

Forever A Felon : The Pitfalls of Re-Entry (Buttrick 101)

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Pippa, Professor at MTSU – History of Felon Disenfranchisement

Connections between limitations on voting rights and disenfranchisements

- system extends the punishment from prison to afterward
- record limits rights and freedoms after prison sentence
- pre-civil war:
 - o 2 ideologies
 - northern: general acceptance than incarceration/punishment about rehabilitation
 - against felon disenfranchisement
 - role: to rehabilitate people
 - movement among certain states *against* disenfranchisement
 - south: incarnation marks you for life
 - south *for* disenfranchisement
 - o north/south have different ideas because they have different histories/different ideologies based on slavery
 - south moving to protect social hierarchy based on slavery
 - north has more fluid social hierarchy/south has fixed
 - o south: violence primary – violence solidifies exclusion to citizenship
 - o criminal status : infamous : labeled as criminal, lower social status, deprive of respect
 - evidence that ideology persists
 - 1835 North Carolina convention
 - black men should not be able to vote because they were victims of violence
 - blacks could become essential re-enslaved because of criminal act, whereas whites could not
 - Free people of color were not freemen, because they could be easily re-enslaved
 - People who are victims of violence are not worthy of the rights of citizenship
 - Larger framework for police shootings
 - Current examples
 - We have a legal and social tradition of denying rights to people who have been victimized by violence
 - o Reason 13th amendment had to separate people who were criminals v. slaves is because before they were looked on as the same
 - o Re-instating white supremacy
 - Disenfranchisement, slavery, incarceration
- After Civil War
 - o 14th amendment being ratified
 - o mass whippings of African American men in order to disenfranchisement
 - individuals whipped as punishment for a crime lost the right to vote
 - manner in which whites could keep blacks from voting
 - o violence used as a method for control

- Barriers for Re-Entry
 - o Individuals permanently marked as non-citizens, or disabled citizens
 - o Idea of infamy lived on into the 19th, 20th, and 21st century
- People are marked and degraded
- Legal status of prisoners came to mark the legal status of slaves → leads to today
- (man, named _____) spent 28 years in Prison
 - o spent 20 years in death row for a crime I did not commit
 - o people in prison are so marginalized, are forced into making a decision landing them back in prison
 - o examples of how things in paper actually look
 - o prior to leaving prison, I left the prison and had to spend 6 weeks in the county jail
 - o for 28 years, went back and forth to court, every time Shelby County Jail one of the worst in the country
 - used to dread this
 - o prior to coming home, had to go to the Shelby County Jail before coming home
 - really needed to see the Shelby County Jail, to know that he would be leaving free
 - allowed for him to see this in a totally different light
 - Shelby County Jail
 - 100s of guys (3,000 people in this jail) shuffled into tunnels – shackles and chains, different colored clothes based on charge – all along line there are officers re-checking your number and your colored clothes, at the end of the tunnel, there are holding cells, people sorting prisoners out, very much like slavery – realized a new perspective about what was really going on. Understanding how people were treated in slavery
 - nothing different there and now
 - sea of young black faces
 - it's no different today; slavery by another name. he was making 17 cents an hour for the work he was doing
 - private companies use prisoner labor to produce their goods (Victoria's Secret, etc).
 - o but when they go to this private company afterward, they won't hire them for checking the "prior felon" box because they say they don't hire ex-felons
 - friend was in prison for 38 years. Left, and had \$100. But, in order to get help, was told he had to have had a job for 90 days in order the get help
- Prisons are a big business
- Our current system isn't far from slavery
- They running out of black folks to lock up; soon they'll be reaching for another people!
- NO ONE in prison wants to come back ; how can we welcome them back?
- We become complicit when we do nothing

Jim

- Represented 100, 1,000s of people who have come out, and he meets them at a time when they have re-offended
- I believe that people are ultimately very adaptive
- People adapt to the prison environment
- Doesn't train them, or give them the skills they need, in order to succeed
- They have adapted to an institutional lifestyle
- Want to succeed, and just can't
- Others, having wanted to be out, get into the free world, and basically decide that they can't do it. Commit ridiculous crimes (purposefully re-route themselves) in order to get back to prison)
 - o Used to the structure of the prison system
 - o Didn't know how else to act
 - o Internal damage when we incarcerate them
- In 1996, if you were going to apply for a job, what was a background check? People didn't have the kind of access to people's background in business back then than they do now
 - o Government, military, yes, - but private employers, no
 - o We didn't have the type of access because of limited technology
 - o Dramatically different now than it was back then
- Impact because of technology is heavier
- We've changed the laws: law passed in TN a few years ago; if you don't pay your court cost bill, we won't let you drive
- Many jobs require you to have a driver's license
- If you go to jail, your court cost can be 10s of 1,000s of dollars
 - o If you don't pay that bill within a year, you won't be able to pay that bill within a year
 - o You now don't have a driver's license
 - o In order to get it, you have to pay your bill
 - o Another barrier
 - Employment is crucial; if you can't get a job, you can't really get out
 - o Effect of law: crippling people who are trying to re-integrate
- we take for granted the idea that these things stay with you
 - o a choice we've made
 - o in Europe, it doesn't work this way
 - o automatic expungement for some; can request for others. We talk about "innocent until proven guilty, but our arrest record is a public record "
- Industry of background checks is pretty much completely unregulated
 - o Companies buy information in batches
 - o Even if you're expunged, that private company still has the out-of-date, incomplete records
 - o Puts the burden of proof of on the defendant

Andrew Ross

- employment options
 - o court costs also include jail fees
 - o people are charged about \$40 a day for every day they are in jail
- employment
 - o project return
 - o focus on primarily on employment
 - data shows employment is the single most accurate indicator of successful re-entry
 - job reduces your re-entry 10-20%

- all you're doing is giving someone a chance to work, and everyone benefits
- o needs for people once released
 - 212 people came in to project return during march
 - job-lead packets
 - bus packets
 - food supply
 - vouchers for work clothes
 - state IDs
 - birth certificates
 - shoes
 - housing stipends
 - referrals to other providers
 - anyone who comes in signs up and takes job readiness classes
 - hygiene
 - manners
 - timeliness
 - felony question
 - o mock interviewers
 - job counselor
 - start applying
 - difficult because of stigma attached to criminal record
 - last 2 years, have created a social enterprise
 - 15 passenger vans, temporary work crew, minimal wage, 10-12 months, then move on to a new job
 - if people can't find a job, create one for them
 - o still difficulties
 - background checks
 - get a job, then comes through and people are denied a job
 - ways to overcome:
 - federal programs;
 - o work opportunity tax credit
 - offer \$2,500 in tax credits to "hard to employ" people
 - o federal bonding: if they hire someone in one of these categories, and someone commits a crime, they are covered up to \$150,000
 - possible changes
 - limits to time of public record
 - more entrepreneurship : create own job

(man in hat)

- challenges: when you think about all of this, you realize it's being done to keep the system in place
- all part of continuing the system
- they *need* these barriers in order to keep the prison industry successful
- people have to be sitting in prison in order to make the billions of dollars
- if we don't do something to the prison industry itself, then they will come up with something else
- Michelle Alexander: what this actually looks like

- o Continuing these practices, just dressing it up to make it look better
- For the prison system, it's working perfectly!
- Some people can't even come on campus because of stigma for something that "allegedly" happened 40 years ago
- Most people in prison are people who didn't graduate from high school
- No effort for rehabilitation
 - o No help for becoming productive citizens
- In prison, you have quite a work ethic!
- Anyone, if subjected to a certain circumstance, would commit a crime

Helen, parole officer (audience)

- no place to live
- no life-skills (poor education)
- depression (based on fear)
 - o offspring have same fear, without same circumstances
- employers have difficulty hiring felons because of insurance
- laws need to be changed from the floor up
- in Europe, laws are so different than they are here (sentencing)
- very little compassion
- fear on both sides

audience question (specifically about drug offenses)

- FALLACY: if you have someone addicted to drugs, and you deny them access, you will cure it
 - o Cocaine addicts will just get back out and want cocaine
 - o Need for more meaningful assistance, especially in preparation for release
 - o It's not that there's not access to prison
 - Guards bringing in prison
 - o Could have used the \$30,000 on that person in drugs in order to rehab that person before

Audience question (sentenced at 17 to two 25 year sentences in prison for being accessory to murder)

- studied development psychology in prison
- 2 years into getting degree, told that he couldn't practice
- currently writing programs for YMCA
- if I wanted to pursue a masters or a doctorate, I could not practice
- he can only do a fraction of what he wants because of him being in a car when his friend accidentally killed someone
- those who really try, even who got jobs, still can't get a career
- if you allow the media to tell you that we're monsters, then you've been duped

audience: talking about self-esteem

- Nashville legal action center
- Every conservative pushing criminal justice reform
- Particularly good time for people to meet with state-elected representatives to make a change

Audience: educational problem

- where are these problems coming from?
- Agency and state problems, all connected to the 13th amendment
 - o State, federal laws

- o Professional licensing boards
 - Even if you're pardoned, they still won't let you be licensed
 - Different ways it's limited for different states, professions

Audience: armed robbery when 21-years-old

- can't even get a job at waffle house
- either get a job, or go back to prison
- it's horrible! If we didn't have family, we'd be right back in prison
- 13th amendment abolished slavery, except for someone who committed a crime
 - o making money off of the prison
 - o basically attacking poor, people without education, and people of color
 - o profiting off of it
 - o system counts on people who don't have family to help them out
 - o having parole officer come to your job can also make you lose employment

Audience: commenting on Ndume

- released on January 15th from Prison
- locked up 34 years
- worked for gentleman from church in construction
- wanted to wash dishes at a fast food restaurant : manager asked, "what are you doing walking around?"
- Made TriCore over \$980,000, but he was only paid \$1,000
- Has his GED, got 2 paralegal degrees from Princeton, but TN and president, stopped all education programs from getting degrees unless inmate or family pays for it
- Education needs to be put back into the system – otherwise, the system gets bigger and bigger
- 7 – 22 prisons in 30 years
- it's a big business
- private companies : contract with state of Tennessee, but state has to guarantee that 90% of beds are full, otherwise, that's taxpayers money if the beds are not full
- signed up for insurance
 - o not insurable because of conviction record
 - o either coming out of his pocket or public's pocket
- a lot that the public just does not know

audience: employers who are intentional about employing former convicts?

- evolved on the ban-the-box question: will not ask them right off the bat
 - o Target
 - o Standard candy
 - o Others, but don't want public attention because of stigma
 - o * Ndume says STOP patronizing at companies who are working within the prison, but don't hire outside
 - national employment law project

audience: project return. How do you connect with ex-inmates?

- we go into prisons
- pre-release programming
- have to work with the Tennessee department
- good relationship with Tennessee prison for women ; known in others (send flyers, word of mouth)

- otherwise, people have to come to them
- struggle sisters: working in Chattanooga/Georgia

audience:

- in prison 2002 released at 27
- went in at 13
- never had a job, car, didn't know how to drive
- unconscious anxiety in October reminds him
- got 2 associate degrees
- internet simulation program (no internet in prison)
- offer pell-grants : got BA in social science from Roosevelt
 - o level of awareness
 - o level of openness
 - o brings you to existential observation
 - come more in tune with more humanity
 - really opens you up
 - o have organized and fought for rights, even in really difficult circumstances
- if prisoners are allowed education, we will come out and work really difficult
- incarcerated children advocacy network
- we will overcome!
- Hoping to look back on this as another civil rights era
- First job at starbucks
 - o Went from prison to barista!
- Had a BA working alongside high school students
- Has masters in human From Roosevelt
- Re-define life and sow the world that you're better than who they expect you to be