

EDITORS' INTRODUCTION

Running As Fast As They Can *Susan Nagelsen and Charles Huckelbury*

In Lewis Carroll's marvelous sequel to *Alice in Wonderland*, the young protagonist wonders what lies on the other side of the mirror over her mantel. She experiments and discovers a parallel world, inhabited by bizarre characters whose behaviours, and even their language, defy logical explication. Carroll uses frequent shifts in both time and space to move his story along, including many "mirror" references to opposites and time reversal. Although *Through the Looking-Glass* has come down to us as pure fiction, a closer reading will reveal the striking similarity between the story and the world into which contemporary prisoners have stepped.

A recent example will illustrate what we mean. The United States Supreme Court recently ruled that mandatory life sentences without parole for juvenile offenders violated the Constitution's Eighth Amendment prohibition against cruel and unusual punishment.¹ Angered at the Court's perceived interference in states' jurisprudence, various states modified their laws to reflect that displeasure, replacing the mandatory life sentences with mandatory minimum sentences that would run the lifetime of the juvenile offenders. Iowa, for example, substituted a sixty-year minimum for its former life sentence, requiring a juvenile offender one of us (Nagelsen) interviewed to remain in prison until she is seventy-seven years old before she is eligible for parole.²

This general issue of the *Journal of Prisoners on Prisons* (JPP) therefore examines the looking-glass world of incarceration, which is indeed a study in contradictions. Where else would an innocent person plead guilty to a crime he or she did not commit? The disturbing essay by Williams and Majoy presents a partial explanation, discussing when perjured or fabricated testimony exerts sufficient pressure to elicit a confession for a sentence substantially less than the one the defendant would have received upon conviction. And given the collusion involved, that conviction is a certainty. As the grand jury found, prosecutorial misconduct and police corruption presented a systematic effort by Los Angeles officials to garner convictions irrespective of guilt. There is no reason to assume that the zeitgeist in California is any different from other metropolitan areas across the country.

Examining the mass-incarceration policies in the United States, Forrest Lee Jones dissects California's infamous Three Strikes legislation, under

which relatively minor criminal offenses can result in sentences up to twenty-five years and perhaps life. Originally designed to remove from the street criminalized peoples with long histories of violent behaviour, the law morphed into a vehicle for job security for the prison guards' union. Driven by the abduction, rape, and murder of two children, the law catalysed public support to broaden the net of intended targets to include those guilty of petty theft and even "serious" misdemeanours. Jones meticulously illustrates both the fallacies and costs (in social and economic terms) of embracing such a draconian measure.

Jarrold Shook then demonstrates that the rebarbative policies enjoying such currency in the United States have been exported, to some degree, north to our Canadian neighbours. His thoroughly researched paper on warehousing Canadian prisoners by stuffing two men into cells originally designed for one demonstrates how policy decisions often have no trickle-down effect. Officials have a public face that presents genuine concern about their incarcerated citizens' welfare, but their subsequent actions – or inactions – tell a different and far more disturbing story, one that describes increased violence and recidivism.

Confirming that the American model has become the western hemisphere's standard, "Joe Convict" details the insidious means political entities in Canada are using to dismantle oversight of federal prisons. By co-opting those non-governmental organizations or eliminating their participation altogether, the government arrogates to itself the exclusive right to determine how federal prisoners will be treated, to what amenities they will have access, and even with whom they can communicate. Since isolation of the victim is the key to unilateral aggression, this tendency is even more alarming.

To understand how the evolution of such policy decisions poses an imminent danger to the incarcerated, one need look no farther than James Bauhaus' essay on the prison fire in Honduras. Versions of the fire's origin differ, but one fact is not in dispute: once the blaze erupted, the prison's guards fled, totally disregarding the lives of the men locked inside their cells. One can insist that a prison cannot open its doors and permit mass escapes, but no one can argue that the lack of contingency planning and the unprofessional behaviour of the guards is either understandable or excusable unless the prisoners are viewed as subhuman and therefore unworthy of consideration.

Gwendolyn Levi's essay on changing the image of women prisoners is therefore a much-needed corrective to the kind of corrosive philosophy that supports tragedies like the one in Honduras. Recognizing that older prisoners have needs that younger ones do not, she outlines a program, Women of Wisdom (W.O.W.), which focuses on those needs, incorporating outside assistance from medical experts and other volunteers dedicated to wellness and a more holistic approach to healing.

And yet, as encouraging as such organizations are, they continue to be opposed by an entrenched bureaucracy impervious to obvious paths to both efficiency and rehabilitation. Dean Faiello describes the evisceration of programming in one New York prison, making it impossible for men whose classes in anger management and substance abuse are court ordered. Wait lists often extend for durations longer than some sentences, guaranteeing that prisoners serve their maximum sentence rather than making parole at their minimum. They then return to the street with their emotional and psychological needs unmet, which, of course, also increases the probability of coming into conflict with the law. Even a proven program like Alternatives to Violence, run entirely by volunteers, has been compromised by the lack of a single security officer. These cuts have been so severe that dedicated and seasoned counsellors have resigned in frustration.

From his vantage point on California's death row, Ramon Rogers confirms that the arbitrary nature of prison rules and regulations is not restricted to the East Coast of the United States. Harassment of prisoners by guards has always been always been a part of prison life, but Rogers' story takes it to a new level. Cited for everything from his pressed uniform to performing his assigned duties, he persistently refuses to roll over and play dead, insisting on using the prison's grievance procedures to redress the spurious infractions he has received. Most men and women behind the walls know how useless these procedures are, often resulting in dismissal for lack of cause or simply getting lost in the black hole of institutional indifference. Rogers' successes must, therefore, be considered anomalies, although the other options are few and unpleasant to consider.

Janus V. then offers a tour of some of those options, specifically, serving one's sentence in minimum custody status and working outside of prison or going to the "hole" as a result of untreated depression brought on by the termination of her work project. Once back inside, all pretence to being free evaporated, with the expected result. Janus tells a poignant story, one

simultaneously filled with pain and resurgent hope after embarking on a new therapeutic regimen. Hers is a testament to perseverance and the strength of the human spirit that must adapt to survive in the worst possible conditions.

Victor Becerra's astute analysis of the importance of selecting a new cellmate reminds us of how challenging it is for two people to coexist in a space smaller than the average home's bathroom. Citing stark examples of personality differences, Becerra takes us into the cell and reminds us that personal difficulties in the outside world can often be resolved by simply walking away from the other person. But what happens when that is impossible because you share a cage with the other party? Becerra explores the ins and outs of finding someone compatible, which is the best-anticipated outcome. He follows with a disturbing recitation of his dealings with his court-appointed attorney, again a familiar scenario to anyone with experience with the criminal justice system. Anyone who continues to think that all criminal representation is adequate will quickly be disabused of that idea after reading about Becerra's misadventures.

Although the mechanisms – and machinations – that the state employs to incarcerate its citizens are important, the *JPP*'s focus continues to be on the conditions behind the walls, as well as how men and women cope with captivity. Daniel Johnson's essay on entrepreneurship details the influence of an NGO that sponsors a program to teach business-oriented skills to prisoners, who can then apply them while in prison. These "MBA boot camps", as Johnson refers to them, have been integral to his own survival by providing the necessary tools to open an independent publishing house specializing in prisoners' art and writing. Although not many prisons permit a prisoner to form or run a business while incarcerated, Johnson's facility appears to have a different and more realistic perspective.

Release is, of course, also a fact of life for approximately 95 per cent of the men and women in prison. After serving fifteen years, Jesse Self was paroled, and he provides an absorbing account of his reaction to being back in the "real world". Quickly realizing that prison subverts one's ability to make choices, simply because all relevant decisions are made for the prisoner, Self cannot decide which flavour of ice cream he wants. Mundane trips to the mall for clothing become frustrating for someone whose invariant wardrobe has been provided for a decade and a half. Add to that suffering motion sickness and the damage inflicted by long-term imprisonment becomes inescapably obvious.

In our *Response* section, Robert Johnson, Professor of Justice, Law and Society at American University, closes this issue by providing a chilling description of the *danse macabre* that has become the execution process in the United States. A veteran of many battles in capital cases, Johnson's descriptive power, along with his personal and professional insight take us from the death watch cell in which the condemned waits to be killed, through the absurdity of ordering a last meal, to the execution itself, during which a chemical cocktail rejected by veterinarians is injected into a living human being. In so doing, he lifts the curtain on America's dirty secret: "humane" executions are anything but.

ENDNOTES

- ¹ *Miller v. Alabama*, 567 U.S. ___, 2012.
- ² See Nagelsen, Susan (2008) *Exiled Voices: Portals of Discovery*, Henniker (NH): New England College Press, pp. 3-14.

ABOUT THE EDITORS

Susan Nagelsen is the director of the writing program at New England College in Henniker, New Hampshire. Her book, *Exiled Voices: Portals of Discovery*, is a collection of writings by women and men in prisons across the United States, gathered during research and fieldwork. The book is used in writing curricula in a number of colleges and universities. She has also published short stories, most recently with BleakHouse Press, one of which won an award in 2009 for the best collaborative fiction. Susan has presented papers at international conferences on criminal justice issues and is the co-author of two writing handbooks now used at New England College.

Charles Huckelbury served 38 consecutive years in maximum-security prisons until he was paroled in 2012. During his incarceration, he taught English literature and writing for a community college and was a contributing writer for the *Concord Monitor* in New Hampshire. He has received four PEN awards for fiction and nonfiction and is the author of two books of poetry, *Tales from the Purple Penguin* and *Distant Thunder*, both published by BleakHouse Press. He writes a monthly newsletter for the Prisons Foundation in Washington (D.C.).