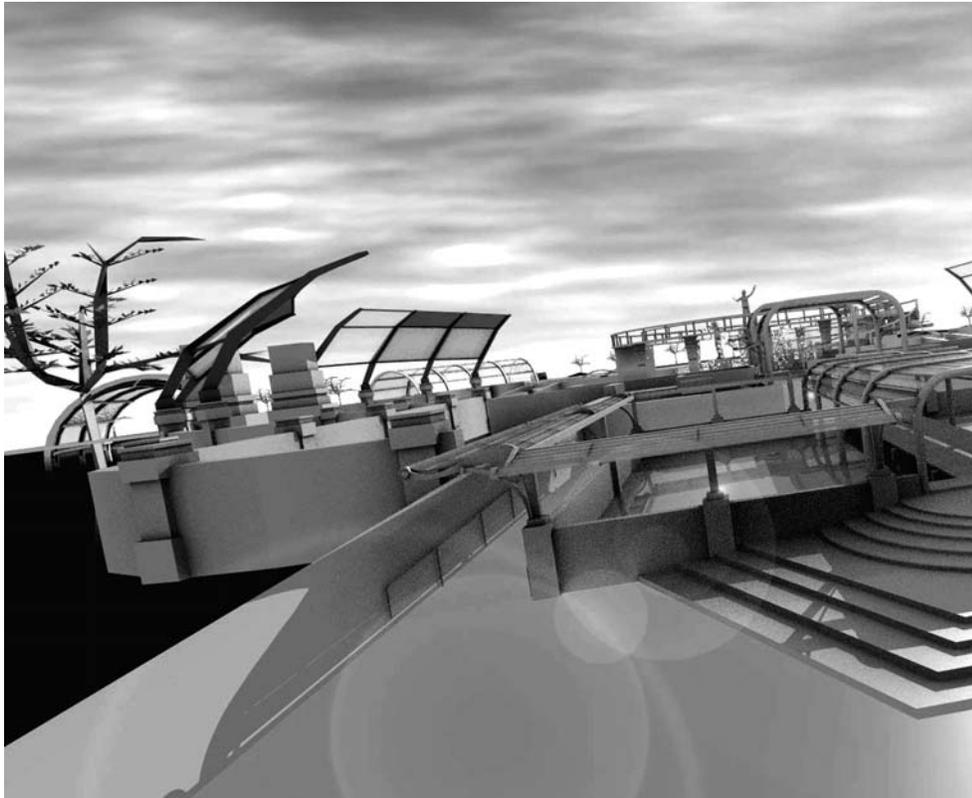
#### **Jane Dorotik**

“A world that doesn’t rely on prisons would require a culture shift and social, behaviour changes – again, our society, I believe, is pretty much choked by fear and domination – and this mindset is simply magnified in a prison setting – we need to shift toward an underlying culture of partnership and trust and away from a culture of domination – the degree to which this culture currently supports and orients toward domination underlies every single relationship – from relations between parents and children, governments and citizens, us

and nature. In contrast – a partnership-, trust-oriented model supports mutually respectful, caring relationships – there can be hierarchies as is necessary in all social structures but power would be used not to constrict and control but elicit from ourselves and others our highest potential – conflict then becomes an opportunity to learn and grow instead of an opportunity to demonstrate dominance”.

Improbablevoices.net is an exercise in the productive re-imagination of culture – from, as Jane’s analysis suggests, a culture of domination to a culture of partnership. I asked the 10 participants from CCWF to envision the end of the Prison Industrial Complex and to speculate on how it might be monumentalised or memorialised. This provided an opportunity for creative analysis – a chance to ‘reverse engineer’ the world through fantasy. The women responded to the following questions:

> At the moment of the end of the Prison Industrial Complex, what would you want to see happen to (or in) this place? Feel free to use your imagination – you can suggest anything at all.

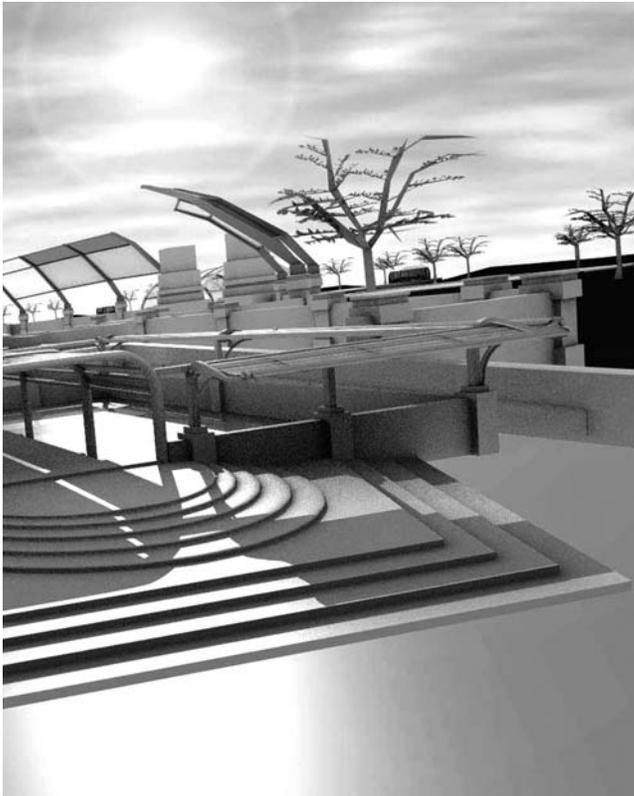


> If you were asked to help design a monument to the end of the Prison Industrial Complex, what sort of monument would you imagine? What would it represent?

> Would your monument be at this site? If not, where would you put it?

In response, the women proposed a variety of possibilities for replacing, re-inventing or creating a new purpose for the prison, including parks and gardens, children's camps and farms, housing for the homeless, schools, community centres and training facilities, sculpture and sound installations, a fund for HIV/AIDS victims, a commemorative fundraising walk, historical archives, quilts, walls and stained-glass windows inspired by the AIDS Quilt and the Vietnam War Memorial, and even a ride/attraction at Disneyland.

The work of interpreting and visualising all of the proposals will be a distributed collaboration. For example, artist Ryan Chen<sup>18</sup> was asked to create a 3D visualisation of Beatrice Smith-Dyer's proposal for a monument park.<sup>19</sup>



### **Bea Smith-Dyer**

"How I would see the monument is when you walk in you see these tall beautiful statues of women. And it would be all kinds of women – Muslim women and Christian women and Jewish women and gay women and young women and old women – all of them would be modestly dressed – and they would be surrounding a pond – you could look for miles and miles and just see water and the women would be holding their hands out and water would be coming out of their finger tips and it would be beautiful colours – on the side you would see other women and some might be standing and some might be kneeling and out of their outstretched hands you would see water flowing..."

"And there would be a place where you could walk around the water and you could walk all the

way around to the end where you would find different areas – one would have trees – there wouldn't be a wall or anything saying who the women were that had passed but you would know – you could find an area that you would want to sit in and there would be trees and there would be swings on the trees and there would be a panel around there – a control panel – and if it was cold you could warm up the area and if you wanted some soft music or rap or R&B you could play rap or R&B and about fifty feet away there would be another area and there would be a soft bench and a pond and there would fish in the pond and you could sit in soft grass and watch the fish and there might be flowers and trees and birds – I don't know if you could see the birds but you could hear them...

“And you go to another area and it would have beautiful flowers and you could just sit and look at the flowers and again you would have the control panel. Actually the control panel could make it where you could have covering or no covering – it could do what ever you wanted it to do – you could have soft light or no light...you could look out across at the water and all the water would have colours – everything so soft – and you could go down to another area with taller grass and deer – each area would give you enough privacy so if you wanted to sit there with your lost loved one and just talk to her you could”.

While in prison, Jane Dorotik has recruited young, computer savvy members of her family outside prison to composite pictures taken of prisoners inside into settings outside – the composited images are sent back to the prisoners in the mail, providing them with a reflection of an imaginary representational space of freedom. Bea's fabulous garden, Jane's compositing project, and all of the proposals that comprise *Improbablevoices.net* represent a small, but shared effort to struggle against dehumanising repression and achieve human dignity by envisioning and visualising the improbable. As improbable as it may seem, in the sense of unlikely and in the sense of marvellous, we (Justice Now, the women and I) are actively imagining (and thus making the first steps toward building) a world without prisons.

“If you have come here to help me, you are wasting your time. But if you have come because your liberation is bound up with mine, then let us work together”.<sup>20</sup>

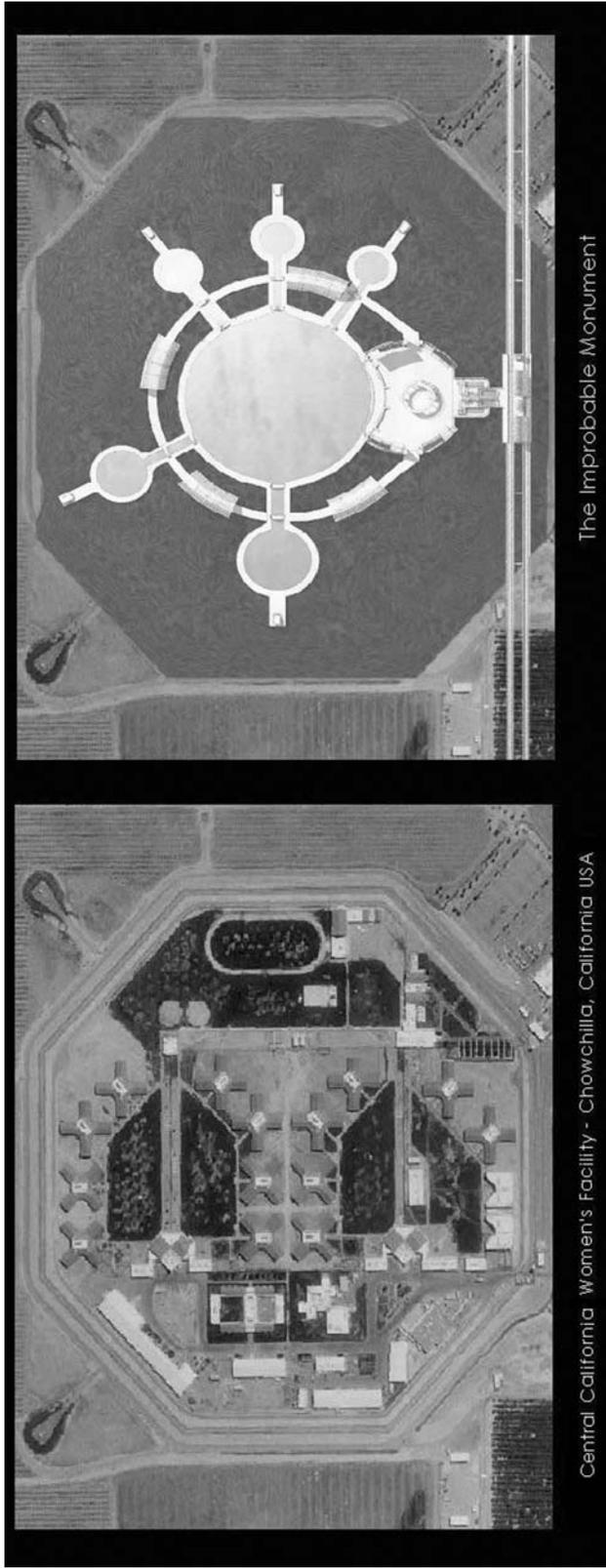
I can't be free until these women are free. I can't be safe until they are safe. I cannot enjoy my inalienable rights until they achieve access to theirs.

## NOTES

1. From the 'Publisher's Preface' in *The Monument: Art and Vulgarly in Saddam Hussein's Iraq* by Kanan Makiya (I.B. Tauris, 2004, London).
2. This argument on the history of racism in US law owes much to (and is more completely developed in) “Law and Race in Early America”, by W. Haywood Burns. In David Kairys (ed.), *The Politics of Law: A Progressive Critique*, 3<sup>rd</sup> edition (Basic Books, 1998).
3. In Title 15 of the California Code of Regulations, which governs prisons, Section 3005 (c) states with regard to “Force and Violence”: “Inmates shall not wilfully commit or assist another person in the commission of a violent injury to any person or persons, including self mutilation or attempted suicide, nor attempt or threaten the use of force and violence upon another person”. Because attempted suicide is a serious rule violation, it

can be referred out to the local DA for prosecution.

4. [http://en.wikipedia.org/wiki/Political\\_prisoner](http://en.wikipedia.org/wiki/Political_prisoner)
5. From 1986 (the year mandatory sentencing was enacted) to 1996, the number of women sentenced to federal prison for drug crimes increased from 2,400 to 24,000. The war on drugs has been the primary factor in the overall increase in the imprisonment of women.
6. Beatrice Smith-Dyer: "I recovered from addiction but I didn't learn to take care of myself, so an abusive relationship ended with life in prison. My outlook is positive. I work at well-being. I am a Muslim, mother of seven, grandmother to 17".
7. Misty Rojo, 29, is a mother of four. Misty believes you don't pity imprisoned women; instead, you question your own knowledge and belief in the society that has failed them and the system that has victimised them.
8. La'nah Porter, 45, mother and a black Muslim. She does her own legal research and hopes to go to law school. La'nah will be released in 2006.
9. Beverly Henry, 55, is a lesbian mom of a 27-year-old daughter. Serving 15 years, she is co-infected with HIV and Hepatitis C. She is involved in activism and peer health education, and believes in the empowerment of women in custody.
10. Zundre Johnson: "I am a woman. I have a name, and children who carry my name. In prison I don't have a name – they just know me by a number".
11. Jane Dorotik, 59: "I'm a nurse, an optimist, a mother and an animal lover. I have worked all my life as a senior executive in health care settings. I had no awareness at all of the abuses of the prison system before I came here".
12. Marie Bandrup, 48, is a mother of twins. Serving 17-to-life, Marie is an artist and a recovering addict who believes in reaching out to make change and to stop the drug epidemic.
13. Yvonne Anderson, a.k.a. Hakim, 22, is a strong-minded, ambitious black lesbian serving 7-to-life. She believes that knowledge is power and that everyone deserves a second chance.
14. Genea Scott is the six-foot tall, young, black mother of a beautiful five-year-old girl.
15. Valerie Biedler, 47, is half Philippina-half Irish, serving 32-to-life. She is the head of the Womens' Advisory Council at CCWF.
16. This statement owes much to Sara Warner's analysis of "The Medea Project: Theatre for Incarcerated Women" in *Mythic Proportions 2*. <http://www.culturalodyssey.org/medea.html>
17. California Coalition for Women Prisoners (CCWP) website: <http://womenprisoners.org/fire/000425.html>
18. Ryan Chen was born in San Jose, California and majored in Film and Digital Media at UC, Santa Cruz.
19. <http://subtractthesky.ucsc.edu/~ryanchen/improbablemonument/>
20. Watson, Lilla. "Untitled". In *Health for Women* 3:1 (1992). Lilla Watson is a Murri (Queensland aboriginal) artist and educator.



The Improbable Monument

Central California Women's Facility - Chowchilla, California USA