

Introduction

“Injustice anywhere is a threat to justice everywhere.”

- Dr. Martin Luther King Jr.

The prison population of the United States accounts for 25% of the world’s prisoners, but the U.S. represents only 4% of the world’s population. Why?

In the Spring of 2018, our 11th grade students worked with the California Innocence Project (CIP). They analyzed case files to decide whether inmates in Southern California were wrongfully convicted and presented their conclusions to CIP lawyers at California Western School of Law in San Diego. This exposure to wrongful conviction sparked a deeper interest in the criminal justice system.

The goal of this work is to educate the public about the potential for miscarriages of justice. What follows are pieces of flash fiction written by our students. These are short and imaginative works of creative writing inspired by true events, explained in context and accompanied by proposed solutions.

If you have the privilege to know, you have the duty to act. We hope that this student work will inspire and enlighten.

Oscar F. Carrion, Peter Jana, and Kalle Palmer
The Gary and Jerri-Ann Jacobs High Tech High

Student Reflections

“Having sympathy is a challenge when getting a criminal case.”

- Anna Adriatico

“My takeaway is that some people won’t take the time out of their life to help someone in trouble and others want them to get in trouble.”

- Elvis Aguirre

“I learned that a lot of gang members often have a parent in the same gang. This was surprising because these parents are introducing their children to a life of crime and violence.” - Chloe Beauvais

“Before this project, I had no idea the lengths that prosecutors will go to meet a quota of convictions. The current formula for the justice system is quantity over truth.” - Eliana Bentley

“During this project I have learned more about the legal process and all the steps that have to be taken in order to prosecute or exonerate someone.” - Scott Billitti

“My main takeaway is how the justice system works in our society. Many people have been wrongfully convicted, but no one has taken action until after the fact.” - Matt Boyd

“Not everyone who claims innocence is truly innocent, which is a sad truth because it wastes the time and resources of the California Innocence Project and it diminishes the chance for actual innocent people to be exonerate.” - Austin Cesson

“The main takeaway from working with the Innocence Project is understanding that these cases are about real people and that their lives matter just as much as anyone else’s.” - Shea Conley

“During this project, I learned what conspiracy means, in terms of the

law. It really shocked me that people go to prison for long amounts of time just for being at the wrong place at the wrong time, with the wrong crowd.” - Misael Contreras

“What I took away from the Innocence Project was how many people are wrongfully convicted. It is also very difficult to prove that people are wrongfully convicted because it is typically covered up by police and prosecutors.” - Kristina Cotta

“Knowledge is the most effective weapon that the people may wield against corruption and wrongdoing. Never forget it. Educate people about the system they live in and they will be equipped to hold that system accountable.” - Julian Dela Rosa-Billings

“Analytical judgement is necessary. Biases won't lead to a truthful conviction. We need to keep our eyes unclouded.” - Junaid Etemadi

“Our justice system can affect anyone, at any walk of life, unexpectedly; it can be a maze to make sense of.” - Andrew Ferguson

“Before working with the California Innocence Project, I had a lot of trust in the criminal justice system. However, after the experience, I realized how the system is not always reliable.” - Jazmin Garcia

“My biggest takeaway from this project is the realization of how broken the judicial system is and how understanding law is essentially breaking down the English language.” - Gustavo Gonzalez

“The biggest thing for me is the fact that sometimes the police, prosecutor, and judge know they have the the wrong person, but they prosecute that innocent man or woman anyway.” - Tucker Gralewski

“I learned about the power of perspective. I had to put myself in different points of views to understand what was said, what biases were involved, and what really happened.” - Grace Hatch

“Through, this project, I have learned that our criminal justice system is very flawed. There are many things that can happen that can get an innocent person convicted of a crime.” - Irwin Leung

“The California Innocence Project gave me an opportunity to have an eye-opening experience. I was able to witness first-hand a side of my community that I’ve never seen before.” - Kayla Jimenez

“Everyone should be proud for tackling these cases and collaborating with real lawyers to take steps in helping innocent people.”
- Juan Lopez

“My biggest takeaway from this experience is how being in the wrong place at the wrong time can really change your whole life.”
- Byron Martinez

“When I was little, I saw the justice system as fair and right. Growing up, I am starting to see the negative side and how innocent people can end up in prison.” - Nasser Melchor

“When it comes to the justice system, many people are unaware of its flaws.” - Julianna Mendez

“My biggest takeaway was being forced to present. It made me a little more confident in presenting in front of strangers, and this experience will help me for my future presentations.” - Wendy Mendez

“My main takeaway is that associating with the wrong people can legally put you in jail for life.” - Edgar Millan

“This project has taught me how important, but also how fragile, our legal system is.” - Lauren Niegocki

“There’s hope though because there are organizations like the CIP helping those who’ve been wrongly convicted and there are district attorney’s running for office that are concerned with providing long term solutions instead of just reaching a quota.” - Priscilla Ortiz

“The legal system is complex, with many different laws and processes in place, which take many years of studying to fully understand.”
- Ryan O’Toole

“Most people talk about jury duty like it is an annoying responsibility: one that most people try to find a way out of, but they don’t realize that they, sitting in those chairs, are given the power to decide the future of a life.” - Prasanna Padmanabham

“I learned that the law is very complicated and behind each case is an actual human being. Throughout the recommendation process, it was important to keep an open mind.” - Abby Ridgeway

“Lawyers [or authorities] really need to consider the laws they are required to follow so they don’t screw up someone’s life.”
- Valerie Rivera

“Having the responsibility to take on a real case gave me the opportunity to learn more about how our criminal justice system works.” - Jacquelyn Robles

“I learned that a lot of innocent people are put into prison. Many people in prison claim innocence even when they know they are guilty, making it hard to trust the inmates asking for help.” - Raina Shapiro

“I learned so much about the California Innocence Project and their mission. I understand that their work is benefitting everyone and that we need more of that in the criminal justice system.” - Jacob Skvarna

“Reading the letters that were sent to the California Innocence Project,

I realized that guilty prisoners will do anything to say they are innocent.” - Arian Tabatabaei

“It doesn’t take long for someone to get charged, convicted, sentenced, and sent to prison for crimes they may or may not have been apart of. It takes even longer to exonerate them.” - Destiny Taylor

“So many innocent people have gone to prison and had their lives taken away because of a ‘mistake’ made by the justice system. People need to open their eyes and see the truth of what goes on in court.”
- Melannie Urquidez

“I would’ve liked to have read the rest of the files in my case on my own. I put a lot of trust in my partners about the facts of our case.”
- Ysarah Verduzco

“My main takeaway from this project is seeing how easy it is to have a bias. When reading my case files, I wanted so badly for my prisoner to be innocent that I ignored that incriminating evidence and facts.”
- Rachel Warrens

“One thing that will forever stick with me from this project are the words of Herman Atkins who said ‘I was just a young kid who happened to have been misidentified. It can happen to me, it can happen to anyone.’” - Gilli Weinstein

“I learned the ways that the justice system can fail. This can start from corrupt police planting evidence or gaining false confessions, to prosecutors withholding evidence or the accused having a poor defense.” - Henry Whiteley

Causes of Mass Incarceration and Other Injustices

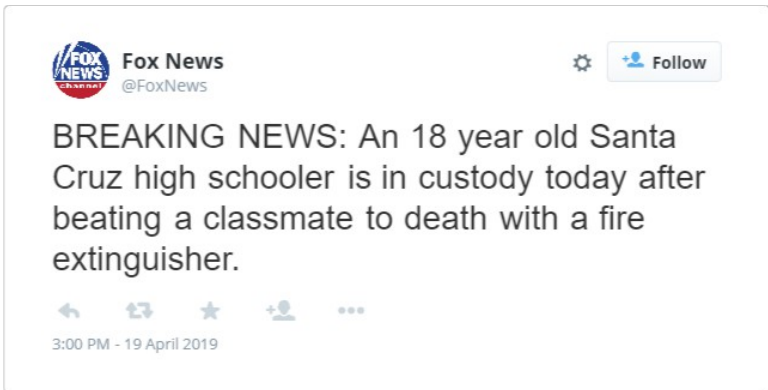
The War on Drugs

Almost all issues can be attributed to context and precondition rather than autonomy.

Eye of the Beholder

Nasser Melchor & Julian Dela Rosa-Billings

The following images are a work of fiction inspired by suggestive news headlines.





Fox News
@FoxNews



 Follow

(1/5) [@SantaCruzPolice](#) on the slaughter in Santa Cruz: "We can confirm that the assailant was under the influence of Marijuana."



3:47 PM - 20 April 2019



Fox News
@FoxNews



 Follow

(2/5) cont. "Please educate your children on the dangers of drug usage. The Santa Cruz police department will remain vigilant in..."



3:48 PM - 20 April 2019



Fox News
@FoxNews



 Follow

(3/5) cont. "... detecting drug offenders before more people are hurt."



3:48 PM - 20 April 2019



Fox News
@FoxNews



Follow

(4/5) The assailant's twitter handle, [REDACTED] has been suspended.



3:49 PM - 20 April 2019



Fox News
@FoxNews



Follow

(5/5) The Fox News team will continue its coverage of [#ReeferMadness](#). More updates to come.



3:49 PM - 20 April 2019



John Goode
@johnnybgoode



Following

happy 18th birthday to me... my parents are kicking me out and i work at mcdonalds...



2:48 PM - 6 April 2019



John Goode
@johnnybgoode



Following

not looking forward to this week...



6:50 AM - 15 April 2019



dude

4/19/19



you there?

4/19/19

dude what? it's 3 am why are you even up?



4/19/19



the week's been tough so i got us a little something

4/19/19

what?



4/19/19



i got us some weed man

4/19/19



i found it in my dad's room when i was digging around for the last of my stuff

4/19/19



he got it prescribed when he got back from iraq

4/19/19



meet me under the bridge at noon

4/19/19

...



4/19/19

ok



4/19/19

Add photo

140

Send message

Context and Solutions for the War on Drugs

The phrase “War on Drugs” is used to describe a socio-political movement aimed at stopping the flow of illegal drugs into the United States by punishing the consumers of illegal drugs. The War on Drugs is defined by three retributive policies: eradication, interdiction, and incarceration. The War on Drugs encompasses a broad spectrum of issues with the modern justice system, many of which are discussed and depicted in this book; in fact, it is difficult to draw a principal connection between specific, solvable issues, and the decade-spanning scheme of the War on Drugs itself. As such, the War on Drugs should be viewed as socio-political background to the plethora of issues presented in this book. The War on Drugs was most prominent in the late 70s and 80s. In 1970 President Richard Nixon declared drug abuse “public enemy number one.” The CSA (Controlled Substance Act) and the DEA (Drug Enforcement Administration) followed soon after. In 1986 the Reagan administration introduced the Anti-Drug Abuse Act into law which imposed harsher mandatory minimums for drug offenses. By now, the modern problems associated with the War on Drugs were set into motion.

The high volume of incarcerations for drug offenses under the War on Drugs has seen the American prison population increase by over 500% since 1970. Such an inflated prison population combined with the poor state of rehabilitative programs within the American prison system may perpetuate drug abuse by failing to educate and rehab inmates, which may even lead inmates to commit more serious crimes in the future. The retributive nature of the War on Drugs generally fails to address the real root of drug abuse in America, that is, demographic and cultural issues which disproportionately affect minority populations. Most solutions to “ending” the War on Drugs involve moving towards a more rehabilitative prison system as a whole. One might call for the nationwide legalization of marijuana (which accounts for 44.4% of federal drug incarcerations) and/or the removal or reduction of mandatory minimums for low level drug offenses.

Investing money into improving the social and cultural state of American communities would solve the problems of American drug abuse before they occur. However, it is not the sole responsibility of politicians and law enforcement to improve the state of things. Cultural and demographic shifts begin with the people: citizens may choose to vote for district attorneys who stand by progressive and rehabilitative

policies, such as Philadelphia DA Larry Krasner; and to support public organizations like the ACLU (American Civil Liberties Union) which defend the principle and civil liberties of the people. After all, waging a War on Drugs means waging a war on the societal and civil disparities which turn people to drug abuse in the first place.

Nasser Melchor & Julian Dela Rosa-Billings

The New Jim Crow

Innocent black and brown people are being sent to prison based off of irrational fear and racial bias. For the sake of this country, this must be stopped.

A Living Nightmare

Priscilla Ortiz

Inspired by the incarceration of five innocent young boys of color known as the Central Park Five.

It was Spring 1989 and New York was a city hurt by crime, with people living in fear of what awaited them around every street corner. A white female jogger's life was drastically changed on the night of April 19th when she was attacked, raped, and left for dead. The people of New York wanted justice to be served for this horrendous crime. But was it justice they really wanted, or a scapegoat?

They're making us look like savages... what the hell? I wasn't even there when they said that girl got attacked. Now they've made up a stupid name calling us the Central Park Five making us sound like a gang. I knew it. Mama told me to stay home that night. Why didn't I listen to her?

"Has the jury reached a unanimous verdict?"

There's no way they're going to send me to jail. There's no way! I'm 14! I have my whole life ahead of me. Any sane person would see that we didn't do this. This is all 'cus of those damn cops. They instantly see a group of Puerto Rican and black kids and assume we're criminals.

"Yes, your honor"

There's no evidence. The only thing they have against me are the confessions from me, Kevin, Yusef, Antony, and Corey. But even our confessions aren't true! The police were interrogating us for hours on end, it felt like a living hell. We had no choice, it was torture. Why isn't that shit in the evidence?

"The jury finds the defendant Raymond Santana guilty on one count of sexual assault."

I have to be dreaming. Please someone... anyone wake me up from this nightmare. This can't be happening. I prayed day and night

for God to help me, but where is he now when I really need him?

“Raymond Santana, you are hereby sentenced to serve 10 years at Rikers Island. The jury is thanked and excused.”



Context and Solutions for The New Jim Crow

Michelle Alexander, author of *The New Jim Crow*, compares today's mass incarceration to the old Jim Crow Laws. To sum the Jim Crow laws up, they mandated a “separate but equal” status for African American citizens. This meant literacy tests, separate water fountains, and segregation. Now, the New Jim Crow has been swiftly weaving itself into our justice system since the Civil rights movement. To elaborate: People of color, more specifically black people, have been punished harder and more often than whites. The U.S population is consisted of 30% black people; 60% of those people are in jail right now. These people are permanently labeled as felons and are forced into a second class society where their basic rights are revoked. This New Wave of Jim Crow oppression is present in the Latino community too. Latino males have a 17% chance and white males have a 6% chance of going to jail.

The American Civil Liberties Union (ACLU) brought up some valuable ideas in order to solve this issue. Essentially, minor and violent offenses should not mean incarceration. Prisoners who seem fit to get back into society should be released. Instead of sending people straight to prison for minor offenses, they should be given an alternative option like community service. This would alleviate and save money for the criminal justice system. Its affect would be substantial, considering the fact that on average \$31, 286 are spent on inmates annually. To add on to that, California and New York spend an upwards of \$60,000 to \$70,000 dollars per inmate a year.

G.I. Glez

Racial Profiling

Eliminate generalizations about race and focus on protecting all citizens equally and individually.

Almost There

Gilli Weinstein

Inspired by *City of Los Angeles v. Lyons*.

It's already 6:30?! I'm going to be late for work. My car is a wreck but it blends in perfectly. Can't be late, the students are waiting.

"Hey! Where are you going?"

"Good morning officer. I'm on my way to work."

"And what's your job?"

"I work at the middle school six miles away, sir. If you will excuse me, I have to leave now if I want to be there on time."

"You better not be teaching those kids about drugs or gangs. I'm keeping an eye on you."

"Okay. Good day officer."

If I had a dollar for everytime a cop has stopped me and caused me to be late for my day, I would be rich. Now I gotta get on the highway and pray no cop is in a bad mood.

Wow there is a lot of traffic today, not to mention I am almost ten minutes behind schedule.

weeeeeoooooweeee weeeeeoweeee weeeeeoweeee

Not again...

"Get out of the vehicle with your hands on your head!"

What did I do this time? Forget to signal or just look suspicious enough? I got a damn tie on for God's sake. Meanwhile people with the palest skin I've ever seen are flying by at ninety miles an hour.

"Face the car, spread your legs, and keep your hands on your head or we will shoot."

"Simmons! Pat him down will you?"

I don't know what they think they are going to find. Just because my car is worn out and my skin is a darker shade than theirs, they assume I must be doing something illegal.

"He's clean Johnson. What should we do with him?"

I should be used to this position by now, but it still strains my

upper shoulders every time. I can finally take my arms down.

“Hey! We said keep your hands on your head,” as he slams my hands back in place.

“Oww! Your keys are digging into my wrist!”

“You think this is painful? This is just the beginning.”

What is he doing? Is this legal? His arm is wrapped around my neck like a snake killing its prey. At this point, I can't take any more breaths for granted. What did I even do wrong? More importantly, where was I even going? And where am I now? And why is the the sky twirling around my head...

“Uhhh guys? I think he's out. What should we do.”

“Just give him the traffic violation. We can sit in our car until he opens his eyes and realizes what he did.”

Where am I? What time is it? Am I in the hospital? Why is it so bright?

“His eyes are flickering open. We are good to go.”

What is that on my windshield.? I hope it's a note that explains what the hell happened.

“Traffic Violation: Right Tail-Light Broken: Fine \$150.”

Context and Solutions for Racial Profiling

Racial profiling is the use of targeting a person (or suspecting them) for criminal actions based on their race. Unfortunately, racial profiling has always been an issue in the United States. Stereotypes continue to dominate the fabric of our nation. The US Supreme Court, for example, has permitted them in the form of racial profiling, as long as race isn't the sole purpose for assuming a person is guilty of a crime (*Whren v. United States*, 517 U.S. 806 (1996)). Race may not be the exclusive reason for which law enforcement assumes a criminal action has or will take place, but it is the main reason officers take action and are set up for potentially abusing their authoritative power.

The 14th amendment clearly states, "No state shall ... deny to any person within its jurisdiction the equal protection of the laws," which proves that racial profiling contradicts this amendment. Racial profiling performed "legally" by dodging the violation with untruthful justifications, allows for white supremacy to flourish and widen the gap between minorities and whites, as well as between police officers and minority citizens. With police officers focusing primarily on minorities, it perpetuates the feeling of danger within marginalized communities.

A policy that aims to assist equal treatment and justice for all races, genders, ages, etc., has been proposed by the Berkeley Police Department in California, to achieve the goal of eliminating stereotypes. It is a training program for police officers that includes lessons on the illegality of racial profiling, how an officer should address certain situations, and when probable cause can be used. The officers must prove they will provide equal protection to all citizens to complete the training. These types of educational programs, however, are not always enough to make police officers colorblind. The unfortunate fact about the police forces is that, as a whole, racial or ethnic minorities (African American, Hispanic, Asian, Native American, etc) only accounted for 27 percent of all local officers in the United States in 2013. This percentage is far greater than the 15 percent in 1987, but is it enough? Clearly not. The lack of diversity throughout the forces around the United States has become a problem. Quite often there is little to no empathy from white police officers and racial profiling targets minorities. If there were more people of color on the force, it would result in less generalizations about an entire race.

Gilli Weinstein

Prosecutorial Reform

Prisons only produce more prisoners.
The power of the prosecutor is boundless and unchecked.

Incentives

A.C Ferguson

Inspired by Prosecutor Adam Foss' *TED Talk*.

“Hey Matt, got the new case files here, looks like the same old same old, should be wrapped up by lunchtime and we can head down to that new sushi spot.”

Just another day in the office, huh...

“I’ll let you tackle this one, a store caught some kid stealing laptops on video. Kind of feel bad for him though, report says he was putting the money into his college fund. But, store wants their money back and is trying to press felony charges.”

“Thanks, I’ll get to work on this.” Matthew said while he flipped through the documents.

The door closed. Matthew sighed and looked down at his lap, then turned around to check his email.

“Aw damn...”

He noticed an important email from the District Attorney:

Good morning Matthew, as one of our newest additions to our district’s prosecution team, I am aware that you are still getting a feel for things in the courtroom. With that being said, you have only reached half of our goal for convictions for this year (may I add, you are not eligible for the bonus as well). I am sure you will take the most appropriate course of action on your next case. The 18th Jurisdiction District of Colorado needs your help to keep our numbers up!

Best of luck,

D.A. Reinhardt

Matthew picked up the case file and read through it some more.

Let’s see if there is any background on this kid... 19 year old Luke Aaron... raised in one of the highest crime rate areas... seems to

be doing fine in school. Damn, looks like he really was putting his money in a college fund...

Matt quickly skimmed over the theft charges. 20 laptops at \$2000 a piece. Each laptop holds the price of a felony.

Matthew stared at the file for the longest time as he held Luke's life in his hands; it's not like he hasn't made decisions like this before, it has never been so conflicting. Matthew made a quick and decisive glance towards his black computer monitor...

The course of Luke's life had just been altered forever. Luke will now live the rest of his life with 20 felonies on his record, he won't be able to attend college. Instead, he will live a life of petty crime and make a home behind prison walls.

Context and Solutions for Prosecutorial Reform

There is a cycle that turns troubled people seeking help into helpless souls trapped in our justice system. This cycle begins with the prosecutor who gives harsh punishments for minor crimes. Maybe you stole some medicine because your mom is sick and you couldn't afford it. It's fine, you'll do the time and get back on track, but now you have a criminal record. Now it is an even bigger struggle to maintain a job or to get one to help your sick mom. You then turn to more stealing, selling drugs, and eventually committing serious crimes. This cycle creates criminals, as opposed to giving aid and support to prevent this whole situation.

And that's on the prosecutor. There are 2.3 million people in American jails and prisons, making us the most incarcerated nation on the planet. We know there are system failures happening everywhere that bring people to our courtrooms. What is not discussed is how ill-equipped our prosecutors are to receive them. The prosecutor has the most powerful decision in the whole court and is held the least responsible for the mistakes they make.

In 2014, 95% of elected prosecutors were caucasian, and our prison population is predominantly people of color, so a good place to start is by having more diverse prosecutors. The current prosecutors are untrained and unfettered with what justice is. The actions taken by the prosecutor will deeply affect the person's life, and the consequences can follow convicts for the rest of their lives. Reforming doesn't start and end with the prosecutors. They are just the workers. The District Attorney is the boss. If the DA wants prosecutors to get as many convictions as possible, then that's what they will do. What needs to be changed is how incentives are viewed. Prosecutors should be rewarded for low recidivism rates instead of number of convictions. It's a terrible investment to use so much money to keep a person in jail just for the person to return later. We might as well reform them and make them star citizens to keep the community safer, which is the end goal.

B.I. Martinez

Mandatory Minimums

Understand the situation thoroughly before taking action.

Worthless

A.J. Ridgeway

Inspired by *Todd Hannigan vs. Florida*.

The illumination of the sun peers through my window as I slowly creep out of my bed to start my morning. I quickly head towards the coffee maker that sits beside my endless stack of college textbooks and large box of instant noodles.

As I start to sip my cup of joe, a dark spirit suddenly washes over my expression to tell me, “Alfred, you’re worthless”. This is routine for me; it comes and goes when it pleases and decides to control my entire life. Anxiety and depression have ruined my interaction with people and I can hardly say “Hello,” to my own colleagues.

Shortly after I having finished my coffee, I head out of my dorm with my bicycle; my only companion. My right pocket holds my phone and some loose change. My left pocket holds about a handful of vicodin; I don’t recall putting this in here.

I reach my destination.

I am on the ground; helpless.

I find myself standing in a courtroom.

The last thing I remember was swallowing them; the vicodin. That thing, that evil thing made me do it. I should have died. Why am I standing in a courtroom? My thoughts are evaporating into space and I don’t know what’s happening. Is this heaven? Hell? I thought I died. I should have died.

Why am I going to prison for trying to kill myself?

I’m sitting in my prison cell; still figuring out why I am going to be in here for fifteen years. The guy next to me is getting out in five years for grand theft auto.

Context and Solutions for Mandatory Minimums

People are often sentenced based on mandatory minimum sentencing laws, which is the minimum length of a sentence for a convict “that judges cannot lower, even for extenuating circumstances.” The most common sentencing for federal drug offenses is 5 years to life for possession and having certain amounts. These laws are making people serve more time in prison than need be, leading to growth in the prison population. In addition, long sentencing and prison population growth strains the federal prison budget. As of 2015, the price to incarcerate someone in a federal prison was well over \$32,000. The system is flawed and states need to take initiative on this issue. It is essential to figure out an effective plan that is appropriate to the crime. Citizens should not be convicted based on the amount of drugs they have in possession, but rather how serious the crime is. If the prison population continues to grow unnecessarily, the federal budget for prisons will increase, and this eventually leads to more taxes.

So far, 19 states have reformed the mandatory minimum sentencing laws. Some include California, Louisiana, Maine, Massachusetts, New Mexico, and New York. The organization, Families Against Mandatory Minimums works at the federal and state level to change sentencing laws. Their mission is to individualize each person's sentencing to fit what they deserve and what is most fair for them. In short, mandatory minimums should be changed in order to create a justice system that is more fair. We should be allocating resources towards helping citizens rather than punishing them for the sake of punishment. This can be done by reviewing the laws currently in place and adjustments can be made to better fit each crime.

J.M. Mendez

Plea Bargaining

Is innocence irrelevant to the criminal justice system?

To Hell and Back

Raina Shapiro

Inspired by the story of Shanta Sweatt.

I went through 30 days of hell. Lawyers upon prosecutors upon cops upon exhaustion. It made my head hurt. My attorney told me that if I plead guilty I'll serve no jail time, and if I lose my case when I plead innocent, I can serve up to 12 years in prison; the thought made my stomach churn.

This is what happened...

Sweat dripped down my face as I scrubbed the counter clean. Oh, man, are my boys dirty. I wish they would clean their mess every now and then.

I heard a knock on the door, but I wasn't expecting anyone.

“THIS IS THE POLICE, WE HAVE A SEARCH WARRANT!!”

I didn't move.

“ITS THE POLICE OPEN UP THE DOOR OR WE'LL BREAK IT DOWN!!”

Fear engulfed me, I knew I did nothing wrong but I could still feel a pit at the bottom of my stomach. This has never happened to me before.

As they searched my home I heard the sounds of my possessions breaking. The sound of glass shattering filled the air of my newly cleaned house.

“What's this?”

The officers held up four bags of weed, and I knew exactly who put it there: my absent boyfriend. He's been into trouble before with that stuff.

Their beady black eyes stared me down, making me feel worthless, like I was the bad guy. I have to take the blame. I have two teenage boys at home and I must take responsibility. I don't want them taking the fall.

“It's mine.”

Context and Solutions for Plea Bargaining

A plea bargain allows both the defendant and prosecutor to avoid a long trial and could allow defendants to avoid risking being convicted at trial of a more serious charge. A plea bargain is any form of a correspondence between the defendant and the prosecutor, where the defendant made an agreement to plead guilty to a charge against them in return for a compromise with the prosecutor. Meaning, if the defendant pleads guilty to one of the several charges against them they will be dismissed of the other charges. There are three types of plea bargains used: 1) Charge bargaining is when the defendant pleads guilty to a lesser charge, so that the larger charges are dropped. 2) Sentence bargaining occurs when the defendant agrees to plead guilty for a lighter sentence that has to be reviewed by a judge. 3) Fact bargaining happens when the defendant will share information in order to avoid other facts being brought in as evidence. "Innocent defendants who are fearful they may be convicted of a serious crime at trial may agree to plead 'no contest' to a lesser charge, even though they are not guilty". One of the biggest issues that occur with plea bargaining is that it offers no benefits to the individuals that are innocent.

One example of plea bargaining being an issue is the case with Erma Faye Stewart. She was arrested along with 26 others after police received a tip dealing with an alleged drug ring. "Stewart told her court-appointed lawyer she was innocent, but with two young children at home, she took her lawyer's advice to plead guilty to delivery of a controlled substance of more than four grams in a drug-free zone." During the trial it was later discovered that the source of the tip had lied about everything. All other cases were dismissed except the people who had plead guilty - they still had charges on their record. Stewart was still sentenced to ten years probation, required to pay \$1,800 in fines, and still had to report to her parole officer monthly. One solution that Jenia Turner, a legal scholar at Southern Methodist University, strongly suggests is that agreements between people should be recorded in writing and plea bargaining should be nonnegotiable for getting a lower sentence. Turner also states that by keeping these requirements the same in every state a standard for plea bargaining and would help with addressing the current inequality between defendants and prosecutors.

Shea Conley

Harsh Interrogations Tactics

It's just wrong, detectives coerce innocent citizens to elicit confessions.

Coercion

Kristina Cotta

Inspired by the story of Earl Washington Jr.

A patrol car was driving by one morning and noticed sketchy activity in an alley near the victim's apartment. The officer then proceeded to search McCain and found drugs. McCain was then in custody, processed, and was found to have a criminal record for minor crimes. He was then interrogated at the county jail.

"I don't understand why am I here?"

"You are here because we caught you with possession of drugs."

"Why are you questioning me if you know what you have found?"

"We believe you can give us information on another crime."

"What crime? I haven't done anything."

"Do you know who Luci is?"

"Is Luci the girl on the news about a year ago who was found by the marina? Did you find the guy who did it?"

"Yes and we aren't sure, did you know her?"

"No I didn't, but it's sad what happen."

"Really? Because you match the description."

"What are you talking about?"

"We know you killed Miss Del."

How could they think I did this? I didn't even know the girl. I would never do something so terrible to an innocent person, what they did to that girl was horrible.

"I've never even met Miss Del."

"We have evidence saying otherwise and we know you were at least a part of the murder."

"A part of it? I probably wasn't even near there that day."

"We still haven't found out the scene of the murder maybe we should tear apart your house and check."

"I haven't done anything, you can't search my home."

“Why are you hiding something?”

“NO.”

“Then it would be okay if we just took a look?”

“Fine, if it will help prove I didn’t do this.”

2 Hours Later...

“So Mr. McCain we found something in your apartment that looks like it could belong to Luci.”

What? How? I didn’t do this there must be and explanation for this.

“There must be some explanation for this. You guys must just think it’s hers.”

“Well this earring matches one of the earrings she owned.”

How is that possible? It must be my mother’s or sister’s or any other women that’s been in my apartment.

“So, McCain, how’d you do it?”

“Do what?”

“Kill Miss Del.”

“I didn’t.”

“You’re looking pretty guilty to me.”

What if I have met her? Maybe we dated? I would have recognized the pictures on the news though.

“McCain, until you start telling us the truth you won’t be going anywhere.”

2 days later without any food...

“You must be pretty hungry, McCain, it’s been 2 days and no food.”

“I’m starving”

“Just tell us everything then you can eat.”

“So if I tell you that it was me then I can eat?”

“Yes.”

“Fine it was me.”

“So what exactly did you do.”

“I shot her?”

“No, what did you do to her?”

“I suffocated her?”

“No, come on think really hard.”

“I stabbed her?”

“Yes, how many times?”

“2 times.”

“No.”

“10?”

“No.”

“20?”

“No, a little higher.”

“Around 30.”

“Yes.”

“What did you do that wasn’t released?”

“I bit her?”

“No”

Maybe she could have been raped, but I really can’t admit to that because I didn’t do anything at all and saying I didn’t that will ruin my life for good.

“I don’t think I did anything else.”

“You did one other thing and we aren’t leaving here till you tell me what it was.”

“Did I rape her?”

“That’s better, doesn’t it feel good to come clean? Okay we are going to need you to sign this confession and the form saying that you weren’t coerced.”

“What if I don’t?”

“Then you aren’t leaving here.”

“Fine I’ll sign the papers only because if I don’t get out of here I’m gonna go crazy and starve to death.”

“Thank you, McCain. You’re under arrest for the rape, and murder of Luci Del. Anything you say or do can be used against you in a court of law.”

After surviving 17 years on death row and nearly facing death with nine days to spare, he was exonerated with the help of DNA evidence.

Context and Solutions for Harsh Interrogation

Police departments use deceptive interrogation techniques but don't realize that the information that is forced out of suspect(s) could be false. Examples of harsh interrogation include, police officers refusing the usage of the restroom, suggestive language, and depriving the suspect of food, water, and sleep. A police precinct in Chicago has shown harsher techniques such as suffocation, burns, electrical shocks, and beatings. In any of these tactics, the suspect would say or do anything and everything to get themselves out of the room. Similar to a person who would make a deal to get a sentence reduction or to get out of prison. When police question a suspect, they have a theory on the crime. When an officer has a theory they try to push their theory onto the suspect. They may mention things to suggest that the suspect did it, they may also fake the evidence.

There are solutions that can and are being applied. Recording the entire interrogation and if used in court, the court needs to show the tape, not just bits and pieces of it. Another solution is to set a reasonable time for interrogations. Never allow minors to be questioned without an adult, legal guardian, or legal representative present. We should also make it illegal for any type of law enforcement to lie to suspects while undergoing questioning. Also providing officers with the proper training for interrogating/interviewing people. There are different factors and consequences that come from harsh interrogation. One is a coerced confession, which then leads to a wrongful conviction, causing an innocent person being sent to prison, and in some cases an innocent person put on death row that may be executed. It is like a path, once someone starts walking down that path, it is hard to turn away and walk down a different way.

D. J. Taylor

Police Militarization

Police officers playing dress up don't always serve and protect.

Unnecessary Chaos

Rachel Warrens

Inspired by the 2014 riots in Ferguson, Missouri.

“NO JUSTICE! NO PEACE! NO RACIST POLICE!”

“NO JUSTICE! NO PEACE! NO RACIST POLICE!”

“When is enough going to be enough? How many more lives have to be lost? This is a real problem and we don't understand why no change is being made.”

“NO JUSTICE! NO PEACE! NO RACIST POLICE!”

“Michael was a good kid. He didn't deserve this. No one deserves this.”

“Everybody get back! Get back now!”

“NO JUSTICE! NO PEACE! NO RACIST POLICE!”

“Your armor and equipment is not going to scare us or keep us from standing up for what is right!”

“NO JUSTICE! NO PEACE! NO RACIST POLICE!”

“This is your last warning. Get back now!”

“Threaten us! Use your weapons! But we will not back down. We will not cede to your threats. We will stand strong and march with pride until justice is achieved!”

“NO JUSTICE! NO PEACE! NO RACIST POLICE!”

August 13, 2014

The day became complete chaos. What used to be a peaceful protest turned into a violent game of tag. People who I was marching hand in hand with were soon being trampled by those frantically running away from the gas and weapons that threatened their life. The violent cries of a little boy in utter shock as to why that man in armor was hurting his mom. The mom in return telling her poor baby that momma is fine, everything will be okay and that she loves him. To my left, my classmate was on the ground with blood running down his face like a river. His eyes were blank, as if he just been to hell and back.

I started to panic. My only concern was for the safety of my family. Thoughts of where they were and if they were okay filled my head. In an act of fear and terror, I charged the only officer without a shield. I didn't know what I was doing, all I know is I couldn't stop. I was hitting him out of fear for my family; out of the anger boiling inside from my best friend being killed. The moment I stopped fighting, I felt one hit to the side of my face. Before I knew it, I became another person who was being trampled. Then it all went black. Today was supposed to be a day to honor Michael's life, march for justice, and demand action to be made. Instead it turned into a pointless war.

Context and Solutions for Police Militarization

Police militarization is the use of military equipment and tactics by police officers. Officers are being armed with assault rifles, submachine guns, flash bang grenades, and full suits of armor. This type of equipment is being used for many tasks that don't necessarily need it, such as home invasions and peaceful protests. Not only is the equipment a problem but so are the tactics. Everyday police officers and their departments are being taught these extreme ways to handle simple situations. Another reason why police militarization is a problem is because people are beginning to lose trust in the police force. When people think of police officers recently they don't think of someone who ensures peace and safety, they see them as disruptors of peace. With this militarization of police forces and officers, people are scared.

The issue with police militarization is that President Donald Trump endorses it. He reversed policies from the Obama administration that blocked the sale of military equipment to police officers. Legally, there are no steps being taken to stop the militarization but many individuals are speaking up in hopes that their local government is hearing their concerns, worries, and fears. Another solution would be for cities to put a stronger emphasis on community policing. Community policing is a strategy of policing that focuses on building ties and working closely with members of the community. Community policing won't fix all the issues of police militarization but it would be a step in the right direction to strengthen the bond between police officers and the public. Lastly, if we can't stop the militarization of police forces then we need to train officers how and when it is appropriate to use these extreme weapons and tactics.

Rachel Warrens

Police Brutality

Eric Garner's death was unjustified.

Eric Garner

Ryan O'Toole

Inspired by the events on July 17, 2014 in Staten Island, NYC.

Please stop.
You don't need to do this.
It hurts.
Get away from me.
I've done nothing wrong.
I'm just trying to get by.
Let me go.
I don't deserve this.
Someone help.
I can't breathe.



Context and Solutions for Police Brutality

Police brutality is when police officers abuse the people they are meant to protect. It has become a prevalent issue in modern times. While it can appear in many forms, the most common type of police brutality is physical abuse, including beatings and killings. In 2017, there were 1,147 known killings by police; 149 of those killed were unarmed. The issue also has a racial element to it; of those 1,147 killings, African Americans made up 27% of all police killings and 35% of all police killings of unarmed individuals, despite African Americans only composing 13% of the U.S. population. The frequency of these instances leads many people to be afraid of the police to the point that they won't seek help from law enforcement in situations where they would be needed. Often, the officers involved are not punished because of qualified immunity, a legal doctrine which gives

state officials (including police officers) immunity from what is not part of “clearly established” law. Because of the broad implications as to what would not be “clearly established” law, officers are not charged with anything, leaving them unaccountable for their actions. One of the most infamous instances of police brutality was on July 17, 2014, when Staten Island (NYC) police held 27-year old Eric Garner in a choke hold, resulting in his death. This incident sparked national debate about police brutality, largely because the officers involved received relatively little punishment.

There are several potential solutions to police brutality. First, police should receive more training on de-escalation, as they currently spend 7 times as many hours training with firearms as they do training to de-escalate tense situations. More training in this area would allow them to use non-violent methods in order to deal with potential offenders. Second, police departments should be mandated to record the statistics on all the killings their officers committed (justified or not). This would allow people to get a clearer view of the issue, as there is no mandated record of police killings at the moment. Third, police body cameras should become standard for all police uniforms so that they can provide video evidence of these instances. Some police departments already implement them, but they are not used nearly enough. Finally, the doctrine of qualified immunity should be rewritten so that police officers could be held accountable for their actions. This would discourage officers from committing police brutality.

Ryan O’Toole

Stop and Frisk

We need to learn to protect ourselves from the law.

Stop

Y.M. Verduzco

Inspired by the story of Herman Atkins.

My name is Jeremiah Davis. I am 26 years old and was born and raised in New York City. In high school, I got into a lot of trouble and was affiliated with gangs. I would steal, get into violent fights, ditch school, sneak out of the house, argue with my family and use drugs. When I turned 19, I decided that I would start changing myself for the better, so I started trying harder in school. I got tutoring when I needed it, completed all my assignments on time and I am now a proud, refined, hard-working man. I attend my local community college and I have a job at a grocery store near my home. I also enjoy helping my mother and my younger sister to make up for being rude to them in the past. I still worried that my enemies may still be out to get me so I carried a pocket knife for safety.

I had been going over to my friend David's house to finish a project for school. He lives in the nicer parts of my city and is white, along with the rest of his neighbors, so I was a bit hesitant at first. One day, I was on my way over to his home at around 8 pm, when I noticed a cop car parked on the side of the road. The cop inside was staring me down but I kept on walking. As I was about to open the gate to David's home I heard a man yell, "Hey!" at me. I jumped back and immediately turned around. It was the same police officer. He had a gun pointed at me and I dropped everything. I asked him if everything was alright. He asked to see what was in my backpack so I handed it over to him. He proceeded to look inside my bag. He searched the big pocket, side pockets and finally, the small pocket were I kept the knife. I thought everything would be alright once he found it since I had a valid reason for carrying one, but that wasn't the case.

"You were about to rob this house weren't you? It's always you black folk."

I gave him a confused look. He ordered me to put my hands

up and he pulled out handcuffs. I tried my best to explain myself but he wouldn't listen.

"Looks like you're off to jail buddy," said the cop.

When I heard him say that my mind went all over the place. I was worrying about my job, school, my family and how this was going to change my life. Next thing I knew I was in the backseat of a cop car being taken to the county jail. Once there, I wasn't even given a chance to explain myself and I was put into a cell straight away. After 5 months, I was finally released. I didn't have much money since I was away from work for so long and I failed my classes. I was left wondering why I wasn't given a chance to explain myself but now I know, it was because of my skin color.

Context and Solution for Stop and Frisk

Police departments routinely detain, question, and at times search, people on the street for weapons and other contraband. This is known as a stop and frisk. This is a problem because it can violate the 4th Amendment. The 4th Amendment was made to protect us from arbitrary "search and seizure." If the individual being stopped and searched isn't aware of his rights, he can be vulnerable to the officers actions or questions. In "Stop," the fictional piece preceding this section, Jeremiah didn't know what to say or do so the officer searched his stuff without permission.

Ways to help prevent stop and frisks from occurring are needed. A solution could be for the Supreme Court to overturn Terry vs. Ohio. This case reduced what was required in order to conduct a reasonable search and seizure. It allows officers to have "reasonable suspicion" instead of a higher standard called "probable cause." Another solution could be to inform people about the Constitution and their rights so they could understand their rights. It's not the officers job to inform you of these rights, all they need is your permission. Stops should be only done if justified, a report can be written describing the reason and incident to make there is a reliable source to follow.

Juan Lopez

Qualified Immunity

No one is above the law except the law.

Denial

Scott Billitti

Inspired by *Harlow v. Fitzgerald*.

“Did you repeatedly lash out at Mr. Hernandez with a club and beat him to the ground during his walk in Chesterfield Square?”

“Yes I was.”

“Why did you assault Mr. Hernandez?”

“When I was walking down the street I saw Mr. Hernandez walking very fast in the direction of a lady waiting at the bus stop. Then as Mr. Hernandez got closer he put his hand in his pocket and pulled out something that looked like a switchblade. After seeing the switchblade I decided to take action and apprehend him.”

Wow this is pointless. It was obvious he was pulling out was a comb. He may have not done something then, but he was probably on his way to doing something illegal anyway. There's more than a fair chance he's an illegal immigrant. They're always out smoking weed and selling drugs. My actions were preventative if anything.

“Mr. Hawkins, what time was it when you decided to take action against Mr. Hernandez?”

“It was around 7:00 pm so it was getting dark outside.”

“Was there any witnesses to the event that transpired?”

“No, nobody else was there, it was only me. Mr. Hernandez, and the lady that Mr. Hernandez was going to assault, but she was looking the other direction so she did not see anything until it was all over.”

“Mr. Hawkins, did you know that your actions violate clearly established law that prohibits you from assaulting a citizen that had not posed a threat?”

“No I did not think I violated clearly established law. I was

merely protecting a citizen.”

“Mr. Hawkins qualifies for immunity and all charges will be dropped.”



Context and Solutions for Qualified Immunity

We would like to believe that the law cracks down on everyone. That no one can escape justice. Unfortunately, the way it stands right now is that no one escapes the law. Except the law. Police officers are able to get away from their wrongdoings through the usage of “qualified immunity.” Under qualified immunity, government officials, such as police officers, are protected from lawsuits that claim the official violated the victim's rights. It would only allow lawsuits where these officials violated a “clearly established” constitutional right of the plaintiff. This is a problem in society as it allows police to knowingly get away with certain acts of crime.

The law was established in the Harlow v. Fitzgerald case. Arthur Ernest Fitzgerald, a management analyst in the Department of the Air Force, was fired after testifying about the costs of a plane’s technical difficulties of about \$2 billion. Fitzgerald claimed that Bryce Harlow and Alexander Butterfield were in on a conspiracy to get him fired for his testimony and sued them for civil damages. Both of them denied it and said that their actions were taken in good faith. It was taken to the Supreme Court. The court sided with Harlow, establishing qualified immunity as the law of the land.

Qualified immunity isn’t always a good thing. One of the biggest cases of qualified immunity not punishing as it should is the case of Tamir Rice, a 12 year old African American. Rice was shot within two seconds of the police arriving at the scene of a 911 call, as Rice was supposedly reaching for his pellet gun. Of course, under qualified immunity, the officer responsible for the killing was let go without punishment. The National Association for the Advancement of Colored People (NAACP) points to qualified immunity in the Rice case as one component of “systemic bias in favor of police”.

One solution of this problem is to support organizations that call for changes in the law and to support local politicians who advocate reforms. The NAACP and the American Civil Liberties Union are two such organizations that provide legal defense and have brought suites against police departments in order to test qualified immunity in court. Even Supreme Court Justices like Sonia Sotomayor and Clarence Thomas support a “reexamination of the principal [of qualified immunity].”

Irwin Leung

Juveniles Charged as Adults

Vulnerable in society and helpless in consequences.

Powerless

Valerie Rivera

Inspired by *Jackson v. Hobbs*.

June 12, 7:20 P.M.

While walking in, he slips the gun into his pocket in his hoodie, and keeps his hands there. The first thing he's met with is the cashier. Xavier holds onto his gun tight, and walks up to the register.

"Hi sir, how may I help you?" she asks cheerfully. Quickly, Xavier jolts his arm out and points the gun towards the cashier.

"Give me all your money!" he yells, sweating profusely.

The cashier jumps back, and slowly reaches towards the register, and grabs all the cash she can. Xavier keeps the gun pointed at her, his eyes glaring. As she hands the cash to Xavier, he reaches over. The cashier tries to take the gun out of his hands, but Xavier flinches and pulls the trigger.

He grabs the cash and dashes towards the door. As he runs, he sees an angry man shooting daggers at him through his eyes. Xavier's heart drops and he stops in his tracks, and tries to go the other direction but the man tackles him to the floor. Xavier's face hits the floor and his heart begins to race. The man locks his arm onto his back, and snatches the money from his hand. Quickly, Xavier gets out of the man's grip and takes his gun and pulls the trigger. Xavier immediately runs towards the exit, with the only goal of getting the cash to his dying mother. As he runs out, he sees two cop cars approaching the store.

He feels his throat tighten and his heart drop to his stomach. The cops follow closely behind Xavier. The closer the cars get, the louder the sirens and the brighter the lights get. The sound of the sirens only amplifies Xavier's fear, and he runs the opposite direction. Hoping he'll make it home.

"Stop right there! Hands up where I can see 'em!"

Xavier continues to run, but looks back only to realize the burglar isn't there anymore. All his narrowing vision sees is the cops running towards him. Breathing heavily, Xavier hides behind a wall.

He takes his phone out to contact his mom but he can barely hold it still. Under his rapid breath, he mutters to himself, "Please pick up. Please pick up. Please pick up." The phone dials and Xavier nervously bites his nails, looking back multiple times to see if the cops are still in searching for him.

"Hello? Xavier, it's getting late where are you?"

"Momma, I'm being chased by cops but--" before Xavier could continue, blue and red lights fill his eyes and he hears the cop car's engine rev and pull up as the sirens get louder and louder.

"Hands up!" the voice announces.

Xavier couldn't believe it. He didn't want to believe it. He's only seventeen. The horrible thought of going to jail starts to spread all over his being. Adrenaline is coursing through his veins. His chest is constricted, and he slowly starts to put his hands up not realizing his phone is still in his hand. He keeps thinking he should run, but the consequences that would come after that only make his heart sink deeper. He just waits.

August 2, 8:15 P.M.

"We find that the juvenile, Xavier Ashton, guilty of burglary and two counts of second degree murder..."

Xavier's eyesight starts to blur and the tears start to fall when he stares wide-eyed down at his lap. The judge's voice fades out. Xavier is consumed by millions of thoughts running through his head. The words "guilty" echo through Xavier's head. It hit him like a punch to the gut, knocking the wind out of him. He felt a heavy weight attached to his shoulders, as he put in the effort to move. He wanted to sit, and sink into the chair, and cry his heart out. But he couldn't. Xavier hears his mother's sobs behind him, but he can't bring himself to look back at her. For the rest of the trial, Xavier stares at the floor blankly, spacing out.

"Mr. Ashton, please stand."

Xavier's mind comes back to Earth, and he pulls himself up from the seat. By the slam of a wooden hammer, the judge announces:

"Court is adjourned".

Context and Solutions for Juveniles Charged as Adults

In California, juveniles ages 14 to 17 may be tried as an adult depending on the severity of the crime. This law is enforced in 45 states including Georgia, Michigan, and Texas. In these states, the justice system holds the perpetrator responsible for their actions, no matter the age. Some argue that juveniles should be tried as adults because age doesn't matter, they've still committed a crime. Others argue that since juveniles are children with less understanding of the laws, they deserve special protections; that is why there is a justice system for juveniles. Overall, there is a huge difference between a juvenile being tried as an adult and them being tried as juveniles. For example, their crimes being on a criminal record rather than on a juvenile record. When one is charged as a juvenile, they have the option to expunge their record. If the crime is on a criminal record, it can't be removed. When juveniles are held in adult prisons they are more likely to face sexual assault and 36 times more likely to commit suicide. Once juveniles are released from adult prison, 60% of them are likely to recommit crimes.

Brendan Dassey, convicted in 2005 of murder and rape, was manipulated and taken advantage of from the interrogators due to his low I.Q. The investigators did not tell Brendan's parents or his counsel that he was to be interrogated. The fact that most of the juveniles who are being tried as adults have a abusive and neglected childhood, should be taken into consideration. To address this issue, we shouldn't throw juveniles with mental issues into prison, but help them to become a better person. If we use a system that focuses on the mental health of charged juveniles and make them participate in community-based services, rather than putting them in prison, it would greatly lower the rate of recidivism in juveniles. A foundation, Models for Change Resource Center Partnership, has already taken steps of protecting juveniles with mental issues from adult prisons. Instead, making them participate in community service. Having foundations similar to that can spread awareness of the problem and lower the chance of juveniles being put into adult prisons.

A.N. Adriatico.

Eyewitness Misidentification

It is too easy to falsely convict someone.

Convicted

Elvis A.

Inspired by the story of Ronald Cotton.

“Everybody lineup in a straight line with your numbers going from one to five.”

“I would like to remind you that the suspect may or may not be in this lineup, was it any of these men that violated you?”

This happened months ago, how am I supposed to remember what happened then? I don't remember anything about him besides his skin color and his hair.

I mean it must be number five just look at him, he looks creepy with his short curly hair, he looks like he crawled out of a ditch and hasn't seen daylight since. His shirt is so dirty, does he know there's this thing called a shower?

I can't remember him clearly but it has to be him, he has to have done something wrong before.

Okay this is taking too long now I'm just going to pick him.

“Officer it was number five.”

“Are you sure?”

“I am positive officer.”

“Okay thank you for your time. “

“Everybody but number five is free to go.”



“Everybody lineup in a straight line with your numbers going from one to five.”

What am I doing here? I have never committed a crime in the eighteen years I've existed, this is so dumb.

This is taking way too long. Why am I here? I'm only here because I'm black, no doubt. I guess I just look like a criminal, this is bullshit.

I bet she can't even remember what the guy looks like.

What is a white guy doing here? Everyone else is black? This doesn't make sense.

I swear if I get the take for this I'm going to lose my mind.

"Everybody but number five is free to go."

Wait I'm number five, what the hell's going on?



Context and Solution for Eyewitness Misidentification

Eyewitness misidentification is when a witness identifies the wrong person as the perpetrator of a crime. People's memories are the main problem in eyewitness identification because memory can easily be influenced and altered. Eyewitness testimonies are one of the strongest pieces of evidence that is used against a suspect. However it is also the number one reason for wrongful convictions. According to the Innocence Project, out of two hundred wrongful convictions, 75 % of them were because of eyewitness misidentification. It has also been found that one in four stranger eyewitness identifications are incorrect, this represents how eyewitnesses are typically unreliable and how easy it is for somebody to pick a person in a lineup and stick to them.

An example case of witness misidentification was the Ronald Cotton case., Mr. Cotton was sentenced to life in prison plus 54 years for two counts of rape, and two counts of burglary. Mr. Cotton's convictions were based on evidence such as a flashlight, which resembled the one used by the burglar, and rubber from Mr. Cotton's shoe which was consistent with rubber found at one of the crime scenes. However, the largest piece of evidence used in this case was an eyewitness misidentification made by one of the victims. Mr. Cotton was convicted in 1985 and exonerated in 1995 because of DNA testing

The Innocence Project has come up with five solutions to help decrease the number of misidentifications. The first solution includes blind administration, a lineup conducted where neither the police investigator or the witness, know the suspect. The second solution

involves lineup composition changes. For this solution, lineup photos would be presented in a way that does not draw unreasonable attention to a suspect and all fillers in the lineup would resemble the description the eyewitness gave. The third solution is related to the instructions police give eyewitnesses. Police investigators would interact with eyewitnesses in a way that does not make eye-witnesses feel like they have to make an incriminating selection. The fourth solution is confidence statements. After an eyewitness makes a selection they would provide a statement on how confident they are with their selection. Lastly, the fifth solution is recording. When conducting a line up, the procedures must be written down, recorded electronically or audio recorded. The Innocence Project is collaborating with law enforcement to ensure these changes are adopted. Nineteen states have already implemented these new reforms and have started using them as their standard procedure.

Jazmin Garcia

Junk Science

Not all science is reliable.

Bus Drive to Hell

M. Boyd

Inspired by the *Armstrong vs. Wisconsin*.

How did this happen?

Why am I here?

What is going on?

I am a good person, I never did anything wrong to others. Yet, somehow, bad things keep happening to me. On July 27th, 1993, I got convicted of raping someone I have never even met. The worst part is, police say they found a piece of my hair at the scene of the crime. I wasn't even there, I was with my family at the time, but no one listened to me. All they can focus on was that one... hair...

It was on a day like any other. I was doing my duties as a bus driver, taking passengers to their destinations.

"Thanks", they would say, "Have a good day."

That night, like any other night, I expected to come home to a loving family dinner. However, I was greeted by two police officers.

"Tom Clark?"

"Yes? What's going on?"

"You are under arrest for raping Mrs. Davidson. Anything you do or say will be used against you in court."

The next few months were a living hell. I went to trial over a piece of hair that wasn't mine, my lawyer was horrible and didn't care about helping me, he believed in the hair. I lost most of my family's money just to fight back. But in the end, I was found guilty, over one... hair...

Context Solutions for Junk Science

Junk science refers to unproven theories presented as scientific fact in a court of law. Forensic methods are used in court cases that may not be as reliable as we thought. The problem with junk science is that people are being wrongfully convicted for false forensic analysis. Kennedy Brewer in one example. He was convicted of capital murder and was sentenced to death for a crime he did not commit. His conviction was based almost entirely on the questionable bitemark evidence that was presented in the court, which turned out to be bug bites. He served thirteen years until a nonprofit organization called the Innocence Project exonerated him with DNA evidence that proved his innocence. Another example is Donald Eugene Gates who was convicted of first-degree murder and rape. In the trial, the key testimony was hair samples found at the crime scene, which they used to perform a microscopic hair analysis and found it to be his. He was sentenced to twenty years to life in prison but the FBI laboratory found the analysts made false and misleading reports on cases across the country. In numerous instances, their lab notes did not support their report and testimonial conclusions. He was released twenty-seven years later after the District of Columbia tested DNA evidence in his case and they found him innocent.

The Innocence Project is an organization that exonerates the wrongfully convicted through DNA testing and reforms the criminal justice system to prevent future injustice. They primarily use DNA testing which has been proven to be the best reliable source in the field of science. It is being used to exonerate wrongfully convicted people from false testimonies and junk science that was presented in their trial. The Innocence Project is working at the national level to support efforts to improve forensic science disciplines through research and standard setting. One of the ways we could help is to increase funding for research at science-based agencies and institutions. This will help in accordance to develop a strategic plan to establish or strengthen the fundamental science underlying forensic science discipline. This is actually one of the ways The Innocence Project is working to make reforms and solutions to problems in the forensic field so we can better yet support the organization as well.

J. Skvarna

Life on The Inside

The 13th Amendment

Keep pushing no matter how hard things get.

Journal of a Leased Convict

T.L. Gralewski

Inspired by various laws and prison camps that were made following the 13th amendment.

June 15, 1873:

Hey, this is new to me, they gave me a notepad and pencils that we're allowed to use in our free time, we don't have much free time though so I'm not sure how often I'll be able to write in this. I want to write in this to keep track of everything going on and someday I hope someone can see this and spread light to this injustice. To start this off I am Edwin Homer. I am a former slave who was freed, but now I'm in jail because I crashed my work truck and even though I offered to work off the debt my boss decided to press charges. This is because of these harsh laws that politicians are creating, so many people like me are being thrown in jail by the dozens. I really hate it here. I thought when I was freed I'd be a happy man for eternity but I'm here now working on a farm in Florida and I've been here for a day and it's worse than the days on the plantation. Okay, I have to go, guards are coming and I don't want them to see me writing, they might take it away, goodbye, I'll get into more details later.

- Edwin Homer

September 24, 1873:

Sorry that it's been awhile since I last wrote, I've had little to no time to write. I wake up everyday at dawn and walk out to our work site. As soon as we get there we're required to work. Throughout the day you're considered lucky if you get a couple breaks (it's not common around here to get a break). We work a lot with trees and gathering the sap, I don't know what it's for but I know the work is exhausting. Once I get back to where I sleep I pass out. Then I repeat the same process the next day. It's getting harder and harder to wake up every day, my back is starting to hurt more and more causing simple

tasks like walking to hurt sometimes. I'd like to think things are going to get better and that I can look forward to getting outta here but I'm not sure if that will happen anymore.

- Edwin Homer

October 3, 1873:

I'm not even six months into my two year sentence and I'm thinking about giving up. I can't do this anymore. Pain shoots up my legs and explodes in my back with each step I take and it's getting worse. Just the other day I was laying in bed, the guards came down the hall banging on the cells to wake us up, I was already up because I have a hard time sleeping through the pain, and my cellmate, Joe is his name, hops out of bed, but I can't get up. Joe notices I'm struggling so he pulls me up and puts my arm around his shoulders and carries me out. As we're getting shackled up to walk to the work site one the guards notices Joe is still holding me up and walks over towards up. He starts yelling from a distance than when he's closer he's talking down on us like he's some king and we're peasants. Then before either of can react he takes a quick step forward and pushes me down and warns Joe not to help me or else he'll be hurt. Things like this continue to happen for me, I want to push through it and be okay but I'm on a downward slope and I don't think I'll be able to make it much longer.

- Edwin Homer

October 19, 1873:

Hi, this is Joe, Homer's (that's what we all called him) cellmate. He wanted me to write this when it came up, Homer sadly passed away last night while he was sleeping.

- Joe

Context and Solutions for the 13th Amendment

Since the abolishment of slavery, history shows that slavery didn't truly end. It took on a new form and embedded itself in the prison system, a modern day slavery disguised in the laws that have constructed and destructed this country. The 13th Amendment states, "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States." The 13th Amendment abolished slavery - except for prisoners. This immediately elicited the abuse and misuse of imprisoned freed slaves.

The 13th Amendment was enacted during the Reconstruction period, shortly after the Civil War. The economy in the South diminished greatly. As a result the southern states started leasing convicts to businesses. Petty rules were made to imprison African Americans that violated their rights. This was used as a way to put high amounts of prisoners to work for no cost. They'd work on former-slave plantations, lumber yards and railroads. The prisoners were fed very little and subject to abuse that mirrored the abuse slaves endured. Using this history as a baseline helps one understand what is happening today. Currently, there are more prisoners performing mandatory, essentially unpaid, hard labor in America today than in 1830. The mistreatment of prisoners still occur. When prisoners refuse to work they are punished and often sent to solitary confinement.

To solve some of the issues regarding forced labor and the poor treatments of prisoners, it's best to look at a more rehabilitative prison system. The main argument for forced labor is that prisoners enjoy the work because they feel they're applying themselves. However, the prisoners aren't applying themselves for their own rehabilitation, they applying themselves for the benefits of big corporations. The labor that's occurring now does not apply to the prisoner's wellbeing or the wellbeing of the country. Prisoners should be offered educational opportunities such as earning a vocational degree, so they can obtain a decent job after prison.

G.C. Hatch

Private Prisons

Financial greed wormed its way into the prison system and prisoners are now suffering even worse than before.

2 Beasts

J.N. Etemadi

Inspired by the Walnut Grove Youth Correctional Facility and the American Legislative Exchange Council (ALEC).

In a land with no true peace live creatures called Beasts. Beasts are strange creatures that take many forms, but almost all Beasts are born with the trait of being connected to a sibling by a single tail. Each Beast thinks and processes different things.

Once, there were two black, wolf-like Beasts. I was one of the two. I do not remember our names, so I am Beast 2. Beast 1 is my sibling who holds no empathy for me. Strange, that word I said... nevermind.

Beast 1 was large, strong and aggressive. They killed any prey and ate until they could not anymore, leaving little behind. I, Beast 2, had none of this. I was smaller and weaker, only able to trip prey for Beast 1. I would feel immense guilt after and could not bring myself to eat any prey. I survived off of the nutrients our bodies shared. Beast 1 clearly saw me as a pain, as they would gnaw on our shared tail when annoyed by me.

One day, we were caught in a battle with two other Beasts connected by their tails, one larger than the other. The two died quite easily. The bigger one only fought to defend the smaller, getting easily tricked and killed, leaving its sibling as dead weight. But during the fight, our tails were split.

While Beast 1 shook it off like any wound, I could not. I gained a disease that slowed one's body growth and heartbeat. Beast 1 let me follow, as it did not matter to them. They had no empathy for me. There is that word again.

Three years later, Beast 1 was three times my size, as I remained mostly unchanged. I lied there sick, ready to die, looking up at my sibling as they brought their face to me. They then scooped me up into their mouth and began to swallow me whole. I slid down their

throat into their stomach.

I slowly let the acids dissolve me until I was gone. But I was not dead. I could still feel myself, immobile but existing. My nutrients carried my presence.

Parts of myself traveled to the brain and were absorbed. I could now see through Beast 1's eyes, hear what they heard, smell what they smelled - I felt their senses.

I originally thought Beast 1 was saving me. This was false. Apparently, they lacked certain abilities without me being connected. I was once again a tool for Beast 1's greed. That word is familiar too.

One day, Beast 1 woke up and found that a large group of Beasts had set something up while we were asleep. It was called "Society," a supposed path to peace. In Society, Beasts lived together and did not constantly try to kill each other.

But there was little peace. There were these things called "laws" that most all Beasts had to follow or else they were punished. Following these laws helped someone live with many resources, but you also need resources in the first place. Many who start with little resources break laws to fill in what they do not have in some way. Many are punished, kept away from Society for an amount of time.

The Beasts who ran Society and made laws didn't care about the punished, so Beast 1 had an idea. Beast 1 gained many resources and petitioned the Beasts-in-Charge so they could control places where the banished were kept. Beast 1 gained more resources from this trade and joined a group of Beasts with the same ideals to petition more of the Beasts-in-Charge to change laws to suit them.

Little is done for punished Beasts. Many that are good at heart are rotting for breaking laws meant to protect, many who are bad never changing their ways. They are not secured, so young and old are abused in every way in a place to stop these things. Those guarding the banished do not care, even participating in these horrid acts, creating a cesspool of wrong that laws should control. Meanwhile, my sibling sits around gaining more resources and hoarding them. They do not care for the weak. The weak like me.

I hate Beast 1! I hate them and all they have done! They are greedy parasite feeding upon Society and they have no true empathy!

I remember. I remember our names. I am Empathy and they are Greed.

Context and Solutions for Private Prisons

While it is very easy to simply ignore the state of prisoners because they are prisoners, it would mean ignoring the blatant corruption and injustices caused by those who run prisons independently for a profit. Private prisons are prison facilities owned and run by private companies that the state pays for. Many private prison companies like Corrections Corporation of America (CCA) and GEO Group are partnered with the American Legislative Exchange Council (ALEC), who lobby politicians to pass laws that favor them, including War on Drugs initiatives and prison labor laws. This has led to gross ethical rights violations because those in charge don't care for prisoners and their physical/mental health. The Walnut Grove Youth Correctional Facility in Mississippi was a prison controlled by GEO Group that due to a lack of oversight, led to physical and sexual assault, a lot of which involved guards and staff. As it was being shut down, Federal Judge Carlton Reeves described the facility as "a cesspool of unconstitutional and inhuman acts."

Many organizations like Critical Resistance and the Sentencing Project oppose private prisons. One solution I propose is to take companies like CCA and GEO Group in the Supreme Court. Bring them to court for ethical right violations and cruel and unusual treatment of individuals. Another and more simple solution is to have all states stop using private prisons. We need to convince politicians in our states to stop funding private prisons and spend it on things that matter for the American people, not on death traps that push for incarcerating people over old and ineffective laws that lead to their enslavement. Politicians are the customers and private prison companies are the providers.

J.N. Etemadi

Retributive Prison Life

The current criminal justice system is more harmful than helpful.

Justice for No One

Edgar Millan

Inspired by the Norwegian Prison System.

Jaden is usually an exemplary citizen, but this changes when he's intoxicated. He has always struggled with controlling himself when alcohol is involved. He has no dependents and he lives on his own. He has a full time job and works hard. Jaden works in the National Park Service specifically in maintenance. All his life he has had a problem with drinking, whether it was drinking too much or becoming quite rowdy while buzzed. This stems from his childhood, partying with violent friends. Jaden killed somebody while he was drinking during his Norwegian vacation.

He received a sentence of 30 years in maximum security. 15 years into his sentence, Jaden had become accustomed to this prison life. Working towards his cooking license, Jaden attended a very intuitive class to help him recover from his crime. His life in the prison in Norway was great, he felt optimistic and ready to go back to society without causing any more harm. The system Norway implements is rehabilitative and focuses on building the prisoner back up. But his course to freedom changed. He was extradited to America because he was convicted of the murder of an American citizen in Norway. At first Norway refused to give back Jaden, but after 15 years they finally allowed his transfer. He was moved to a jail in New York, where he was in a tight and cramped cell with three other cell mates.

He is no longer able to complete his license to cook, and has to deal with extreme prison violence. He now is heavily watched and occasionally mistreated by the guards. This is a huge mental shock for him, ruining his mental state until he resorts to hurting himself, landing him into solitary confinement; an all too familiar pattern starts to emerge. Jaden's mental health deteriorates to the point where he is no longer safe for society and upon his release, commits another murder, landing him a life in prison sentence. This is the cruel prison cycle that many inmates are in, committing crimes, being released from prison

worse for wear, and getting a worse sentence due to a previous conviction. Jaden has now joined the millions of prisoners who are condemned to die in prison due to the wrongful system.



Context and Solutions for Retributive Prison Life

There is a lack of rehabilitation to reintegrate inmates back into society once they come out of jail. This is very damaging to a person's life and for society.. When people are released from jail, they generally will have a record which will be with them for the rest of their life. This makes it hard for them to get a well-paying job to support their family. Ex-prisoners need support so that they can live a normal life after jail and not resort to committing more crimes.

Unfortunately, the United States relies on retributive justice rather than rehabilitative justice. A retributive approach focuses on punishment for the crime committed, rather than focusing on guiding prisoners to a better path, which is rehabilitative. A man named Clark serves as an example of this issue. In 2017 Clark and his wife were going through a divorce; they were renting a house at the time. One day, he pushed his wife during a fight, which lead to him going to jail for a few weeks. As soon as he was out of jail, he went back to the house he was renting and broke multiple items. Clark went back to jail and lost custody of his two daughters. Clark is not alone. Within three years of release, about two-thirds (67.8 percent) of released prisoners were rearrested.

One of the most effective forms of rehabilitation is providing educational and vocational opportunities for prisoners. Although some states provide these opportunities, not all do. California, for example, has various programs to support prisoner education, while other states like New York still refuse to fund such programs. Some New York constituents argue that education programs for prisoners would be unfair to taxpayers. Why should they use their hard earned money to pay for the education of felon?

However, educational programs have been proven to work. In California, state colleges are providing courses to the prisoners, which has greatly reduced the risk of resivisium. A study by the Department

of Policy Studies at the University of California at Los Angeles found that, “a \$1 million investment in incarceration will prevent about 350 crimes, while that same investment in [correctional] education will prevent more than 600 crimes. 34 out of 35 state prisons in California now offer college courses. By having an educational program in every prison this allows inmates to continue their education even if they have been transferred to a different jail. Rehabilitation is crucial for inmates, the inmates’ family, society, and the government. If more restitutive programs were put into effect, people like Clark might have a better opportunity to succeed on the outside.

C.M. Beauvais

Health Care in Prison

Take other people's lives into consideration even if they are a felon.

Death Sentence

M.R. Urquidez

Inspired by Walter Jordan.

I closed my eyes and felt the fresh ocean breeze and warm sand below me...

“Chow!” screamed the guard

Everyone looked up and scoured across the room to the food, like starving dogs. My dream had been interrupted, waking me up once again into a nightmare. A nightmare that has lasted seven years with two dreadful more to go. But I knew that I would be getting another chance. One that I couldn't fail. I couldn't give in to the powerful drugs that used to control me. Those days were now left in the past, only fleeting memories.

“Arthur hurry up!”

Jose urged me to go get food before it'd run out.

I had gotten there just in time to get a plop of the tasteless, greasy food, but I needed the food to fuel up for labor work. After lunch we headed outside in the hot summer sun. They ran out of sunscreen as usual, meaning I would yet get another sunburn. I felt the exhaustion come over me immediately, something felt different.

As we worked through the endless digging, I saw a dark spot from the corner of my eye, it was on my arm. I stopped to inspect it, only to see a mole had formed on my arm. It was as big as a quarter, dark yet red. That had never been there the whole 30 years of my life. It was strange but I didn't think much of it, so I carried on digging in the July heat, forgetting what had happened.

As day turned into night we all went into a deep sleep, dreaming of another life. When I felt myself drifting off, I suddenly felt as if someone had cut the lungs out of my chest. Struggling for the slightest bit of air, I coughed and coughed, every second felt like an

hour. Everyone around me woke up, looking at me with hateful eyes.

The next morning, I immediately asked to see a doctor, even if it meant using the last \$5 of my commissions, which had taken me almost a year to build up. When I walked into the doctor's office, I saw she wanted to get rid of me as soon as possible, so I told her all the problems I'd been experiencing. She then inspected me and I heard the horrid words that came out of her mouth without hesitation and a blank face.

"It seems that you have developed skin cancer."

"I developed what?" I said, wishing I had heard wrong.

"Sir, you will need treatment but according to CORIZON Health you will need to wait a few weeks."

"A few weeks?!"

I walked out of the room fueled with anger. They handcuffed me and took me back to my cell. I tried holding in the tears but they came flooding out. I knew they weren't going to help me because they had done it before, to my former cellmate. They had left him helpless to die even though they knew he had a deadly disease.

Like I had predicted, weeks turned into months and still no help. I felt the disease eating away at my brain and my skin made me unrecognizable. Knowing I only had a few days left, I wrote a letter out to the world letting them know that the private healthcare in my prison had let another man down. I let them know that they had long delayed my treatable cancer, and let me rot in a cell.

Notice of Pending Death,

ADOC and Corizon delayed treating my cancer. Now because of there delay, I'll be lucky to be alive for 30 days. I don't know what I did to deserve this. Please let the world know.

To think that I would have began a new life in two years was a saddening thought. But my prison sentence had turned into a death sentence.

Context and Solutions for Health Care

Health care in prisons, in particular private prisons, is often inhumane, expensive, and deadly. Given that prisoners have the lowest ranking in political power and no access to Medicaid, the health care choices are very limited. High co-pays (medical fees), low quality care, and neglect are what define the system.

Legally, health care is required in prisons but the lack of services and check-ins can cause problems to become worse and even deadly. This problem occurs in all prisons private or not. Private health care coverage in prisons tend to show more inhumane signs of neglect to inmates. The largest correctional health care contractors in the U.S are Corizon Health and Wexford Health. They have a history of negligence and poor medical care. Unfortunately, citizens tend to ignore the health of prisoners as well. Many taxpayers argue that they should not pay for the health coverage of inmates, because they think they don't deserve it. But inmates are human too and have the right to health care. Prisons have gone about this way to gain money as well as save it.

Prisons have taken a few steps to provide more humane health coverage by attempting to lower the co-payment as low as possible and allowing free check-ins even when it can't be afforded, but more steps need to be taken. First and foremost lowering the cost of co-payments in prisons and improving the health care. One way they can do this is by having better electronic information for long-distance health care to save money. This would help more money go towards the medical necessities of inmates. As mentioned before, Medicaid isn't provided for prisoners but if possible it should become obtainable to eligible inmates. This would give them access to more reliable health care. In fact few prisons have taken this step already. Some small steps to be taken is healthier food and hygiene. Since prisoners aren't given healthy food it leads many of them to their health problems. Better hygiene is needed as well because prisons are overcrowded, making them more vulnerable to spreading illnesses. Lastly health care contractors need more federal-oversight. Given that they're private, they own themselves, so they have more room to give inhumane care to inmates.

M.R. Urquidez

Solitary Confinement

Humans are social beings.

Day to Day

Henry Whiteley

Inspired by Frederico Munoz and Adam Brulotte.

I had been sitting on my bed for who knows how long, thinking about the cracks in the ceiling paint.

(Clasp...clink)

Without a word, I took my food out of the security box. I already knew what it was: hard boiled egg, jam, and a piece of toast. I had long forgotten what day it was, but I could tell how many days had gone by by the seven different meals they gave us. As always, I brought my food to my bed. I sat down, set my food to my left, and began to eat. Tasteless food begins to have taste if one eats it long enough.

I put the empty tray back into the security box. The footsteps of the guard approached.

(Clasp...clink)

The guard took the tray out of the box, waited a moment examining whether plastic had been torn from the tray, and walked to the next cell.

After my stomach settled, I started my daily workout. 100 elevated pushups, 200 situps, and 300 air squats three times. To keep myself busy, I paced up and down the cell. One two three, pivot, one two three, pivot, one two three, pivot.... I paced until I forgot how long had gone by. Then, I heard the door of the security box open again.

(Clasp...clink)

Again, the meal was there. Again, I sat down, put my lunch to my left, and began to eat. I put the tray back into the holder.

(Clasp...clink)

The guard took it. I did my workout, then began to stride again. One two three, pivot, one two three, pivot, one two three, pivot... Maybe a half an hour, maybe three hours went by.

(Knock knock knock)

My body knew what to do. I put my hands into the security box.

(Clasp...clink)

The guards put the handcuffs on my wrist. I faced my back towards the door, the door was opened, and I was led to the outside exit. They lead me to the all glass, four by four room where they proceeded to strip search me. This is the most humiliating part. The rest of the day, you can hide from human emotion by working out, walking, and sleeping. This is the only time another human touches you. It's invasive and obliterates your pride. They lead me out to the outdoor facility. As I exited the building, the light hit my face. It felt so good to breathe fresh air and feel the sun. The fresh air, although it was nice to feel a breeze, burned my lungs. I was not used to breathing air that wasn't recycled. Once inside the facility, I ran laps around the inside of the chain link fenced. Before my hour of being outdoors was over, I let myself bake in the sun. Then, I was taken back, stripped searched, and sat on my bed till I heard the next:

(Clasp...clink)

I had forgotten how long I had been in solitary confinement. I knew I had around four more years to go. As long as one suppresses all human emotion, one can survive. I looked up at the ceiling and got lost in the cracks again.

Context and Solutions for Solitary Confinement

Solitary confinement is when a violent inmate is too dangerous for the general population of the prison and cannot be with other inmates. Inmates are then placed in a cell alone with little to no contact with other humans for months or often years at a time. Humans are social beings, taking the social aspect of one's life away can make them go insane. The cost of putting an inmate in solitary confinement is three times the cost of keeping an inmate in the normal prison system. This money is keeping prisoners locked away temporarily, but once they are released back into the community, 24% of those in solitary confinement are reincarcerated. Not only is solitary confinement defined as a form of torture, cost more, and makes our communities unsafe. It also causes mental illnesses that can lead to the prisoners harming themselves or guards.

A potential solution to this problem is to stop putting people into solitary confinement or, if that's impossible, to create programs that help inmates rehabilitate once they leave solitary confinement. This would include mental health programs, communication with other inmates, or activities including books and puzzles. The extraordinary amount of money that is being spent to deprive these prisoners of human contact could be used to provide them rehabilitation. This would improve the safety of the inmates, guards, and our communities once the prisoners are released. The only way for this system to be effective in rehabilitating is if it helps the inmates become less aggressive, not make them more of a threat to society.

Lauren Niegocki

Botched Executions

As citizens we have rights that protect us, yet we still see injustices such as cruel and unusual punishments being inflicted on individuals.

Botched

K.G. Jimenez

Inspired by the story of George Painter.

Joseph:

As I walk down the prison corridors I can't help but replay the events that led me here over and over again. It plays on a loop behind my desperate eyes. I had no time to mourn or process the drastic events. It felt like I was pushed off the edge of a cliff while staring at the beautiful sunset. No time to react, no idea what was going on, but when I did, it was too late. I'm falling and, with every passing second, getting closer and closer to the darkness.

I keep thinking it's a cruel joke that God is playing on me, hoping that he'll come out and say, "Ha! Just kidding Joseph you're not actually going to be executed!! You should've seen your face!" But he's nowhere to be found. All that's here are these cold, metal cuffs that are tightly wrapped around my wrists, suffocating them.

My escorts lead me to a dull, rusty, metal door. Contrary to the meaning of this dark, sickening room, it is brightly lit. The first thing I see is the white clothed bed with several straps lying across it, as if to tie down a deranged animal. Next, I see the one way window to the right of the bed. The only person that ever believed me is on the other side of that barrier and is about to witness this inevitable tragedy.

Margaret:

I stare through the one way mirror, the only thing that is separating my only son and I. The strange man holding the needle is starting to approach Joseph, who is laying on the bed strapped down. Oh God, I'm not ready to say goodbye. There's nothing I can do, there's no words of comfort I can offer. I am submerged in silence.

I can't stifle the sobs that are building up in my throat and I cry out. Tears are furiously rolling down the sides of my face. These are going to be Joseph's last moments and all I ask is that it is quick

and painless. My vision blurs with tears as I see the executioner puncturing his beautiful skin with the lethal injection. I wasn't prepared for what was to come next.

"I feel my whole body burning! Make it stop!"

Joseph is gasping for air several times. The executioners are bewildered and try to inject him again in his leg. He continues to gasp as if he were a fish out of water trying to get air. It was clear that this went terribly wrong while the executioners keep stabbing him in all over his writhing body to try and get a clear shot into his vein. They are eventually unsuccessful.

After 20 minutes of this agonizing sight, I'm escorted into a separate room. I can't un-hear the cries and struggling gasps coming from Joseph. Where are these people getting these chemicals? Why were they ineffective? Are these people even properly trained? Many thoughts run through my head as I wait two and a half hours to finally see my damaged boy.

Context and Solutions for Botched Executions

The death penalty has issues that our criminal justice system fails to address such as botched executions. This issue occurs when there is a breakdown in the protocol for a particular method of execution. The protocol can be established by the norms and expectations of each method or by the governments officially adopted execution guidelines. In addition, botched executions are those involving unanticipated problems or delays that cause unnecessary agony for the prisoner. Therefore, botched executions violate the 8th and 5th amendment. The 8th amendment bars cruel and unusual punishment while the 5th amendment guarantees due process of law before a person can be deprived of life, liberty and property. However, this problem is most often kept in the dark from the public.

The best and most effective way to avoid the issue of botched executions is to get rid of the death penalty as a whole. Although it would be difficult to do so, the next best thing is to create different sentences for the guilty. Prosecutors and District Attorneys are the individuals that decide whether or not an individual will be sentenced to death. Some states have abolished the death penalty due to the high rate of wrongful executions. Most states are now using “safer” lethal injection chemicals and a new protocol, but they have not been able to prevent this issue. In order to prevent botched executions, California has put a hold on all executions to further train staff. Due to the lack of accountability from the government, most states have failed to find safer solutions. Botched executions have been forced under secrecy.

J.S. Robles

Back on The Outside

Employment Opportunities After Prison

We need to learn how to forgive and give people a second chance in society.

A Second Chance

Misael Contreras

Inspired by the story of Richard Cobbs.

“Just a few more questions Mr. James. Do you have any past work experience?”

What should I tell her? That I was locked in a cage for the past seven years? I had a job in prison, so I mean I have had some job experience while I was doing time. But maybe I shouldn't tell her that...Lets just keep it positive I'll tell her about the good things I learned in prison.

“I have had experience doing sanitation, laundry, and catering work. I also had training in culinary arts, but I have more experience with mechanical engineering,” I responded confidently.

“Wow interesting. Okay let's see, out of all the candidates, why should we hire you?”

Man, I'm perfect for this job. I mean c'mon, I ate, slept, and shitted metal. Mechanical engineering is all I did for seven years straight. I know everything there is to know.

“Well, I'm a hardworking, responsible, and a respectful man, that knows the customers are the top priority. It's my job to help them with whatever problems or questions they have. I have plenty of experience with tools and cars. I know everything there is need to know about them.”

“Sounds great, I'm sure your skill set will be appreciated in our job.”

Wow for once an interview that doesn't get flipped upside down and thrown out the window.

“Before we end, there's one last question.”

My stomach tightened as my heart dropped, I knew what going to happened. It wasn't the first time.

“Have you ever been convicted of a felony or misdemeanor?”

This nightmare will never disappear. I don't know what to do,

should I lie? I can't tell them the truth, I need this job, I need the money. The bills won't pay themselves. I'm tired of seeing my daughter wear the same worn out shoes. I don't want her to think her dad is a scumbag. I can't lie, I can't hide from the shadow that haunts me. I did what I did and I can't change that and act as if they never happened. I have to come clean for a better future, maybe they'll give me a second chance.

“Yes I actually have.” I answered honestly in hopes they'd give me a chance.

“Hm, do you mind telling me about what happened?” she sternly asked me.

“Well, I was convicted for a robbery in 2003 and sentenced for seven years in prison.”

“Ok, well, we'll get back to you, thanks for coming in,” she said with forced smile.

“If it makes any difference, I know I made a mistake, I was young and I'm sorry. I can't change my past, I'm trying to get away from that lifestyle. Please give me a second chance.”

“Thank you, do you remember the way out?”

“Yes, thank you.”

My fist clenched as my head began to pound in frustration, this shit has happened too many times. All I need is a steady job to support my family. But it's hard especially after getting out of that hell hole. I'm tired of seeing no food in the fridge or the piles of unpaid bills. But I guess society doesn't want me to change no matter how much I try, I can't ever escape this shadow that haunts me labeling me as a criminal forever. Maybe the streets are the only way out.

Context and Solutions for Lack of Employment Opportunities

Many ex-felons are finding it increasingly difficult to find legal means of making money. About 70% of inmates are high school dropouts, and about one-half of them are illiterate. This is a problem because many of the traditional low-skill jobs, like manufacturing, are being sent overseas, and the majority of current low-skill, minimum wage jobs left, are those in the service sector. Employers look for people with good interpersonal skills and friendly faces - qualities that most ex-felons don't meet. Ex-felons can't go back to school to develop their skills and become competitive job applicants because 70% of college applications ask about past convictions.² Ex-inmates also have trouble starting their own businesses since their convictions automatically disqualify them from obtaining a professional license, even if the skill/job has nothing to do with their conviction. Even if past inmates are able to find a minimum-wage job, they typically must travel huge distances to get to work. All these structural barriers keep ex-felons from ever successfully assimilating back into society and forces them to revert back to making money illegally. This is why two-thirds of released felons will return back to prison. This is costly for society as well because the prison system is really expensive. For example, in California it costs about \$75,000 to keep a person in prison for a year. It is crucial for us to come up with better after-prison reforms to help prisoners assimilate back into society and decrease government spending on the prison system so that more money can be effectively used to solve other pervasive problems.

A few solutions in place to help prisoners include prison libraries and classes. In the book "Surviving Justice," Beverly Monroe, an innocent inmate, teaches classes to feel good about helping other women gain knowledge and power. Another solution being implemented by some states prevents employers from asking about past convictions on a job application; however, employers are still allowed to run background checks. A solution that I would recommend is that prisoners be paid a decent wage for tasks they do around prisons. Instead of turning prisons into a terrible, secluded place, perhaps prisons should operate as a business. Prison owners can get prisoners to make a product, which will be sold to the public. A big share of those profits should then be placed in a prisoner's savings account for after they finish their sentence; of course, prisoners will be limited on what

they can spend the money on to ensure that drug victims don't revert back to their old ways. This way, prisoners can develop skills, save money to help jump-start their career after prison, and, demonstrate to future employers that although prisoners have committed a crime, they are still capable of functioning as good employees. These are all some possible solutions to decrease the number of ex-inmates going back to prison and eventually the prison population.

Prasanna Padmanabham

Ex-Felon Disenfranchisement

Ex-felons are citizens and we must give them a voice in our society.

Unfair

E.B. Bentley

Inspired by the 2000 presidential Election Florida controversy.

November 7th, 2000

Rows of heads are lined up ahead of me, as if we're sheep heading to the slaughterhouse; it's probably just as noisy. The guy in front of me is having a difficult time being able to vote.

"Sir, I've never had a felony"

"Then why are you on this list of felons who are not allowed to vote?"

"I don't know, man, but I have never been convicted of a felony. I don't know what's happening...I only want to vote."

"Sorry sir...but I'm going to have to say no."

"What the hell kind of democracy is this?" he mumbles under his breath to himself.

I'm confused. I don't know much about politics and such, but I know voting is a civil right that all citizens deserve. I'm realizing, though, that if the guy in front of me is unable to vote due to having a felony, then I definitely won't be able to vote...

"Next!"

I walk up with fear and stress pulsing through my body, preparing for what was about to happen.

"Name please."

"Roy Humble."

The registration booth guy looks intently at his purge list.

"You can't vote due to your felony."

"Isn't it my civil right as a citizen to vote?"

“Not when you’re a criminal. If you lack enough judgement that lands you in jail, why should you be able to vote, you had your chance?”

“But... I--”

“Next.” they interrupt.

I walked away in disbelief and defeated.

Today

“Wow. That sounds very frustrating.”

“Yeah, it was.”

“Well thank you so much for having us interview you for our article, is there anything you would like to say to the readers?”

“If America wants to be a democracy, then let their citizens vote. Even the ones with a past felony. Because if I’m eligible enough to function in society again, then I’m eligible enough to vote. Which is what a democracy is. Sure, I did something stupid in my past, but I learned from my mistakes. On top of that, the Florida disenfranchisement law that prohibits ex-felons to vote was created in the 18th century, which targeted African-Americans in an effort to make them second-class citizens. It’s no coincidence the purge list contained mainly African Americans, while 44% of them were innocent! In order for America to achieve their goals of progress and democracy we must get rid of racist outdated laws that prohibit contributing citizens from voting.”

Context and Solutions for Ex-Felon Disenfranchisement

Disenfranchisement means being deprived of the right to vote. In 2016, 6.1 million ex-felons were disenfranchised.. Taking away the right to vote, or making the process of getting voting rights difficult, is not treating someone as a citizen. All citizens, whether or not they have a felony, should have the right to vote. In the 2000 presidential election there was a deadlock in Florida due to the state's inaccurate purge list, a list of people who are unable to vote due a felony, that was based on the disenfranchisement laws from the 18th century.

The Florida purge list included many people who were not felons. Almost 48,000 Florida residents were on the purge list, On this purge list only 61 are Hispanic and more than 22,000 are African-American. 1,100 people on this list had never had a felony. If felony disenfranchisement was not in place then this issue could have been avoided. It also affects non ex-felons as well.

In Florida, a federal Judge, Mark Walker has criticized Florida for not letting felons vote. Walker says that it's "nonsensical" to deny felons voting rights and is a violation of the 14th Amendment. Other than that, not much has happened and it's not just in Florida, but also Iowa, Kentucky, and Virginia that won't restore automatic voting rights, right after prison. Currently there are 1.5 million people unable to vote in Florida due to past felony convictions. Felons should have their voting right restored right after prison. Instead of excluding them from voting, we should encourage them and allow them to contribute to society because they have served their time and are ready to contribute to society.

Wendy Mendez

Compensation for Exonerees

Time has a cost.

What I Lost

A.R. Cesson

Inspired by the story of Steven Avery.

This was my first time seeing this guy without his blue latex gloves. He always had the urge to find something that would keep me in this crowded pit of animals. I felt totally different, he looked like a different person. I only recognized him by his crooked smile.

“Okay you’re good to go.”

“What? That’s it?”

“Yes.”

“All I get back is a photo of my son? I was innocent the entire time, sir.”

“That is all you had with you.”

He wasn’t wrong. That’s all I had with me when they took me from my home. When they were trying to tie up my hands, I grabbed a photo of my son that was laying on my nightstand. I grasped it so tight. They would have had to cut off my hand to take it from me. The officer asked what I had in my hand and I just pleaded for him not to take it. He clearly saw I was not letting go.

I miss my son, I have no idea where he is. I lost contact with my wi-, ex wife, after we started getting in an argument in our letters. My entire family saw me through the eyes of the law after my conviction. As if that is what I needed on my overflowing plate of thoughts and self-doubt. The prison system really messes with your head. I was at the wrong place at the wrong time. Everyone I loved lost their trust and sympathy for me.



“Rahaim and Saints law firm, this is Kelly.”

“Yes, hello this is Michael Bates. I just got out after 15 years for a crime I didn’t commit and I am at a payphone right now because I have no money, no house, and my family must have changed their numbers because I can’t reach them. Where is my compensation? How do I get my life back?”

“Unfortunately Michael, we are in Delaware which means there is no compensation for exonerees. We can help you file a lawsuit against the people who put you in.”

“Do you think I can afford a lawsuit? I have absolutely nothing.”

Context and Solutions for Compensation for Exonerees

Those who have been proven wrongly convicted with the help of DNA testing have at least spent around 14 years in prison according to the Innocence project. Drew Whitley spent 18 years of his life in prison and was convicted for murder, and received nothing of compensation. He was clearly innocent due to DNA testing, and the government took 18 years of his life that he cannot get back. The reason lack of compensation is a problem is because when the wrongly convicted are released they have no money, no housing, no health care, and no job. In the United States, only 32 states provide compensation for those who are innocent. This is a big issue for exonerees living in states that do not support compensation. It is up to the states responsibility to restore the lives of the wrongly convicted.

Herman Atkins was wrongly convicted for rape and robbery and spent 23 years in prison. After being released from prison, Atkins had a goal to study law and to make a difference in this issue. He has persuaded the state of California to passing a law to give each prisoner \$100,000 to \$100 per day spent in prison. California is one of 32 states that offer compensation for exonerees. Herman Atkins is still on the move to make a difference for exonerees. His goal is to create a law that all 50 states have to follow. The law would offer full compensation for all wrongly convicted victims.

Arian Tabatabaei