Commentary on Imprisonment, Prison Labour and Re-entry

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INTRODUCTION

More than a decade ago, in March of 1996, I was enjoying the beautiful beaches, gorgeous sunrises/sunsets, and spectacular weather of the sunny metropolitan city of Miami, Florida. I was also the only defendant in a federal drug charge indictment. I was 34 years old, and a regular hard working and dedicated mom. At that moment in time, I was going through very difficult and at the same time very joyful moments of my life.

The greatest joy of my life was the birth of my two sons Yrwil Jesus and Jeswil Jose, who were, at the time, 11 and 22 months respectively. I was enjoying what I felt was the most graceful trait granted to woman – motherhood. Despite this joy, I experienced post-partum depression and felt as though I was living in the twilight zone, due to the fact that I had discovered that my husband was having an affair in which a child was born outside our marriage and that he had moved out of our family home.

I no longer thought clearly and within the blink of an eye I was involved in a crime: attempt to possess with intent to distribute cocaine. Besides the rollercoaster of feelings that I was going through, I was completely ignorant of the federal laws and the judicial system of the United States, "the country of Freedom". I did not know anything about the Federal Sentencing Guidelines – now abolished by the United States Supreme Court as unconstitutional, nor about the witness protection program that may let a criminal get away with a crime without serving prison time or the unlimited resources of the United States Government.

Ignorance of a law is not a defense in the United States judicial system. I was sentenced to almost fifteen years of incarceration and five years of supervised release – almost a life sentence for a 34 year old female first-time, non-violent offender. There is a saying in prison that prisoners are the cousins of death because family and society forgets about them.

After I was federally sentenced, the loneliness and the grimness of prison life began to slowly kill me day by day. Once again, I became aware of how ignorant I was about the United States Correctional System. Housed more than 500 miles away from my sons, I learned that there is no program to maintain the mother-child bond. Separating a mother from her

child can be one of the most difficult aspects of incarceration and it is a cruel punishment. It is devastating for both sides and it leaves irreparable scars on the child's life (Dalley and Michels, 2009). The United States of America calls it "collateral damage", but I call it inhumane. Similarly, there are no programs to maintain a physical marital bond, as conjugal visits are prohibited in the federal correctional system of the United States, meaning I was to go without sex for fifteen years. Psychologists and other researchers have demonstrated that the isolation experienced as a result of incarceration and prison sentences longer than five years is very damaging to any human being even the strongest among us; some of the side effects of imprisonment are that we may become less humane and for some, more criminal (Blevins and Arrigo, 2009; Bloom and Covington, 2009; Harris and Lurigio, 2009; Hartwell and Orr, 2009; Ross and Lawrence, 2009; Ryder *et al.*, 2009).

ON THE EXPERIENCE OF IMPRISONMENT

Serving the fifteen year federal sentence was an aside to the suffering I felt due to the separation from my sons. Yet, serving such a lengthy term in prison was a learning and educational experience; it opened the doors of an unknown world inside the most powerful country in the world. I and my fellow prisoners were coping with a complex constellation of issues and at the same time we had to learn how to survive in an environment with the following surroundings:

1. A home of drugs, alcohol, corruption, sex, and physical and mental abuse.

A few weeks upon my arrival at my new home, the Federal Correctional Institution at Tallahassee, Florida, I found a small marijuana cigarette on top of the bunk of my cell. I was sharing my cell with a 21 year old prisoner who had just arrived to the institution. I was extremely afraid that I would get another sentence for knowing and not reporting that drugs were inside my cell – so I chose to report the incident to the head of the Special Investigation Service unit (SIS). The officer, instead of taking care of the issue and/or opening an investigation, told the lower range officers about what I had reported. The lower range officers subsequently chose to teach me a lesson. My personal properties were intentionally spread all over the hall where my cell was located. When I complained to the office about this

incident, the officer told me, in front of all of my fellow prisoners that "you do not snitch on what happens inside prison, this is prison and you must learn how to live here". I was curious to find out how the drugs ended-up inside my cell and learned that the cigarette was the welcome gift for my new cell-mate. It was a normal ritual inside that prison to welcome new women who had addiction problems with drugs. Curious to find out how drugs and alcohol were brought into the prison with all of its wires, fences and maximum security, I learned that it was a very well organized business composed of officers (all ranges), prisoners, and prisoner's family members. This 'business' generates thousands of tax-free dollars and involves the trading of just about anything – for example, exchanging sex for a small bottle of perfume, and often entailed the physical, mental and/or verbal abuse of anyone who tried to expose the truth.

2. A system designated for male prisoners.

Many of the female federal correctional facilities in United States of America were male facilities before. The Federal Correctional Institution (FCI) at Tallahassee, Florida is no exception. Everything at FCI Tallahassee was created for male prisoners: the vocational programs; the factories; the educational programs; the prison jobs; the clothes; the personnel training; the methods of classification and more. A very high percentage of the employees at FCI Tallahassee are men, which created a series of difficulties for the women prisoners: it is an embarrassing and degrading process to be strip-searched by a male officer; to be watched 24-7 by a male officer; to be watched during your sleep by a male officer; and to have only men in positions of authority. It was difficult to speak to male officers about female issues. For example, the women inside felt like they could not approach a male officer to request extra sanitary napkins. Male officers are not suitable to work at female correctional facilities, as it is well known that female prisoners need more attention and assistance with personal problems (Arbour, 1996; Burke and Adams, 1991).

3. A pot of communicable diseases, some of them lethal, and a lack of proper and timely health care.

The number of women receiving sentences of more than one year increased by 80 percent in the 1990s (Beck and Mumola, 1999). The correctional facilities in the United States are not equipped with appropriate information,

staff and resources to attend the unique health concerns of female prisoners including but not limited to reproductive health. Every female prisoner continues to be at significant risk of contracting Hepatitis C, Tuberculosis (TB), as well as any sexually transmitted disease (STD) such as Syphilis, Gonorrhea, Chlamydia or HIV/AIDS. I was not immune and tested TB positive after five years of incarceration. While inside, I witnessed fellow prisoners die because of a lack of proper and timely medical attention who contracted STD's, other communicable diseases and HIV.

4. Home to a burgeoning number of females with mental disorders, traumas from domestic violence to child abuse, depression and addictions.

Studies had found that a majority of incarcerated women abuse alcohol and/or drugs. Data from recent studies suggest that as many as 80 percent of incarcerated women meet the criteria for at least one lifetime psychiatric disorder (Bloom and Covington, 2009; Broner *et al.*, 2009; Teplin *et al.*, 1996; Jordan *et al.*, 1996; Ryder *et al.*, 2009). Women in the correctional population report higher rates of childhood abuse than women in the general population (Bloom and Covington, 2009; Broner *et al.*, 2009; Harlow, 1999; Ryder *et al.*, 2009), and it is common that they suffer from anxiety and depression related to the separation from their children. Since two-thirds of women in prison have young children and stress related to family concerns, this should be an important factor to take into consideration when providing mental health services to female prisoners. For me and a large number of my former fellow prisoners, separation from our children and/or family was the most difficult aspect of incarceration.

At the beginning of my incarceration I sought assistance to cope with the anxiety and depression derived from the separation from my sons. I was prescribed with legal drugs – a typical procedure in American correctional facilities (Harris and Lurigio, 2009). The prescription medication does not help and does not cure the problem, but rather converts prisoners into zombies. It is common to see the long lines of zombie-prisoners walking to the health department when the "pill line" is called. The prescription drugs, instead of alleviating my anxiety and depression, succeeded in deepening my mental health problems. During communication with my mother, to whom I confided about the side effects of the medication, my mother told me "you better stop taking those pills and you must be strong, think about how hard

it is going to be for your sons if they do not see you again. However, if you survive your sons will be able to enjoy their mom and you will be able to enjoy your sons". These were words of wisdom. Just the picture of my sons calling me mom for the rest of their lives scared me so much that I decided to stop talking the prescribed drugs. However, every time I chose to raise my voice about the collateral damages of long-term female incarceration to the authorities, anxiety and depression from the separation of my sons would make me question why I did not think about that separation before committing a crime.

Unfortunately, correctional officers are not trained to assist female prisoners with their issues. Throughout my time in prison, I witnessed a female prisoner killing herself by throwing herself to the concrete from the third floor of a building, ongoing incidents of self-mutilation and suicide attempts, and a number of prisoners experiencing panic, anxiety and depression.

5. The new plantations: Home of the slaves in the 21st century, with blow dryers, microwaves, television and the internet.

Learning about "Unicor" was one of the most surprising aspects of my educational process about the machinery of the federal correctional system in the United States. Unicor, the trade name for Federal Prison Industries Inc. (FPI) is a government owned corporation that employs federal prisoners housed in the Federal Bureau of Prisons (BOP). Unicor manufactures products and provides services that are sold to executive agencies in the federal government. FPI was created to serve as a means for managing, training and rehabilitating prisoners in the federal prison system through employment in one of its industries. However, the reality is that Unicor factories have replaced the black slave plantations (Davis, 1998). Illustrating the importance of the program, Unicor is administered by a six-person board of directors that is appointed by the President of the United States. Unicor was established in 1934 and since then prisoners have been working in poor conditions for virtually no pay. Unicor has 108 factories representing seven different industrial operations comprised of almost 150 different types of products and services, including the following: (1) clothing and textiles; (2) electronics; (3) fleet management and vehicular components; (4) industrial products; (5) office furniture; (6) recycling activities; and (7) administrative and customer services, which includes data entry and encoding (Unicor,

2008). In 2007, FPI generated $854.3 million dollars in sales, but of these revenues, only 5 percent go towards prisoner's salaries. Prisoners earn from $0.23 per hour up to a maximum of $1.15 per hour (ibid).

Advanced Data Processing (ADP) is part of Unicor's provision of industrial operation "services". During my incarceration, I worked for ADP-Unicor as a data entry clerk. It was not a common data entry job. Rather, we entered and processed data regarding all patent applications and patent grants filed each year at the United States Patent and Trademark Office (USPTO), the European Patent EP and the International Patent Office WO. I never thought that prisoners would be trusted to handle that type of work and information. However, I soon learned that ADP-Unicor was not working for the United States Patent and Trademark Office (USPTO), which is a government agency, but rather for a private company called Reed Technology and Information Services, Inc. (RTIS).

The State of Virginia Public Records also states that the total quantity of shares for RTIS is 1,500,000 – I wonder what the value of each share is and if the shareowners know that their shares are growing from prisoner's slave labour. The parent company of RTIS is Reed Elsevier Inc., a global publisher and information provider listed on several of the world's major stock exchanges. The 2007 revenue for Reed Elsevier was $4,584 million (European Dollars), with company headquarters located in London and Amsterdam. Reed Elsevier is the parent of many well-known companies such as LexisNexis, Martindale-Hubbell, Reed Business Information, Public Library of Science or BioMed, and other magazines, exhibitions, directories, online media and marketing services across five continents.

Reed Elsevier was also in the business of organizing arms fairs, including those where companies sold cluster bombs and extremely powerful riot control equipment. I was literally in shock when I learned this information about RTIS, and I wonder how well known it is that this big international company benefitted from arms exhibitions and prisoner slave labour. It should be noted that due to pressure from members of the medical and scientific community, Reed Elsevier has since exited the defense exhibition business (Allen, 2008).

The idea of big business profiting from prisoner labour is not new and is reminiscent of plantation work during slavery. We no longer import slaves from Africa or need to export work to nations like China where wages are cheaper. Now we hand down long sentences to visible minority communities made up predominantly of Blacks and Hispanics, and place

them inside federal prisons to work like slaves. The United States Congress enacted a law in the 2005 Senate (Bill S.705) that stated "the bill would prevent executive agencies from entering into contracts with FPI in cases where inmate workers would have access to (1) data that is classified, or would become classified if merged with other data"; and "(40) any personal or financial information about any citizen, including information relating to the person's real property, without the prior consent of the individual". However, the reality of prisoner labour is quite different from this proposal. I was processing patents and confidential government information, such as new inventions in defense matters and personal information of the inventors when they filed their patents at any of the patents agencies of the world. We must question why the provisions set out in Bill S. 705 do not seem to apply to RTIS. Is it because RTIS is not a government or executive agency but rather a private company? How is it that private companies are able to do exactly what government legislation prohibits? What we know for sure, is that for the last 36 years the United States Patent and Trademark office has granted contracts to RTIS and Reed Elsevier subdivision companies. As you can conclude, no any other company can compete with the cheap cost of prisoner slave labour.

Unicor was also established to increase the inmate's ability to successfully reintegrate into society and to lower the recidivism rate, but this is far from the truth. Unicor does not help prisoners reintegrate into society because entering data is not a marketable skill, nor would similar companies hire ex-prisoners upon their release. Instead, this form of labour employs prisoners for 5, 10, 15, 20, 25 or more years without paying social security or even minimum wage salaries. Companies do not have to worry about training new employees, paying social security, retirement plans, workers compensation, insurance or any benefits that many private companies pay.

LESSONS LEARNED FROM INCARCERATION

The following is a discussion of some of the most important things I learned as a result of my lengthy period of incarceration:

1. The value and types of freedom, time, family and personal properties. My experience and wisdom teaches me that freedom has no price, but that there are different types of freedom: the priceless freedom of your physical

body; freedom of spirit that only you have control of; and freedom of mind that no one, not even the most powerful country in the world, can take away from you. In prison, I learned how to cultivate as well as feed spiritual and mind freedom in order to maintain my sanity despite my lack of physical freedom. I also learned that time is just as priceless as physical freedom and that it can be controlled in a variety of ways. There are different types of time – long, short, good, bad, valuable and wasteful, but only you can decide how to spend your time. So, I set a long list of goals to accomplish during my incarceration that helped me to forget (from time to time) the length of my incarceration. I also learned that family is all you have, and that not even the most expensive personal property or real estate is more important than the family. It is not as though I did not value my family before my incarceration, but it is in those moments of loneliness inside prison where a word, a smile, a hand, a hug, anything from a family member is the biggest treasure that a human being can possess, and that a truck full of 18K gold is worthless in comparison.

2. The importance of team work and not judging our fellow human beings.

Living with thousands of people like sardines in a can 24 hours a day definitely teaches you to understand human behavior. After almost 11 years of incarceration it is very easy for me to identify truthfulness in people and sometimes to feel their evil. Incarceration taught me that there are people that were born caring people and full of love, willing to share their lives and love, and at the same time that there are people that just enjoy the suffering of their fellow human beings. However, one of the most powerful lessons I learned and experienced as a result of my incarceration is the power of teamwork. When people have the same goal it does not matter what the circumstances and environment are, they work together regardless of the color of their skin, social status or educational level. The world saw the power of team work when America elected President Barack Obama in 2008. We should never judge another fellow human being unless we know everything about that human being because there are always two sides to a story.

3. The re-entry process begins the first day of incarceration.

The Federal Bureau of Prisons Pre-release Program, the federal government re-entry program, mandates halfway houses and non-profit organizations to assist released prisoners re-enter society smoothly. However, if you ask any

of the thousands of released prisoners if these programs work, the answer would be a resounding "NO".

My experience, like those of any of the thousands of prisoners released every year, is that we are definitely not prepared for reintegration upon our release from prison (Blevins and Arrigo, 2009; Hartwell and Orr, 2009; Wolff, 2009). I do not know if any specific program could really work because there are a lot of factors that must be considered in order to truly prepare a prisoner to re-enter society. We are not only ill-prepared to compete in the workforce, we are not prepared for the fast growing changes of society and even our own families. The long years of isolation and prison lifestyle work to destroy any possible bond/tie that the prisoner may have with society, family or the workforce.

If the released prisoner does not have experience in the field and is not mentally prepared for the challenges of living outside prison walls, it is very difficult to succeed in the first task set to a newly released prisoner – which is to find a job. So it transpires that there are always part-time underpaid jobs that are easy to get but where the salary is not enough to survive.

I humbly say that I was lucky I had a job waiting for me upon my release, but it was not only luck because I unknowingly began the re-entry the day I began my sentence. I realized that one of the reasons I wound-up in prison was my ignorance of the law. While in prison I concluded that poverty and my ignorance of the law were not going to help me win a reduction of my draconian sentence through a post-conviction remedy. Therefore, I decided to study the law and for almost 11 years I filed hundreds of pleadings on my own behalf and on behalf of my fellow prisoners. I did not get any reduction of my sentence, but I gained vast experience in the legal field.

My litigation style and analysis of case law were known by some attorneys and that helped me to find a job in a law firm. Unknowingly, throughout my entire incarceration I was preparing myself to enter the workforce upon my release by legally fighting the system. However, I still felt unprepared for reintegration. It was not hard for me to find a job, but it was extremely difficult and hard for me to digest the expansion and growing population of Miami, as well as the changing world of my teenage sons. Upon my release I was terrified to walk by myself on Miami streets. Everything looked huge – the number of people, the busses, the buildings, the expressways and so on. I used to feel like a tiny strange creature thrown into an unknown big city. The city that was well known to me before my incarceration was completely unknown

to me upon my release. I did not know the new buildings and yet I did not remember the old ones. I was always lost not even knowing where north or south was. The buildings looked like giant space shuttles moving up-down, and side-to-side laughing at me.

The most difficult aspect of reintegration was with my family. My sons were 11 and 22 months old when I went to prison, and upon my release they were teenagers. I was not a part of their lives – they were not ready for me and I was not prepared to adjust myself to fit into their lives. I had to seek help, and my family and I went through psychological and spiritual therapy.

I really do not know if any organization can prepare a prisoner for re-entry. Prison breaks down all types of bonds (societal and familial) that take much time to heal. The love, emotional, and spiritual bonds do not easily rebound from the trauma and experience of being imprisoned or having your loved one incarcerated.

Efforts at reintegration must begin as soon as the prisoner enters the prison (Blevins and Arrigo, 2009; Hartwell and Orr, 2009; Wolff, 2009). By analyzing the education level of the prisoner, the length of the sentence, the types of supervised release restrictions applied, the mental and physical condition of the prisoner, and what types of jobs may be available to each prisoner based on their education and work experience, institutions could more adequately assist in re-entry (Blevins and Arrigo, 2009; Hartwell and Orr, 2009; Wolff, 2009). It is important to encourage/allow prisoners to study by correspondence, prison education programs, and through self-study, as well as encourage them to maintain contact with the outside world, especially with people in the field that the released prisoner would like to enter upon their release. I definitely recommend to all prisoners to begin the reintegration process as soon as they enter the prison.

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ABOUT THE AUTHOR

Yraida Guanipa served 11 years in a federal prison in the United States as a first-time, non-violent offender who refused to plead guilty to drug conspiracy charges. She went on a hunger strike while incarcerated in protest over her placement in a remote prison too far for her two young sons to visit. She became a self-educated paralegal and was released to a halfway house in 2006. Yraida Guanipa developed an informational and advocacy blog – "Prison Talk Online", continues to advocate for programs that will help to maintain the mother-child bond and now writes about her experiences as an incarcerated mother. She is available to any student and/or university that would like to do research on these subjects or to a government agency that would like to approach these topics from the perspective of someone who went through the process.