

**& FREEDOM
& CAPTIVITY**



**Loss,
Repair,
and
Transformation**

CURRICULUM GUIDE

Freedom & Captivity Curriculum Project: Background

Freedom & Captivity is a community-based, non-hierarchical collective with a core team and a broad network of coalition partners, led by the concerns and interests of people most impacted by the criminal legal system and incarceration. Our core team of incarcerated, formerly incarcerated, never incarcerated and justice-impacted people has been working together since 2020 to excavate and record the knowledge of people affected by incarceration in order to challenge popular narratives about who is incarcerated and the presumption that incarceration is necessary for public safety. Freedom & Captivity was founded to open community spaces for collectively envisioning alternatives to incarceration and to ensure that those with the most direct experience of incarceration are the ones shaping new narratives about how to keep communities safe and initiate pathways of repair and restoration in the wake of harm.

We are based in Maine. While incarceration rates in Maine are not as high as those in many other states, Maine is unique for having the harshest sentencing practices in the entire country. The 1976 revision of the criminal code eliminated parole, expanded the number of behaviors that could result in incarceration, and lengthened most sentences. In subsequent years the overall rate of incarceration skyrocketed, as did racial disparities in sentencing. The number of women in Maine's prisons rose almost 800% following the reform, and the Black to white racial disparity in Maine's prison population now stands at 9:1; one of the worst in the country. Additionally, an estimated 40,000 people cycle through Maine's jails every year. The majority of people held in Maine's prisons and jails have experienced major life traumas and struggle with substance use disorder, mental health challenges, poverty, and low educational levels. As is the case elsewhere, prisons and jails in Maine are used to manage rather than solve social problems.

Prisons and jails do so by isolating, silencing, and removing from society people who have been convicted of crimes or who are awaiting trial, cutting them off from their communities and families. As people experiencing incarceration are disappeared into cages, their life stories, experiences, and pathways of growth and transformation become almost completely inaccessible to those on the outside, ensuring they remain defined in the public eye as little more than the crime for which they were convicted. Prison culture inside is intended to strip people of their humanity, personhood, agency, voice, and self-identity.

Freedom & Captivity was created to challenge this reality by: 1) envisioning alternatives to incarceration in the wake of harm; 2) creating bridges between people on the inside and people on the outside; and 3) changing the narrative about incarceration by giving those who are justice-impacted public platforms to share their experiences and life journeys. Our team of justice-impacted and aligned members began with a [Fall 2021 calendar of events](#) (Phase 1) intended to open conversations across the state about how to envision alternatives to incarceration. The Fall 2021 initiative included a robust calendar of activities (art exhibitions of work by incarcerated artists, performances, community conversations, lectures, film series, panel discussions, and more) offered by 52 cultural, arts, social justice, and educational institutions throughout the state; a podcast series; a national juried *Art on Abolition* online

exhibition; documentary production of film and photography; and background research on the history of incarceration in Maine. Thousands of Mainers participated in our programming and the materials created for the project are all assembled on the **Freedom & Captivity website**.

Building on the success of Phase 1, in Phase 2 (2022–23) the team drew on these materials to develop the **Freedom & Captivity Curriculum Project**. The team spent a year in intense collaborative work to create course curricula that we offer to interested community groups. Our three courses (Loss, Repair and Transformation; Journeys of Trauma, Healing and Forgiveness; and What is Liberation?) are intended to center the experiences of incarceration and harm while addressing questions of universal relevance and significance, such as: How can we cope with loss? What does repair look like? How can we transform systems of harm to enable healing? What should accountability in the wake of harm look like? Is justice the same as punishment? Does forgiveness always mean reconciliation? Is liberation collective or individual? How do we all get free?

These courses can be self-directed and taken up by any interested community group. We can provide trained incarcerated facilitators by request, for a stipend.

We welcome feedback on your experience of our courses at freedomandcaptivity@gmail.com.

Welcome

“Conversation is the best mode of learning.” — bell hooks



Mark Loughney, *Breathe Again*, n.d.

The **Freedom & Captivity Loss, Repair, and Transformation** curriculum will cover themes related to 1) the losses associated with incarceration and 2) how to build restorative pathways toward healing and recovery. Incarceration creates a cascade of losses: for victims, family members with incarcerated loved ones, those who are incarcerated, and society.

Together, we will develop an awareness and understanding of these losses and then turn toward envisioning alternative responses to harms that prioritize healing, repair, and building a healthy community. We are learning from one another on our journey of exploring loss. Everyone processes loss differently, and each of us is an expert in our individual experiences. The facilitators are guides while we learn and grow as a community.

We ask participants to keep a journal in which to reflect on the two questions that close each week, one on accountability and one on radical love, as well as to record other thoughts throughout the class.

While the curriculum offers specific guidance to facilitators leading this class, those doing this work on their own can follow the instructions without the class structure.

Course Structure:

Over the next 13 weeks we will work through our themes of loss, repair and transformation. We spend the first 8 weeks working through the losses associated with incarceration, for individuals, families, communities, and social systems. Then we turn to avenues of repair, spending 3 weeks learning about different approaches to repair in the wake of harm. For the final 2 weeks we turn to a consideration of transformative justice, exploring how this approach could shift our approach to interrupting and addressing harm.

Session Structure:

Each session will last up to 2.5 hours and will incorporate the Restorative Practice of creating a sacred container of safety and courage through opening and closing rituals (a moment of silence/sharing of a quote, poem, or song, followed by a check-in/-out question). The flow of each session, and the time dedicated to each aspect, will be guided by the needs of the learning community. Each class will include a review of our Community Agreements, an opening circle question, a balance of full group discussion and breakout rooms, and a closing circle question.

The co-learning community will be built on a foundation of Community Agreements (another Restorative Practice). Starting with some basics (i.e., listen with attention, speak with intention, lead with heart/compassion, and honor the value of all), part of the first session will be dedicated to establishing the Agreements by which all participants are willing to live with each other in the space we create together. What do you need to feel safe, brave, and open in our community? The Community Agreements is a living document, so as the needs of the group change, so too can the Agreements. We can revisit them as the class progresses and will lean into the Agreements to keep us grounded in community and mutual accountability as the weeks progress.

Assignments:

Throughout the course, there will be assigned readings, videos, and other media. Unless otherwise noted, participants will be trusted to have reviewed the assigned materials and come prepared to engage in meaningful discussion that takes us deeper into them, as well as beyond them. Participants will also be encouraged to bring any relevant material that speaks to them to share.

WEEK 1: LOSS, REPAIR, AND TRANSFORMATION

Introduction



Goals:

- Begin building a co-learning community and establish class agreements.
- Outline the purpose of opening with a circle question and keeping a journal.
- Introduce and reflect on language and terminology to be used throughout the curriculum.
- Consider the difference between crime and harm.

Opening: (30 - 40 minutes)

- Facilitator introduction:
 - Share your name, pronouns, and answer the question: why are you teaching this course?
 - Share some of your personal history related to the course themes.
- Overview of expectations:
 - What expectations are you, as the facilitator, bringing to the class?
 - Do your expectations include timeliness, advance preparation, certain attitudes that participants may bring, or anything else?
 - Discuss your hopes and goals for the course.
- Establish group ground rules:
 - The facilitator helps the group develop collective class agreements for how everyone will interact with each other, for mutual expectations, and for how participants will show up and contribute.
 - Expectations might include: being okay with silence, encouraging vulnerability, recognizing the need to offer each other support, balancing listening and speaking, etc.
 - The facilitator asks the group to share what they need to feel safe in this space. The facilitator should explicitly make the point that this will be a space of welcoming, open expression, and discussion of different perspectives.
 - After class, the facilitator should make a copy of these class agreements to distribute at the next class.
- Discuss what to do if a participant experiences activation based on the material:
 - Facilitator offers tools for those who may need to take a step back. For example, participants can leave the room, ask for a moment of silence, etc.
- Discuss the journal:
 - We ask participants to keep a journal throughout the course in which they can

- record their responses to the pop-up questions on accountability and radical love that end each session, as well as their reflections on the homework and other issues that come up in class.
- The journal will not be shared with the facilitator or the class but functions as a private space to record reflections, questions, thoughts, critiques, etc.
- Opening introduction and circle question:
 - Community building activities are essential for helping participants feel more comfortable and learn about each other. Ensure participants know they can always motion to PASS if they do not wish to address each week's circle question.
 - Ask participants to go around the room to address these questions. Do a round with the first question and then follow with a round with the second question. For future classes, have students combine their answers (introductions & responses) in one round.
 - Introductions: Share your name, pronouns, and respond to the question: why are you taking this course?
 - Circle question: What did you want to be when you grew up?

Topic 1: Terminology (30 minutes)

Exercise: Full Group Discussion. What are the terms you typically use to describe someone who is or has been incarcerated? What are the terms you are familiar with that describe the system of incarceration in our country? Consider as well where you learned these terms. Take five minutes for everyone to write down the words that come to mind. (A list of potential terms and their uses is included at the end of this session.)

As participants share their works, the facilitator records them (in chat if on Zoom; on the board if in person). If possible, use different colors (**blue for people**, **green for systems**, etc). Then either break into smaller groups or work as a single group to create definitions for each term. If any of the words from the list below are missing, please suggest them. The facilitator reviews all these terms and then asks participants to think about the differences among them. Then the facilitator defines the terms used in this course and explains why.

Terms for people used in this course:

Returning citizen / formerly incarcerated person / returning community member / restored citizen / restored community member

- We will use '**returning community member**' because previously incarcerated people don't always have the same full rights of citizenship as other citizens

because certain rights and privileges may still be withheld by the state. For example, in some states, returning community members who had felony convictions are barred from voting and accessing certain public benefits. Returning community members on probation may be subject to limitations on their movements and activities. A restored community member is a returning community member who has had their full rights and privileges restored.

Resident / inmate / prisoner / convict / ex-con / felon / criminal / offender / system-impacted person

- **'Resident'** is the term officially adopted by Maine Department of Corrections (MDOC) as part of an effort to effect a cultural shift inside MDOC facilities about the treatment of those who are incarcerated. Some residents use 'prisoner' because that reflects their lived reality of the carceral system. [There are no terms for people convicted of a crime they did not actually commit, beyond 'wrongfully convicted people.'] **We will use 'resident,' system-impacted person', and 'currently incarcerated.'**

Language is important because so many people in prison are mislabeled: the system overcharges people to get a conviction; people get convicted of crimes they did not commit; people may commit infractions (leading to new charges) because of an incorrect initial charge; and what constitutes a 'crime' or a 'felony' is different from place to place and over time. In addition, many people who harm others or break the law are never caught or held accountable through the criminal legal system, so establishing a clear distinction between those who have been caught committing a crime and those who have not is not helpful or accurate when we seek to repair harm.

We will likely need to practice changing our language during the upcoming weeks. Can we agree to gently note when harmful terms are used (like convict or felon) with a suggestion of a different term? Changing our language is hard and we will all need to work at it in a supportive environment.

Terms for the system used in this course:

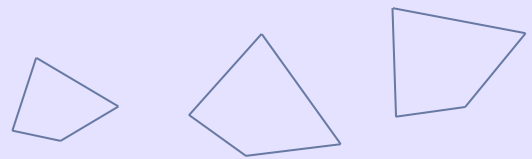
prison industrial complex / criminal justice system / criminal legal system / carceral system / punishment system

- The normal usage is 'criminal justice system' but critics of the system now use 'criminal legal system' to highlight that law is a social construct and that the system as it currently exists often fails to deliver justice, for reasons we will discuss.

- We will use ‘carceral system’ and ‘carceral spaces’ because justice is a relative term, and many people do not associate justice with our current model. By ‘carceral system’ we refer to the network of systems that rely on the state sanctioned physical, emotional, spatial, economic, and political violence to enact punishment and maintain the status quo. It includes law enforcement, the courts, surveillance and data, consultants, those who benefit financially from forced labor, and the interests that benefit financially from incarcerated people and their families. Carceral spaces include jails, prisons, courthouses, homes (surveillance and home confinement), detention centers, and schools (the school-to-prison pipeline begins with police patrolling hallways).

TAKE A BREAK! (5 minutes)

Stretch, Move Around, Breathe, Restroom Break!



Topic 2: Terminology (40 minutes)

Exercise: Full Group Discussion. What is justice? What do YOU want from our justice system? What do you think society wants from our justice system? If these are different things, why do you think this is the case?

The facilitator gives the group five minutes to reflect in silence and jot down notes. Then the facilitator holds a collective discussion and can probe further with these questions as the conversation unfolds:

- Are we looking to punish? Deter crime? Protect victims? Enact social control? Hold people accountable? Repair harm?
- What are the terms you are familiar with that describe the system of incarceration in our country?

Consider as well where you learned these terms.

Terms to Consider:

Harm	Deterrence	Restoration
Accountability (personal and community)	Control	Justice
Blame	Revenge	Crime
Punishment	Repair	Safety

After everyone has shared their list of terms, hold a collective discussion about which terms feel significant to the participants and why. Be sure to address where these ideas and feelings may have come from.

Topic 3: Crime and Harm (20 minutes)

Exercise: Full Group Discussion. The facilitator breaks participants into small groups to discuss the following questions. The facilitator should remind the small groups of their community agreements. After ten minutes, the groups rejoin and each group shares its conclusions, including the differences in responses among group members.

- Are crime and harm the same thing? Why or why not?
- Are there harms that are not normally addressed through the criminal legal system and thus go unpunished?

Following the sharing out from small groups, the facilitators share this information.

In this curriculum, we define crime and harm as follows:

- **Crime** – We follow Mariame Kaba’s definition of crime: “Crime is a socially constructed set of norms that define what a society decides for itself it will criminalize.” (“Finding Our Way” podcast, season 2, episode 12, 20:12)
- **Harm** – The criminal legal system is concerned with adjudicating punishments for those who have committed crimes, as defined above. As opposed to the category of ‘crime’, which is a legal definition, this curriculum addresses the category of harms, actions that people commit that hurt other people. Our curriculum is oriented to facilitate a consideration of alternatives for addressing harm.

Topic 4: Abolition (10 minutes)

Exercise: Full Group Discussion. The facilitator asks participants to reflect silently on this question: Can we imagine an alternative way of addressing harms? The facilitator introduces the concept of ‘abolition’ and ‘transformative justice’ as approaches to limiting the use of prisons and jails to address harm while building alternative pathways toward healing and repair, using models of community investment and accountability, restorative justice, and transformative justice.

The facilitators introduce the concept of ‘abolition’, which this course takes from Critical Resistance as “a political vision with the goal of eliminating imprisonment, policing, and surveillance and creating lasting alternatives to punishment and imprisonment.”

The facilitators introduce the concept of “transformative justice” as an approach to justice that seeks to change the conditions under which harm occurs to interrupt cycles of harm and harmful conditions that may lead people to cause harm.

The facilitator asks the group to briefly discuss these questions:

- Why does our criminal legal system focus on punishment as the response to crime? What does society gain by punishing people who are convicted of crimes through incarcerating them?
- Does punishment through incarceration effectively repair the damage done by crime?

Closing: (5 minutes)

Have you ever broken the law?

- Participants can respond with Yes, No, or Pass.
- Consider: Drug Use? Insurance Fraud? Shoplifting? Driving under the influence? Assault? Underage Drinking? Letting your car inspection expire? Urinating in public? Jaywalking? Failing to completely stop at a stop sign? Fudging your taxes? Illegally downloading or sharing music?

The facilitator explains: Eastern State Penitentiary's Prisons Today exhibit invites visitors to answer similar questions.

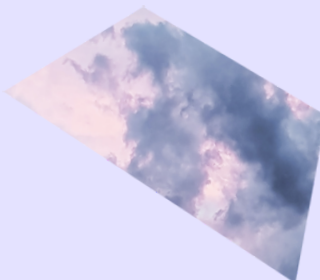
- Visitors who choose 'NO' encounter the following signage: "You're very unusual. 70% of Americans have committed a crime that could lead to prison. Most of us will never experience arrest, trial, or prison. Why is that?"
- Visitors who choose 'YES' encounter the following signage: "Did you get caught? Why or why not? Does this make you a 'criminal'?"

Homework for Week 2: Read F&C's U.S. Incarceration Timeline and Brief History of Incarceration in Maine Timeline.

POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

ACCOUNTABILITY

What would accountability look like for a law that you may have broken?



RADICAL LOVE

The popular saying, "hurt people hurt people" suggests that those who cause harm have usually been hurt themselves. Is a punitive response the best way to respond to harm if, "hurt people hurt people"?

VOCABULARY

Terms for people:

Convict — A derogatory term for a person found guilty of a criminal offense and serving a sentence of imprisonment.

Criminal — A derogatory term for a person who has committed a crime by defining them only in relation to the crime.

Felon — A derogatory term for a person convicted of a felony crime.

Formerly Incarcerated Person — A person who is no longer housed in a prison or jail.

Incarcerated Person — Someone who is confined in a jail or prison.

Inmate — A derogatory term for an incarcerated person.

Justice-Impacted — A term that implies a person is affected by the criminal legal system. This umbrella term includes people who are formerly or currently incarcerated and their family members. Sometimes used interchangeably with 'system-impacted.'

Offender — Refers to someone who has caused harm, whether through breaking the law or not.

Probationer — Refers to a person who has served their court-mandated sentence and is allowed to return to the community with restrictions on movement, curfew, and other conditions.

Prisoner — A term sometimes used by incarcerated people to describe those who are incarcerated, but is considered derogatory when used by others.

Resident — An internal Maine Department of Corrections term for an incarcerated person in an effort to affect a cultural shift inside the DOC facilities about the treatment of people in custody.

Restored Community Member — Refers to a person who has completed their sentence and probation period and is restored as a full member of society with all rights and privileges.

Returning Citizen — A term that refers to a person who has completed their sentence. This term assumes full rights and responsibilities, which many formerly incarcerated people do not have, such as the right to vote, serve on a jury, run for public office, travel freely, and have access to public housing, education, and work opportunities.

Returning Community Member — Refers to a person returning to the community after completing their sentence but who may still be on probation, parole, or home confinement.

System-Impacted — Refers to people who are affected by policing, legal, and corrections systems, as well as the foster care system. The term encompasses family members of those who are directly system-impacted.

Terms for the system:

Carceral Space — Jails, prisons, courthouses, detention centers, homes (surveillance and home confinement), neighborhoods (zones with gang injunctions and “hot-spot policing”), schools (school-to-prison pipeline with police patrolling hallways).

Carceral System — Justice is a relative term, and many people do not positively associate it with our current model. The Carceral System is a network of systems that rely on state-sanctioned physical, emotional, spatial, economic, and political violence to preserve the interests of the state. It includes law enforcement, the courts, surveillance and data, consultants, those who benefit financially from forced labor, and the interests that benefit financially from incarcerated people and their families.

Criminal Justice System — A network of government and private agencies intended to serve justice through managing those accused and convicted of crimes. Our conditioned response to the use of ‘justice’ in this phrase is that the system works, keeps our neighborhoods safe, and the convicted get what they deserve. The criminal justice system includes academia, law enforcement, forensic services, the judiciary, corrections etc.

Criminal Legal System — A description that emphasizes the system of laws concerned with punishing individuals who are arrested and/or convicted of committing crimes, which includes policing, prosecution, courts, and corrections. Critics of the current system usually use ‘criminal legal system’ to highlight that law is a social construct and that the system as it currently exists often fails to deliver justice, accountability, or harm reduction.

Criminal Punishment System — A description that focuses on the ways in which the criminal legal system invests in incapacitation and retribution with little opportunity for rehabilitation and restoration.

Hyperincarceration — The U.S. is the world's largest jailer because it incarcerates more people per capita than any other country on earth, and sentences tend to be much longer than those in other countries. The U.S. also incarcerates the highest proportion of minorities in the world. These facts lead critics to refer to the system of incarceration in the U.S. as one of hyperincarceration.

Mass Incarceration — The term used to emphasize the extremely high rate of incarceration in the U.S. of adults and juveniles.

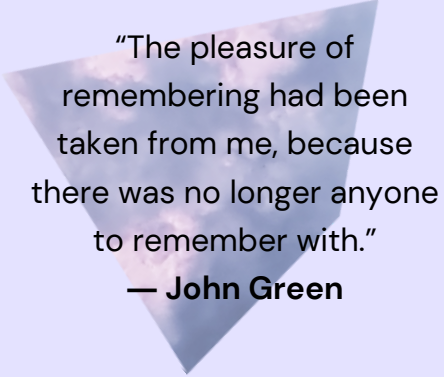
Wrongfully convicted — A person who is a victim of a miscarriage of justice in a grossly unfair criminal proceeding, such as the conviction and imprisonment of a person for a crime they did not commit.

WEEK 2: LOSS, REPAIR, AND TRANSFORMATION

Understanding Loss

Goals:

- Establish a shared vocabulary of loss.
- Explore personal experiences of loss.
- Explore artistic expressions of loss.



“The pleasure of remembering had been taken from me, because there was no longer anyone to remember with.”

— John Green

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - Last week we asked if you had ever broken the law. If so, did you get caught? Why or why not? Does this make you a ‘criminal’?

Topic 1: The Language of Loss (30 minutes)

Exercise: Full Group Discussion.

- Does everyone experience loss?
- Does loss as an experience unite us as human beings?

To address these questions today, we begin by working with the words we use to describe loss (depression, anger, grief, loss, etc.). The facilitator invites participants to make a list of words, then share their list with the class. The words are recorded on the board or in the chat so the group can discuss each one. See possible terms on the next page.

For each word, the facilitator asks: What does this emotion feel like? How do we feel this emotion in our bodies?

Possible Terms:

Acceptance — Embracing the good and the bad in the present moment by accepting what was lost.

Anger — An intense and sometimes overwhelming emotion of hostility, frustration, and/or annoyance.

Bargaining — Attempting to postpone grief or prevent emotional turmoil by imagining different scenarios than reality.

Bereavement — The act of grieving a loss or a period of time during grief.

Denial — Trying to protect yourself by refusing to accept the truth about something that happened or is happening in your life. Short-term denial can protect someone until they have the skills to adjust to, cope with, or grieve a loss.

Depression — Prolonged feelings of sadness, hopelessness, and/or loss of interest in activities you enjoy.

Fear — A feeling of alarm, agitation, and/or terror. Feeling threatened by something known or unknown.

Grief — Deep sorrow about the loss of someone or something you love.

Guilt — Feeling responsible, remorseful, or regretful for a real or perceived offense. A feeling of conflict in having not done something one believes one should have done or done something that one should not have done.

Heartache — Emotional anguish or grief by loss or absence of someone or something.

Isolation — A feeling of aloneness, separation, and helplessness. A place devoid of human contact, intellectual stimulation, and/or physical comfort.

Loneliness — Feeling sad and unhappy about being isolated. Can be accompanied by feelings of shame, embarrassment, and rejection.

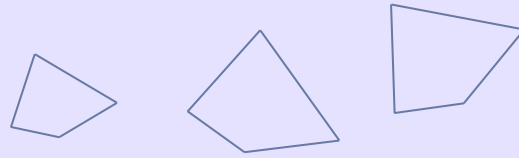
Mourning — Experiencing and expressing grief and sorrow over a loss.

Sadness — Feeling down or unhappy in response to disappointment or loss.

Sorrow — Feelings of deep distress caused by loss or misfortune suffered by you or someone else.

Toxic Guilt — Feelings of guilt that develop into the belief that you are not a good person.

TAKE A BREAK! (5 minutes)



Topic 2: Personal Stories of Loss (30 minutes)

Exercise: Partner Work + Full Group Discussion. Give the group ten minutes for each participant to write or draw a personal story of loss.

Partner Work: Break participants up into pairs for ten minutes to share their stories with each other (each person gets five minutes). Paired discussion is intended to help participants get to know one another and build trust and community. Each person shares their story with their partner and clarifies if they are comfortable sharing their story with the larger group. Partners will be sharing for each other (unless a participant prefers to share their own story rather than have it shared by their partner).

Full Group Discussion: Ask for volunteers to share their partner's story, if they were given permission to share.

Topic 3: Envisioning Loss in Art (55 minutes)

Exercise: Art and Reflection + Full Group Discussion. Review the following three pieces. Reflect on what they reveal about loss with the discussion questions below. Allow several minutes between each viewing for participants to jot down their thoughts. Activation warning: Please be aware that art, as creative self-expression, might include terms or images that are disturbing.

Selected art pieces:

- *Living Monuments* (sculpture) by Chris Revelle
- *Pine and Genessee* (film) by Kelly Gallagher
- *What if Black Boys Were Butterflies* (film) by DaeQuan Collier

Discussion Questions:

- What do you think the artist is trying to convey about loss?
- How does this piece show/invoke/demonstrate loss?
- Can you as a group articulate in a sentence or two the message communicated in each piece?

Closing: (10 minutes)

Name one thing that can help to alleviate the pain of loss.

Homework for Week 3: Listen to Freedom & Captivity Podcast Episode #4: "Why Do We Need To Be Punishing People?" with Samaa Abdurraqib and dee clarke.

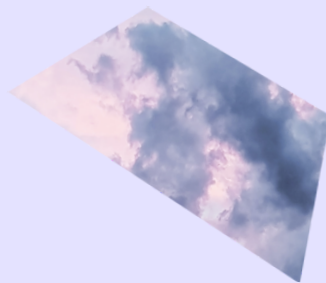
Reflect on these questions as you listen:

- Why do you think our criminal legal system prioritizes punishment over harm reduction?
- What impact does this priority have on poor mothers?
- Why do you think our criminal legal system makes it so hard to ask for help?
- What do you think support for poor mothers should look like in our society?

POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

ACCOUNTABILITY

Do we as a society hold responsibility for assisting those experiencing loss?
Why? How?



RADICAL LOVE

Name four ways that people can offer support and love to those who are experiencing loss.

WEEK 3: LOSS, REPAIR, AND TRANSFORMATION

Impact of Incarceration on Families

"We are doing time
on the outside."

— **Daughters of
incarcerated parent**

"I'll be 30 years old
when my dad is
released from prison."

— **Six year old boy**

Goals:

- Understand the meaning behind the saying: "When a family member goes to prison, the whole family goes to prison."
- Learn how the carceral system impacts families with incarcerated loved ones.
- Consider how to best support children with incarcerated parents.

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - Do you engage in any behaviors now that were once illegal?

Topic 1: Families and the Impact of Incarceration (70 minutes)

There is a popular quote that says, "When a family member goes to prison, the whole family goes to prison." Today's session looks at the impact of incarceration on family members. According to the [Prison Policy Institute](#), about half of the 1.25 million people currently incarcerated in state prisons are parents of minor children. Another report (fwd.us) estimates that in 2018, roughly 113 million Americans had an incarcerated or formerly incarcerated family member. One in four adults in the U.S. has had a sibling incarcerated; one in five has had a parent incarcerated; and one in eight has had a child incarcerated. The rates are disproportionately higher in Black and Native American families and in poor families. Today we are going to explore how the carceral system impacts families with incarcerated loved ones.

Exercise A: Video Screening. (30 minutes)

Watch the video *Home Fires: Children Families and the Impact of Incarceration* as a group from minute 1:39–13:42.

After viewing, ask participants to write for several minutes in response to the question: “Have you ever been involuntarily separated from a loved one? How did that feel?” This is for your journal: we will not be sharing these thoughts with the group.

Then as a group address these questions:

- What surprised you about the information provided by Jan Collins?
- Why were you surprised?

Exercise B: Small Group Discussion. (40 minutes)

Divide participants into small groups and address the following question:

- What do you think families lose when a family member (child, parent, sibling) goes to jail?

The facilitator gives each group ten minutes to discuss and make a list. After returning to the full group, ask each group to share one or two of the things on their list in succession and continue around the room until everyone has shared their full list.

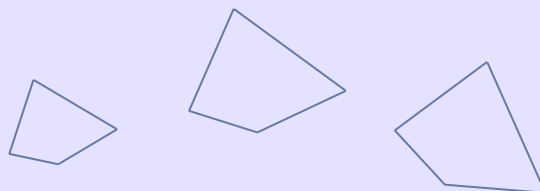
After the discussion, continue the video from minute 29:44–43:06 and then as a group address the following questions:

- What surprised you about the information provided by Jan Collins?
- Why were you surprised?
- What are some additional ways that the incarceration of a family member might affect their families?

Exercise C: Group Connection. (5 minutes)

Form a circle and ask everyone to share a look with everyone else in the circle. Give several minutes for this exercise. Then invite everyone to move around the room. After returning from break, remind participants of community agreements and what to do if they experience activation.

TAKE A BREAK! (5 minutes)



Topic 2: Losing a Parent to Incarceration (30 minutes)

Exercise: Full Group Discussion. Read/listen to the recording of the poem 'Through the Lens of a Child' and then ask one participant to read the mother's response. After, discuss the following questions as a group.

Through the Lens of a Child by Kirsten

LISTEN TO AUDIO RECORDING

The year of Disney Movies and Tag
We guzzled down Apple juice and played
Hide N Seek.

By the time we turned 6
We learned how to
Cook our own food
And how to take care of
Ourselves

Once I hit 7
I moved in with my grandparents
Mom was taken.

Where did she go?
Will the bad guys bring her home again?
Mama, come home
I miss
You.

At the start of age 8
I never understood why
I felt so alone at such a
Young age
I still laughed with my friends
And made sure my Barbie Dolls were okay
But why didn't anyone check in
On me?

Fast forward to 13
The only way I could cope
With my feelings
Was through

Starving myself
If I could focus on the amount of
Calories I consumed,
I wouldn't have time
To think about my mom
Being stolen from
Me.

Now, age 15
Mama is home
Mama is healthy
But the time is gone.

All of the years that could have
Been spent at Sweet Frog
Or coffee dates with her
Are gone.

My childhood was stolen
My mother was
Ripped away from me

That is what Incarceration does to a child.

It rips their one tiny
Spark of hope
Away from them.
The light at the end of the tunnel;
Burnt out.

But us kids will still act okay
Because no one will sit us down
And ask if we're really fine.

Mother's Response:

Kirsten's mother, who is now out of prison and reunited with Kirsten, writes this response to her daughter's poem.

Reading "Through the Lens of a Child" was difficult for me. As the mother of this young poet, learning the effects of what my incarceration caused for my daughter was hard to hear. My eyes leak with tears every time I read her words, as I feel her pain. I learned through 15-minute phone calls that she struggled with an eating disorder and watched through pictures as she went down in weight, 120 lbs in 7 months. Nothing I could do to make it better for her, couldn't wipe her tears or help her find recovery from the Anorexia that took over. All I wanted was to hold her and make all the pain go away. This poem first brought guilt and shame. Feelings of failure as a mother. But the more I read it, the more tears that fell, the more I told myself that this harm was caused by systems. I love my children and would have been there if allowed to be. The inability to even have visits with my children for 6 years while inside caused this. I tried for visits, but got faced with more roadblocks along the way, I was told that I needed a notarized paper stating that my mom had guardianship, the court papers were not enough, but then the papers weren't either. The words of this poem keeps me vigilant, allows me to keep doing the next right thing, instills fear, fear more for my children and their mental and physical well-being if forced away again. Most importantly, these words I read make me proud to have such a strong daughter that will speak up against the system, to hopefully awaken the world on the harmful effects that incarceration has on a child.

I love you Kirsten, you are a survivor.

Discussion Questions:

- What are the losses named in Kirsten's poem?
- What are the losses that Kirsten's mother named in her response?
- From listening/reading this interaction between child and mother, do you think incarcerating mothers due to their substance use disorder is the best expression of justice? Does their incarceration reduce harm? Why or why not?

Topic 3: Why Do We Need To Be Punishing People? (25 minutes)

Referencing last week's homework audio: [Freedom & Captivity Podcast Episode #4](#); "[Why Do We Need To Be Punishing People?](#)" with Samaa Abdurraqib and dee clark.

Exercise: Small Group Discussion. Break into small groups to share responses to the homework questions:

- What did you learn from this podcast?
- Why do you think our criminal legal system prioritizes punishment over harm reduction?
- What is the impact of this priority on poor mothers?
- Why do you think our criminal legal system makes it so hard to ask for help?
- What do you think support for poor mothers should look like in our society?

Closing: (5 minutes)

What does punishment do? Who does it serve?

Homework for Week 4: Listen to Freedom & Captivity Podcast #7, We are Creating the Next Generation of Broken People: Parenting and Prison.

Reflect upon the following questions:

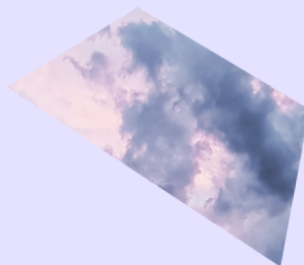
- What are the barriers to parenting in prison?
- How would you parent from prison?
- Can you think of ways to help incarcerated mothers and their children stay connected?

POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

According to the Vera Institute, two out of three people in the U.S. are rearrested within three years of their release, and 77% are rearrested within five years after release. Children of incarcerated parents are more likely to become incarcerated themselves.

ACCOUNTABILITY

Given the facts above, do you think punishment acts as a deterrent to crime?



RADICAL LOVE

Drawing on what you've learned this week, what do children with incarcerated parents need? Draw a picture that responds to this prompt.

WEEK 4: LOSS, REPAIR, AND TRANSFORMATION

Women, Grief, Shame, and Parenting

“Each of us is more than the worst thing we’ve ever done.”

– Bryan Stevenson

Goals:

- Gain a greater understanding of the impact of prison on women, which is under-acknowledged.
- Explore the relationship between trauma histories and the criminalization of women who have been exploited or who were defending themselves against abuse.
- Provide an expanded view of what it means to incarcerate a woman by understanding the broader family and social impact.
- Consider the experience of mothering from prison.

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - Today’s question is a journaling exercise. Write down responses to the following question but DO NOT SHARE them: What is the worst thing you’ve ever done?
 -

Introduction:

According to the Prison Policy Institute, “women in state prisons are more likely than men to be a parent of a minor child (58% of women, compared to 46% of men). Women were also more likely to have been living with their children prior to their imprisonment: About 52% of women with minor children report living with their child(ren) at the time of their arrest, compared to 40% of men. Finally, women were more likely to lead a single-parent household, as 39% of incarcerated mothers of minors lived with children but no spouse, compared to 21% of fathers.” Although this session focuses on the particular experiences of incarcerated mothers, incarcerated fathers experience the same losses, griefs, and barriers to maintaining their parental connections.

Topic 1: Exploring the Incarceration of Mothers (60 minutes)

Exercise: Presenting the Facts. Ask for volunteers to read the brief introduction and bullet points:

Pine Tree Legal Assistance explains that all that is needed to begin a Maine Department of Health and Human Services (DHHS) investigation is a phone call from family, neighbors, or any community member about suspected child neglect.

The process is this:

- DHHS receives a report about possible abuse or neglect to your child.
- DHHS can keep the names of reporters secret.
- DHHS has broad powers to get involved with families.
- DHHS decides that the child has been abused or neglected, but the risk of harm is not high. This is called an “indication.”
- DHHS decides that the child has been abused or neglected, putting the child at risk of harm. This is called a “substantiation.”
- Being “Indicated” or “Substantiated” means that you have a **permanent record** at DHHS.

The following excerpts are from a 2018 study by the Marshall Project of approximately 3 million child-welfare cases nation-wide called “How Incarcerated Parents are Losing Their Children Forever”:

- **Mothers and fathers** who have a child placed in foster care because they are **incarcerated** — but who have **not been accused** of child abuse, neglect, endangerment, or even drug or alcohol use — are more likely to have their parental rights **terminated than those who physically or sexually assault their kids**.
- **Female prisoners**, whose children are **five times more likely** than those of male inmates to end up in foster care, have their **rights taken away** most often.
- “The **right to your children** is the most **fundamental** one you have, but **we strip it from incarcerated parents so casually**,” said Kathleen Creamer, a family attorney at Community Legal Services of Philadelphia. “This is the **family separation crisis** that no one knows about.”
- In 1997, with first lady Hillary Clinton’s vocal support, Congress passed the Adoption and Safe Families Act, which **mandated** that federally funded state child-welfare programs begin **termination of parental rights** in most cases in which **children had been in foster care for 15 of the previous 22 months**. The measure’s supporters hoped it would pave the way to adoption for kids who had been languishing in

temporary, often unstable homes while their biological parents tried to kick a drug habit or find housing. But the law's largely **unintended consequence** was to make **incarcerated parents**, who now spend well more than 15 months on average behind bars because of the **tough prison sentences** of the same era, **more vulnerable to losing their children**.

- At least **32,000 incarcerated parents** since 2006 had their **children permanently taken** from them without being accused of physical or sexual abuse, though other factors, often related to their poverty, may have been involved. Of those, nearly 5,000 appear to have lost their parental rights because of their imprisonment alone.
- Yet **the ways that other parents** with child-welfare cases can stave off that outcome — spending time with their children regularly, showing up for court hearings, taking parenting classes, being employed, having stable housing, and paying child support to reimburse the government for the costs of foster care — **are all next to impossible from confinement**. Corrections departments are **not obligated to drive inmates to family court**, and county child-welfare agencies **rarely have the resources** to bring children to faraway prisons for visits with Mom or Dad.

Group Discussion: Name one thing that struck you in these excerpts.

Exercise: Full Group Discussion (Parenting and Prison).

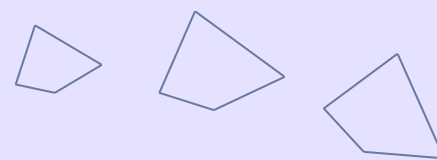
The facilitator plays excerpts from a consolidated recording of the Freedom & Captivity podcast, 'We are Creating the Next Generation of Broken People: Parenting and Prison.' This podcast features a conversation between Cait Vaughn, Kayla Kalel, and Wendy Smith. Excerpts are divided by a tone. While listening, please consider the following, which we'll discuss as a group afterwards:

While some women become addicted to substances through physician prescriptions, others become incarcerated for drugs that are now legal. Laws change with cultural shifts in attitudes, such as the use of marijuana or the personal possession of small quantities of certain drugs.

- Should moms who are caught using or buying illegal drugs go to prison?
- Should they be separated from their children?
- What alternatives might we consider that focus on harm reduction and supporting families rather than punishment?
- How can communities support families with a mother seeking treatment?

- Of the four questions you were asked to consider, who would like to open the discussion by addressing one of them?

TAKE A BREAK! (5 minutes)



Topic 2: Giving Birth in Prison (35 minutes)

Exercise: Full Group Discussion. Read 'Mothering in Prison – The Facts,' and then listen/read Kim's (a pseudonym) childbirth experience. After everyone is finished reading, hold a full group discussion on the readings to address the questions below.

Mothering in Prison – The Facts

Maine state statutes and Department of Correction policies heavily influence the quality of mothering or becoming a mom while incarcerated. While in custody, a woman has the legal right to terminate her pregnancy. Otherwise, administration, medical, and security staff create a birth plan. The plan includes determining who will take custody of the infant after birth, whether the father or other visitors will be present during delivery or for a hospital visit, and whether there will be bonding visits at the prison or a farewell visit in case of adoption.

Maine does not recognize an unmarried biological father of a child as a legal parent. Unwed mothers may have difficulty turning over a child to their biological father. Mother and child separate once the mom returns to the prison after giving birth; however, visits may occur between mother and child at the prison. She may pump breast milk according to department regulations and pick-up procedures. She has a postpartum visit with a community obstetrical healthcare provider, where restraints may be used.

In 2015, LD1013, An Act to Prevent the Shackling of Pregnant Prisoners became state law. However, Maine DOC policy 18.9 stipulates using restraints on pregnant women if "a determination that the pregnant resident is a substantial flight risk or there is another extraordinary medical or security circumstance." Hospital doctors or nurses may ask to remove restraints and staff will comply. During labor and childbirth, there are no restraints. Unless requested, security staff may not be present during childbirth. After completing post-delivery medical procedures and postpartum recovery, the "resident shall be restrained consistent with Department policies."

In 2016, the Maine Supreme Court ruled that a parent's incarceration may be a factor in parental rights termination cases (Title 19A). The state can file to terminate parental rights based on a serious criminal conviction. This vague description leaves the policy

open to interpretation. An order of protection or an injunction banning contact with the child could sever parental rights. Maine Title 22 states abandonment of a child occurs with failure to communicate meaningfully with a child for at least six months. Carceral barriers to communication may prevent “meaningful” engagement. A family member may petition for temporary custody of a child from an incarcerated parent, whether the mother agrees to such a petition or not.

In April 2022, a new Maine law requires the Department of Health and Human Services to report annually on the current number and case specifics of children served by the department’s Office of Child and Family Services, including children of incarcerated parents. The report includes where the department is in the reunification process of children and their incarcerated parent(s).

Kim’s Story (adapted from original with permission)

I asked for a pregnancy test (while incarcerated). I was called to intake later that day. One of the correctional officers informed me that I was pregnant and being sent to the hospital. I found out I was pregnant in the middle of intake in front of a bunch of strangers. I immediately asked if I could call my family and was denied the call.

A few weeks later, the outside OBGYN tried to give me Subutex again, which I’d been prescribed while detoxing. I refused. I saw no sense in putting my child at risk now that we were completely off it. The OBGYN also re-prescribed my Wellbutrin for depression. Instead, the jail Medical Nurse Practitioner, who was based in Ohio at the time and I had never met before, prescribed me 160 mg of Busphar (a medication for anxiety). Apparently, the actual name of Wellbutrin and Busphar are one letter off from each other. The maximum amount of Busphar that can be prescribed is actually 60 mg. Had the Medical Technician not noticed the error, my child and I could have died. After that, I took my prenatal vitamin and made sure to ask what it was every day. I did not dare to take any other medication given by any facility Medical staff. Incarcerated individuals are not allowed to know when their medical appointments are, so my family could not attend any of my doctor’s appointments with me. The OBGYN specifically gave me information pertaining to diet on several occasions.

In the jail, everyone gets Imodium AD, Meclizine, and Benadryl when they first come in because it helps with withdrawals, sleep, and to process the food. The food was horrible. The majority of the bread was molded. Everything was made of soy (including the milk). Diet is very important during pregnancy and I had absolutely no control over it. Some of

the other incarcerated women gave me commissary items just so that I could eat something. There are days that I went without eating because the food was so horrible. I was also told by both the OBGYN and jail Medical to drink real milk because I had a calcium deficiency. It took me two months to get real milk. The Jail Administrative Assistant came to speak with me about it one day. He apologized and said he had just received my request slip from two months prior and did not know why it took so long to get to him. He had two gallons of Oakhurst whole milk delivered to the jail for me. The next issue was getting the kitchen to put it on the meal cart with all the meals. We had to call down almost every day because the kitchen staff would forget it. I was allowed to have extra portions with meals and a nightly snack that consisted of a horrible peanut butter sandwich and a frozen orange. I would leave the orange out to thaw at night and some of the Corrections Officers would take it and threaten to write me up for contraband because I had not eaten it right away.

At about four months, I woke up bleeding. I actually picked the lock on my cell door so I could hit the emergency button located in the day room. Six officers came running, I told them what was happening and they brought me to the classroom so jail Medical could check me. I was then taken to intake where I waited for almost three hours for them to clear me for transport to the hospital. In the meantime, I was still bleeding, waiting on the bench and in the process of losing my child. I asked if I could call my family and was again denied the call. When I finally got to the hospital, the Doctor told me I was having a girl. Then she said that I had Placenta Previa and partial Placenta Abruption and they may have to terminate my pregnancy. I was scared, devastated, confused and in a panic. I was admitted for the day until the bleeding stopped and was released back to jail that evening. I was still very scared, but relieved she was okay. Nobody from the jail called my family to inform them that I was hospitalized.

I had been labeled as a high-risk pregnancy upon my arrival to prison because I had a history of preterm labor and I had just been hospitalized. I was supposed to have a follow up appointment within a week of my release from the hospital. I was not seen by an OBGYN again until 6 weeks later. I ended up with Gestational Diabetes. I believe I ended up with Gestational Diabetes because of the lack of a healthy diet.

My daughter was born healthy. I had excessive bleeding during labor, but otherwise everything went fine. The policy states that the Corrections Officer is not supposed to be in the room during active labor. Active labor is considered six centimeters dilated. The Officer stayed the entire time. She was respectful but it was still very awkward. Nobody in my family could make it to the hospital in time for the delivery. I delivered my

daughter in a room full of strangers. I spent eleven hours with her before they took her to the NICU and from then until it was time for me to go, I could only hold her during feedings. Leaving her there to go back to prison was one of the hardest things I have ever had to do. The Corrections Officer that transported me back to prison insisted that I bring a box of tissues. I am glad she suggested it because I used the whole box. At first, it felt like it was all just a dream and I never even had a daughter. She was there and then she was gone.

I tried to start pumping breast milk from prison when I got back from the hospital that Saturday. The pump that I was provided by prison Medical was broken. I told one of the CO's (Corrections Officer) and returned the broken pump to the Nurse. She told me I would need to wait until Monday or Tuesday for a new one. I looked at her and said, "You realize I am going to lose my milk supply if I wait that long right?" She said there was nothing she could do. I told the CO what the Nurse had said and the CO called the Unit Manager. He went to Walmart and bought me a breast pump.

Two weeks later I was finally transferred to a minimum security prison. I was told that I was the first woman to successfully pump breast-milk from that facility. At first, I was having an issue with transportation of the milk from the prison to my hometown. I contacted the Women's Opportunity Alliance and they created a website for me and they called it the Meal Train. They worked with my caseworker to come up with a pick up schedule. Numerous volunteers signed up to help transport milk two-three times a week from Windham to Winslow. I am profoundly grateful for this resource and I hope it is something that can continue for future incarcerated mothers and their breastfeeding children in the future.

My next challenge was visiting with my daughter. After an incarcerated mother delivers her child, there is a six-week bonding visit period. In order to receive any type of visit after that, a court order for Temporary Guardianship is needed. I had a generic guardianship form I signed for my daughter's paternal grandmother and this form worked for everything they needed except for visitation. As hard as it was, I decided not to have a court order and waited until I got home to see her. I did not want to have a court order and then have an issue getting her back. It would have been nice for the Department of Corrections to have accepted the generic guardianship form so I could have seen my daughter after the bonding period.

I went to my six-week follow up appointment at the hospital. Since I had excessive

bleeding during labor and I was still bleeding, I was sent for another ultrasound. I was told if I was still bleeding in two weeks, I needed to come back. I was also told I needed to come back to do a follow up Diabetic test. I sent in several medical request slips regarding this diabetic testing and the bleeding which lasted another five weeks. The prison never made the appointment for either issue. Now that I am home, I am taking care of this myself.

I have spent my entire pregnancy incarcerated. I have had absolutely no control over anything. I have had Placenta Previa, partial Placenta Abruption, weekly Progesterone injections to prevent Pre-term labor, Gestational Diabetes, and a lot of unnecessary Depression. I am just one incarcerated individual. There are numerous women that are incarcerated and do not receive proper medical care.

Someone reported to the Warden that my baby and I were in danger and this person was absolutely correct. My daughter and I were put in danger by not receiving proper reproductive health care while in County and State custody. The lack of proper health care could have cost us our lives on several occasions. There were days that I woke up thinking "I wonder what they are going to do to me today?" This was truly a traumatic experience and I do not wish it upon anyone.

Discussion Questions:

Facilitator asks which questions most interest the group and opens the floor for discussion.

- What surprised you?
- What alternatives to mother–infant separation can you imagine when a woman gives birth while incarcerated?
- Is the immediate removal of the baby and the return of the mother to prison the best option?

Topic 3: Incarcerated Mothers' Experiences with DHHS (35 minutes)

Exercise: Full Group Discussion. Ask for two volunteers to read the following experiences of mothers dealing with DHHS while incarcerated. Then hold a full group discussion around the following questions.

Gail's Story

Throughout the past five years, I have spent a considerable amount of time incarcerated and away from my three daughters. When I first came into custody in 2017,

had just given birth to the youngest of my girls, and she was only three weeks old. Needless to say, it was the most difficult time in my life because I had made some terrible choices and knew that my actions were the reason that she did not have her mother to nurture her and bond with, as is essential to any newborn's development. When I first arrived in prison I was optimistic that I would somehow overcome the struggles with addiction that led me here, and that we would be reunited before she was old enough to remember my absence.

In the months following my arrest, I worked extremely hard to reinvent myself and become the mother my girls needed. My greatest hope was that I would be accepted into the Supervised Community Confinement Program, in order to return home sooner than originally expected. I worked tirelessly to make that goal possible by enrolling in and completing over 25 programs to help rehabilitate myself. When the time came for my application to go in, I had spent over 100 hours preparing my packet for submission and was confident that I had done all that I could to ensure that I would be released to finish my sentence at home with the children. Sadly, I was still denied, and not given any kind of reason.

Throughout the time I spent in prison in 2017–2018, I was working with the Department of Health and Human Services to reunify with my children, and had a plan in place with them. Unfortunately, the prison had protocols and measures in place that prevented me from gaining any kind of access to them for about five months after I came in. No phone calls, letters, or visits for five months. I had to go through a process with Victim Services, in which they labeled my children my “victims”. I was completely devastated, as were my little girls. We had already lost so much time together, and because of this process, communication was effectively cut entirely. This was the darkest time in my incarceration.

Finally, after the process was pushed through (by my DHHS careworker) I was allowed to see them and it was an amazing day the first time I held my newborn in my arms again, along with my older two daughters. We cried and held each other, never wanting to let go, because we didn't know what was in store for us and realized we were at the mercy of the system.

Through my actions, I had placed myself in the hands of the carceral system, but my children were innocent and were punished and further traumatized because of these actions to keep us apart. I had never been abusive, or neglectful to my children, but

because of my drug addiction, I was labeled an abusive and neglectful parent. I have spent a long time now grappling with the idea that the state considered them “victims” of my neglect. In all reality, they were victims of the state's blanket policies and procedures. This is not a “one size fits all” type of scenario, and each individual case needs to be handled separately and with the utmost care and delicacy. These are child/parent relationships that are at stake, and as many statistics over the years have shown, children who do not feel secure, loved, and wanted in their youth, often grow up to have a host of mental health issues, substance abuse issues, or could even end up incarcerated as their parent before them.

Charlotte's Story

Being a mother in the carceral system is one of the hardest things I have ever faced, aside from addiction. When I first came into jail, I had been dealing with DHHS for 10 months. It was 2 weeks from my court date for in-home placement after a long road of fighting to prove I was a mother who deserved to have her children. I had been clean for 3 years and my daughters had been removed due to domestic abuse I had endured by their father.

DHHS knew that I was arrested for use of suboxone without a prescription. I wish DHHS had offered me help with my substance use disorder rather than supporting my arrest. Although I had an appointment to finalize a prescription for suboxone the day following my arrest, it didn't matter to them – I didn't have a prescription for half of a suboxone pill that was found in the search requested by DHHS.

I had been a victim of domestic violence for 6 years. When I turned to the police for help, my kids were taken, which made me feel victimized again. The day of my court date came and went, but I was not present because despite my repeated requests no one had put in the required paperwork for me to be brought to the courthouse from jail. DHHS moved to terminate my parental rights that day. Since I was unable to attend, I had no say in the matter. However, after 60 days in the county jail, the state extradited me to Massachusetts for a court date about fines. When I arrived back in Maine, I felt forced to sign my children over to the department. If I fought the case, DHHS would pursue terminating my rights and mark any further children to be removed from my care. Since I was pregnant, their threat of taking my future children was part of my decision to agree to sign over my children to the system.

My daughters, Lily and Dalia, were 4 and 10 months old. When I had my baby, they removed her too by stating that signing over my children to DHHS was neglect. At that

point, I had in-home visits 3 days a week with my children. I lost this privilege when my former abuser came to our home and got into a fight with my significant other. My children are now adopted by other people. Since they are no longer legally my children, the adoptive parents are not able to bring them to see me without proof of guardianship. My daughter Lily just turned 18 and is now finally able to come see me herself.

I feel that no one else can take the place of a child's biological parent no matter what DHHS claims. Now, I help my eldest daughter through her mental health problems that originated from system-induced trauma. My younger daughters are 13 and 14 years old, and I fear that they will follow the same self-harming path Layla did at that age. Layla said to me "Mom, I wish I could just pick up a phone and call you." My daughters are the ones who suffer more than anything and that in turn causes stress that is debilitating when you know your children are hurting and you can't do anything to alleviate their pain.

The part that affects me the most is that if I had been taken to the courthouse that day, it may never have come to this.

Discussion Questions:

Facilitator asks which questions most interest the group and opens the floor for discussion.

- How do you feel about children labeled as victims of mothers who have substance use disorder?
- What is a better way to serve the interests of a child than cutting off a relationship with a mother incarcerated for substance use disorder?
- How can we better serve mothers and children when they are victims of domestic violence?

Closing: (10 minutes)

The Prison Policy Institute says, "The deep despair felt by both parent and child amounts to a colossal but largely invisible crisis: the mass punishment of over 1 million children."

Name one thing you would change for incarcerated mothers?

Homework for Week 5: First, watch the [video](#) of Reginald Dwyane Betts performing *Felon*.

Then reflect on the following questions:

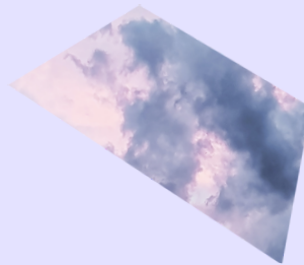
- What did you struggle with while listening to the poems? What did you not understand?
- What do these poems and stories say about being human?
- What images come to mind while listening?

POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

“There’s an impression among some in our community that incarcerated folks don’t deserve to have a family,” claims Judge Anthony Capizzi, immediate past president of the National Council of Juvenile and Family Court Judges

ACCOUNTABILITY

Do people who are incarcerated because of their substance use disorder deserve to lose their families?



RADICAL LOVE

Given the stories you read, how can we support motherhood for women in prison and not create additional harm?

WEEK 5: LOSS, REPAIR, AND TRANSFORMATION

Inventory of Loss

“The greatest hazard of all, losing one’s self, can occur very quietly in the world, as if it were nothing at all. No other loss can occur so quietly; any other loss – an arm, a leg, five dollars, a wife, etc. – is sure to be noticed.” — **Søren Kierkegaard**

Goals:

- Acknowledge and consider what encompasses personhood.
- Gain a greater understanding of the different forms of loss experienced by an incarcerated person.
- Gain a more comprehensive understanding of all the impact points of loss, including family, society, and culture.
- Provide an expanded view of what repair and transformation mean to individuals, families, and communities.
- Recognize the benefits of shifting from a punishment model to a transformative repair model to resolve harm.

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (with option to pass):
 - If you were no longer part of society, what would your community be losing?

Topic 1: Review of Homework (15 minutes)

Exercise: Full Group Discussion. Facilitator asks the class to summarize what they took away from Reginald Dwyane Betts' [video performance of *Felon*](#). Then answer the following questions:

- What surprised you?
- What did you struggle with while listening to the poems? What did you not understand?
- What do these poems and stories say about being human?

Topic 2: What Makes You a Person? (20 minutes)

Exercise: Full Group Discussion. The facilitator gives everyone eight minutes to answer the question: What makes you a person?

Everyone is invited to share their responses, and then the facilitator holds a full group discussion on the following questions:

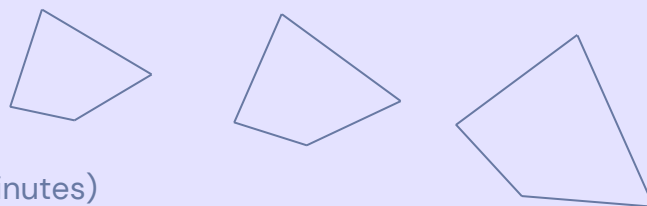
- What is the essence of human dignity?
- What privileges do you enjoy with your personhood?
- Can you lose your personhood?

Topic 3: What Makes You a Person? (30 minutes)

Exercise: Full Group Discussion. Watch the following video performances by Maine Prisoner Advocacy Executive Director, Joseph Jackson: *Freedom & Captivity* and *Go Free (22:38–27:50)*. The facilitator then leads the group through a mind-mapping exercise to draw out all of the losses named in these poems, and others that people can think of.

For the facilitator: The final list could include losses like; agency, autonomy, security, tenderness, comfort, care, vulnerability, bodily integrity and one's sense of control over one's own body, family connections (with parents, children, etc), dignity, compassion, love, peace, pleasure, social norms, quiet, beauty, freedom of expression, self-identity, mental and physical health, a job, a career pathway, a home, personal belongings, relationships with friends, hope.

TAKE A BREAK! (5 minutes)



Topic 4: Playing By Different Rules (60 minutes)

CHOOSE GROUP EXERCISE A OR EXERCISE B.

There are two separate exercises available for this topic. The preferred exercise is Exercise A. Exercise B is an optional choice if the group is in-person and includes more than 12 people.

Exercise A: Losing Personhood. Full Group Discussion. The facilitator either plays recordings of the following anecdotes or asks for volunteers to read them out loud, then leads a discussion responding to the questions.

Anecdote 1

A significant loss while I was incarcerated was the loss of self determination – that is, I lost (or was stripped of) the ability to exercise control of my own physical being. From the moment I was taken into custody till the day of my release nine years later, I was told when, where, and how to stand. I was routinely asked to stand in a single file line. I could be commanded at any point to stand against the wall and ordered to spread my feet and stretch out my arms to submit to a pat search of my body. I was told to stand five times a day for count and to submit to strip searches and cell searches. I was told when I was allowed to move between buildings (during “Movement”), when I had to be locked in my cell, when I had to eat, when I had to pee in front of an officer alongside fellow residents. I had no physical autonomy over my own body and no agency over my time. I had no right to expect silence or darkness at night, when lights are on 24/7, doors slam all night, keys jangle and boots stomp every hour, and officers periodically kick the cell doors. I gradually found myself walking back from chow as slowly as humanly possible, just to reclaim one insignificant bit of agency, and that one tiny act allowed me to retain a sense of my own self-identity. My personhood became that daily slow walk. Now that I’ve been out for six years I still walk like that.

Anecdote 2

Prisons weaponize care and criminalize love. ‘No touch’ policies disallow hugging and physical displays of affection between residents and between volunteers and residents. Because of the fear that someone could pass something illicit, touch is itself contraband. We are left starved for physical contact. Care is also weaponized. To avoid strong-arming, we are not allowed to share food, our phone PINs, commissary, hygiene materials, books, music, clothing or any other items. If I call a friend, someone is always listening because all phone calls are recorded, except for privileged attorney calls. If I talk to a friend inside sets of eyes both human and electronic are always watching and someone is always nearby to hear my conversation. Crying, vocalizing frustration, anger, or pain is a warning sign leading to possible isolation in solitary.

All the normal things that people do to show care: giving gifts, feeding each other, grooming each other, lending and borrowing useful items, are things we are expressly forbidden from doing. We learn different rules for showing care in ways that are abnormal, warped, secretive, illicit and we learn that care and compassion are things we are not entitled to demonstrate or yearn for.

Anecdote 3

“From my perspective, the entire experience of incarceration prevents people from being more fully human. We are forced through a confusing and unjust system in which verdicts are influenced by money, power, and various lawyers’ interpretations of the law. Everything we know and love is taken from us; we are separated from our families, friends, and communities; we are herded like cattle, numbered and counted like economic products, and locked up like wild animals. Furthermore, Freire (2003, p. 60) explains how “the oppressed, as objects, as things, have no purposes except those their oppressors prescribe for them”. Everything we say and do is recorded by our handlers, and used to classify and place us. We are seen as ‘inmates’ (rather than citizens), known primarily by our Fingerprint Section (FPS) number and do what those in power believe is best for us. We have no voice, no choice and no identity outside that of “criminal”. Correctional officials tell us when to eat, sleep, go outside and take our medicine. They control who we can call, visit with and write to. Access to proper and timely health, medical, and dental care is challenging and inconsistent... post-secondary education is difficult to access, and institutional jobs are assigned based on the decision of the security personnel, rather than the supervising staff or the qualifications of the person. (Rachel Fayer, “Social Justice Praxis within the Walls to Bridges Program: Pedagogy of Oppressed Federally Sentenced Women.” *Journal of Prisoners on Prisons* 25(2), 2016: 58-59).

Discussion Questions:

- Does an incarcerated person have the right to grieve their losses?

Exercise B: Time Served Game (adapted from Barnga)

For the facilitator: This card game shows participants what it feels like to find oneself in a situation where one does not know the rules. The game begins with everyone at the table playing by the same set of rules, although the players are not told that each table has a different set of rules (see below). Participants are moved from table to table, where they unknowingly encounter a group playing by different rules than the table where they started. They will gradually come to realize that they do not understand the new rules. The description below is ONLY for the facilitator, not the participants.

Instructions:

- Divide into small groups of four people at each table to play a simple card game.
- On each table, provide a copy of the rules (below) plus a deck of cards (use only A-10, no face cards).

- The players read the rules and begin playing a few rounds to get accustomed to the game.
- After a few minutes of practice, the facilitator removes the rules sheet from each table and the real game begins with no talking.

After five rounds without talking, the person who won the most tricks at each table moves clockwise to the next table and the person who lost the most tricks moves counter-clockwise to the next table.

Each table shares the following rules (continues on next page):

- Players are dealt five cards each.
- Whoever wins the most tricks will move clockwise to the next table.
- Whoever loses the most tricks will move counter clockwise to the next table.
- Everyone else stays at the same table.
- Ties are resolved by paper rock scissors.
- Each round will be about five minutes long and each round will consist of any number of games that the time allows.
- After the initial round, players will not be allowed to see the rules or speak to each other. Gestures and pictures are allowed, but players are not allowed to use words.
- The game winner will be the person who has won the most tricks in total.
- Players can keep track of scores by writing them down.
- The dealer can be anyone at the table, the person who plays first will be to the right of the dealer.
- The first player for each trick may play ANY suit. All other players must follow suit (play a card of the same suit). For each round, each player plays one card.
- If a player does not have that suit, a card of any suit must be played. The trick is won by the person with the HIGHEST card of the ORIGINAL suit (players will begin to become confused when some players believe their card is trump, and others disagree or contradict this).

BUT EACH TABLE HAS DIFFERENT RULES. The facilitator makes up a rules sheet for each table with the information above, but includes only one of the following rules for each table:

- Table 1: Ace high, no trump
- Table 2: Ace low, diamonds trump
- Table 3: Ace low, clubs trump

- Table 4: Ace high, hearts trump
- Table 5: Ace high, spades trump
- Table 6: Ace low, no trump
- In all cases, other cards will be worth face value: ten high, two low.

After four or five rounds, the facilitator stops the game. Students should be aware that they were playing by different rules. The facilitator leads a full group discussion on the following questions.

Discussion Questions:

- If you could describe the game in one word, what would it be?
- What did you expect at the beginning of the game?
- When did you realize that something was wrong?
- How did you deal with it?
- How did not being able to speak contribute to what you were feeling?

Closing: (10 minutes)

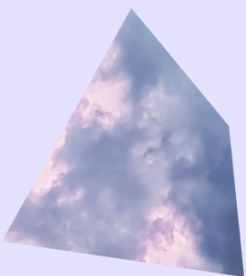
Should the losses experienced by incarcerated people matter to society? Why or why not?

Homework: Reflect in your journal on this question: What do communities lose in talent and contribution through incarceration?

**POP-UP QUESTIONS:
ACCOUNTABILITY & RADICAL LOVE**

ACCOUNTABILITY

Should the state have the power to strip people of their personhood if they are found guilty of committing a crime and sentenced to jail or prison?

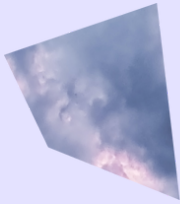


RADICAL LOVE

If we embraced all the losses of incarceration, what would a compassionate response look like?

WEEK 6: LOSS, REPAIR, AND TRANSFORMATION

Incarcerated Veterans and First Amendment Freedoms



“It’s about how we treat our veterans every single day of the year. It’s about making sure they have the care they need and the benefits that they’ve earned when they come home. It’s about serving all of you as well as you’ve served the United States of America.” — **Barack Obama**

Goals:

- Understand how the freedoms enshrined in the First Amendment are affected by incarceration, especially for veterans who believe they fought for these freedoms.

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - What freedoms, if any, do you take for granted?

Topic 1: First Amendment Rights (20 minutes)

Introduction: The U.S. Constitution was written in 1787. In 1789, the First Congress of the United States added the Bill of Rights, which lists the first ten Amendments to the U.S. Constitution.

Ask for a volunteer to read the First Amendment out loud: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

Exercise: Full Group Discussion.

- How do you experience your first amendment rights in your daily lives? Take a few minutes to reflect and jot down notes, and hold an open discussion. Try to ensure everyone can volunteer at least one example.
- Do you think all citizens deserve these rights? Do you think it is ever acceptable for the government to withhold these rights?

Facilitator then asks: There are two groups who legally lose their First Amendment Rights. Which groups do you think they are?

Answer: The first is the military. First Amendment protections do not generally apply to those in the military, which maintains its own set of laws and judicial procedures. People serving in the military are not guaranteed freedom of speech, freedom of assembly, freedom of religious expression, or freedom of the press and can be punished severely for criticizing their government or their superiors or attending rallies in which opposition to governmental policies is expressed. Those who enlist in the military voluntarily surrender their First Amendment rights.

The second group is those who are incarcerated, who lose their first amendment protections when sentenced.

Topic 2: First Freedoms in Captivity (50 minutes)

Introduction: The First Amendment Museum in Augusta, Maine held art workshops with incarcerated veterans in the Veterans Units at Maine State Prison and at Maine Correctional Center, who first lost their first amendment rights by enlisting in the military and then lost them a second time after their incarceration. The art workshops offered an opportunity to incarcerated veterans to express their experiences of this loss in their artwork. Another loss is their identity; because of their incarcerated status, the artist's names cannot be listed with their artwork.

Exercise: Art and Reflection + Small Group Discussion. Divide into small groups and assign each group one or two of the seven selected images to review. Give the groups 10-15 minutes to study the image and statement and to respond to the prompts. Return to large group to share out and discuss (20 minutes). Invite responses from everyone after each small group share.

Guiding Questions:

- Describe what you see in each piece and what you think each is communicating.
- What emotions does the piece, and the artist statement, reveal?
- If the piece and the artist statement compare the voluntary and involuntary loss of First Amendment rights in the military and in prison respectively, discuss the similarities and differences in these two contexts. Why would each context demand a loss of First Amendment rights?
- Does the piece address contradictions? What are they, and how are they evoked?

1. America's Brave

Anonymous, Maine State Prison
Color pencil, 2021.

Artist statement:

America has given me more blessings than I will ever know.

Where my patriotism came from, I don't really know. As a child I remember always appreciating our flag and all the America the beautiful songs.

When I was old enough, I knew a soldier is what I wanted to be. I didn't know the time would come that fate and poor choices would not allow that to be.

I may no longer wear the uniform of a proud U.S. Army soldier and warrior, but my heart, mind and soul will always salute and support our troops of the Armed Forces.

Those brave men and women who put their lives in harm's way in order that I may awake and know I am free

I may be incarcerated today, but I will never forget those who gave all so that I may someday walk free.

God Bless America.

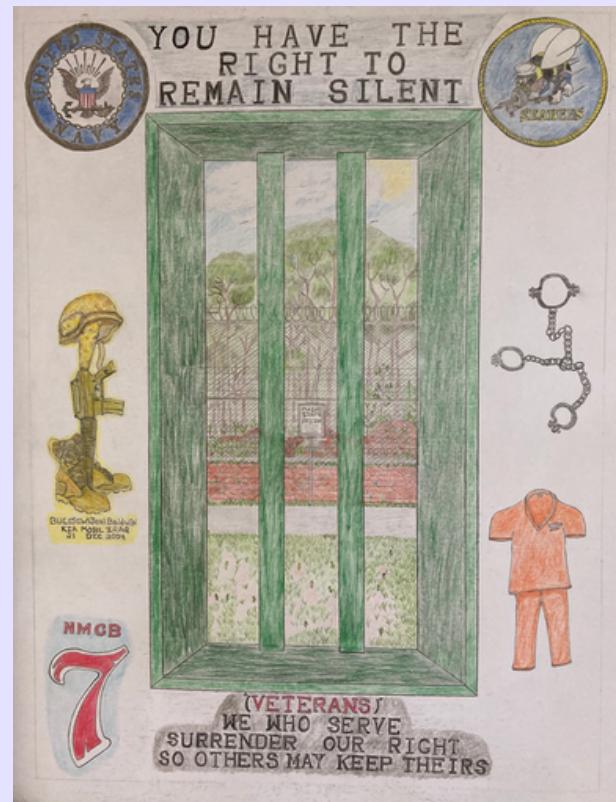


2. A Prisoner's View

Anonymous, Maine State Prison
Color pencil, 2021.

Artist statement:

When you enter the military, you willingly sign a contract giving up your First Amendment rights, in prison they don't tell you, you lost them, but you learn fast when you try to exercise that right, it comes with consequences. My art piece represents how I feel about the military and prison. In the military, they build your pride and self-worth whereas in prison tries its best to strip you of it. In the future I will work hard to regain what I earned and lost.



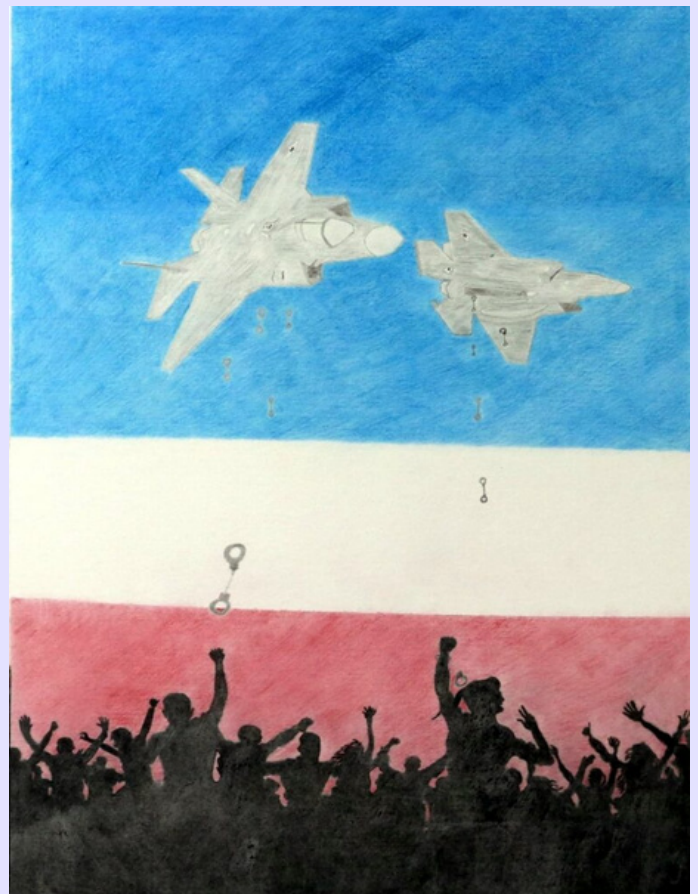
3. Freedom is a Pipe Dream

Anonymous, Maine State Prison
Color pencil, 2021.

Artist statement:

My piece is to show that as citizens we are free to assemble, however, in the military, we are informed that we can't attend political rallies but we won't be stopped and if we're seen on tv at a rally we will be prosecuted to the fullest extent of the uniform code of military justice and released from service under a dishonorable discharge.

The handcuffs represent the department of corrections and the fact that as prisoners / "residents" we can't assemble without permission from the corrections officers and administration. In the military life and being locked up we lose a lot of our First Amendment rights compared to being free.



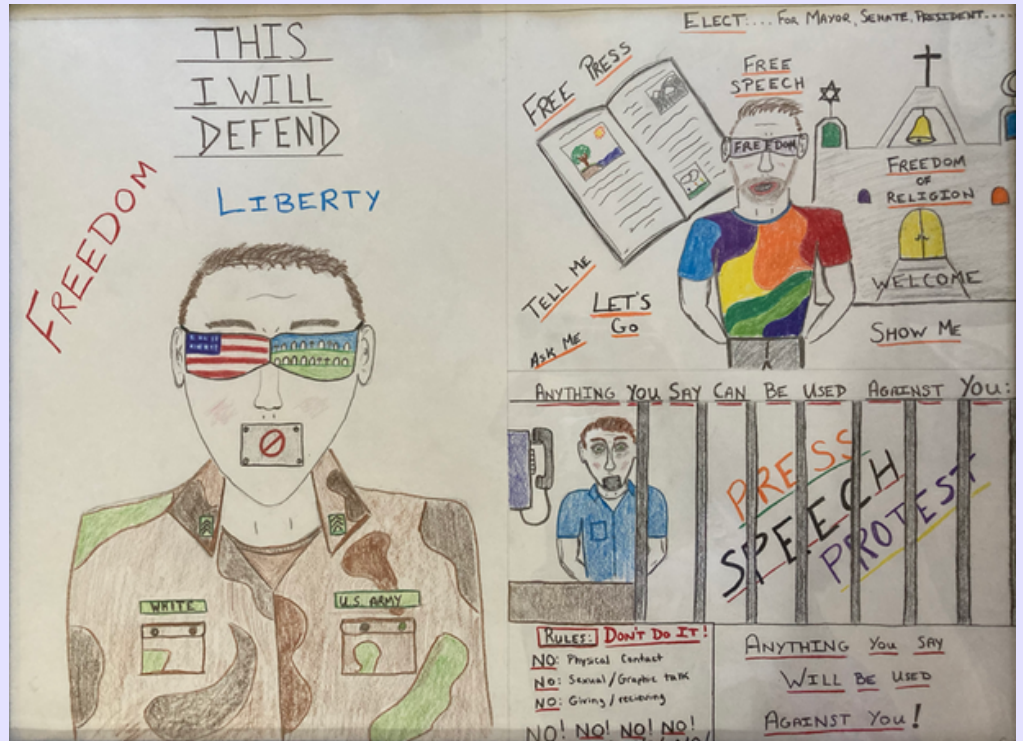
4. This I Will Defend

Anonymous, Maine
Correctional Center
Color pencil, 2021.

Artist statement:

"Anything you say
will be used against
you!"

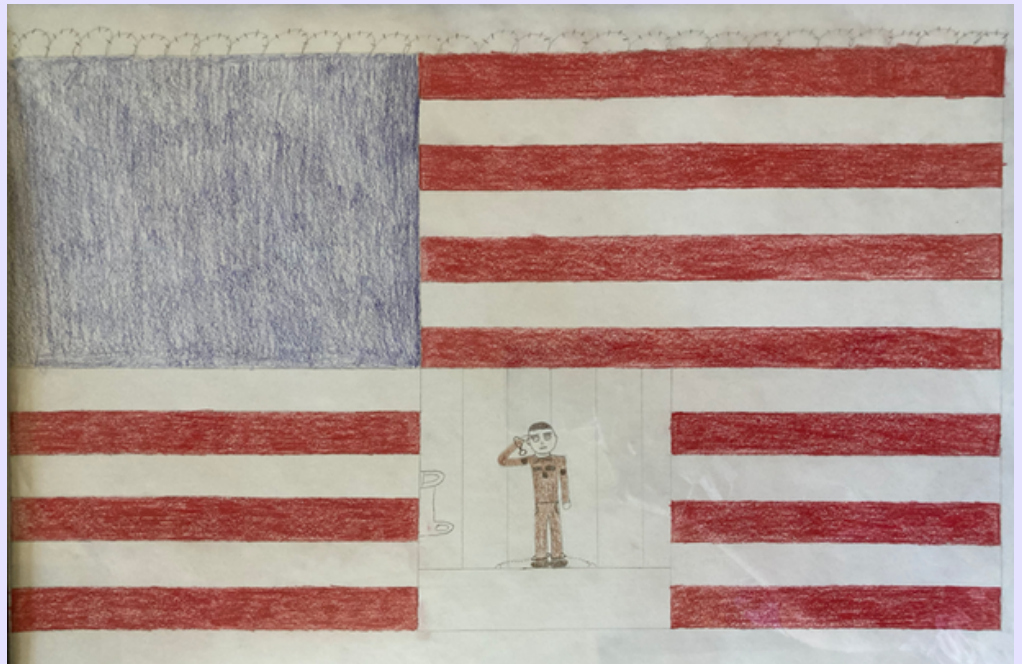
"NO: Physical
Contact. NO:
Sexual/Graphic Talk.
NO: Giving/receiving.
NO! NO! NO! NO! NO!
NO!"



5. Salute the Flag

Anonymous, Maine
Correctional Center
Color pencil, 2021.

No Artist Statement.



6.Unjustified

Anonymous, Maine State Prison
Graphite, 2021.

Artist statement:

Fraudulent Freedom: To me, the words fraudulent freedom is that the 1st amendment gives the press (News Media) too much free range on what they can communicate to the public. For instance, if you were to be accused of committing a crime and the press only reported what you were being accused of and not the facts or getting both sides of the accusation then that gives the public a negative view of your case and it is impossible to select an impartial jury.



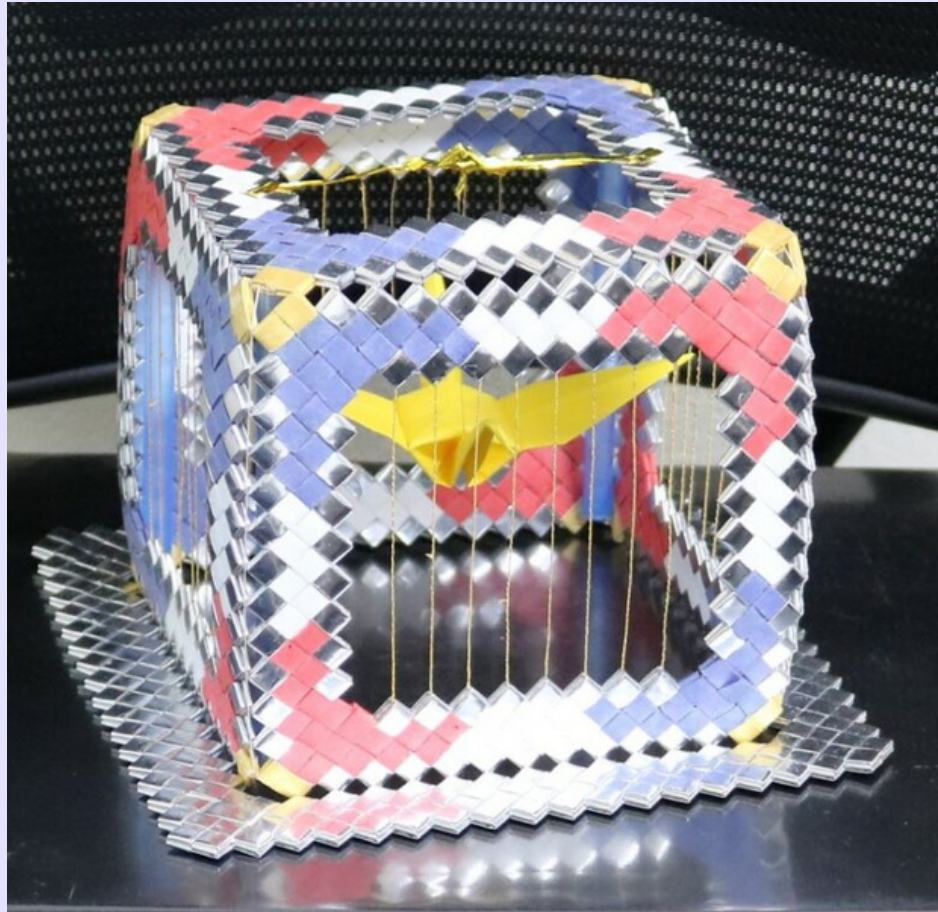
False Justice: This represents to me when a person, if wrongfully convicted of a crime, due to an alleged victim's criminal false accusations.

Lady Justice: The lady justice is a reflection of my time in the army. The blindfold is to portray the things one sees but can not speak of during their time of service.

The Hands: The hands being handcuffed show that when one is incarcerated they no longer have the ability to exercise their right to freedom of speech without consequences.

7. Freedom Within

Anonymous, Maine
State Prison
Paper, string, gum
wrappers 2021.



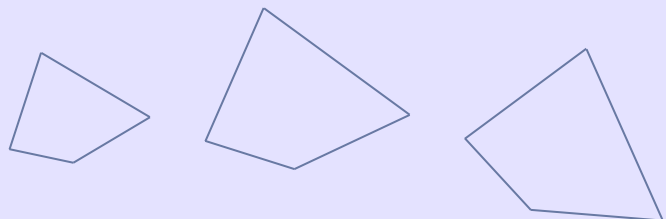
Artist statement:

For me as an incarcerated Veteran, I noticed several similarities between being incarcerated and being on active duty dealing with the 1st Amendment.

Both prison and the service have a rigid set of rules and structures that restrict the individual's behavior and freedom but for different reasons. The service requires strict adherence to order and structure for the purpose of cohesion of its members to accomplish its missions and goals. Prison requires strict adherence to order and structure to maintain safety and security within a facility. The rigid rules and structures of both the service and prison restrict certain freedoms of the 1st Amendment. Speech is one of them, freedom of assembly is another.

My Project depicts a bird within a cage of red, white, and blue. The bird symbolizes freedom within confinement. Even though I am behind bars, I can still sing.

TAKE A BREAK! (5 minutes)



Topic 2: Noelle's Poem (20 minutes)

Exercise: Full Group Discussion. There is a much higher percentage of people who are veterans who are incarcerated than the percentage of veterans in the general population. While there are special housing units and support groups for vets in Maine's male prisons, these do not exist for incarcerated female vets. Next, we will consider a poem by Noelle, an incarcerated female vet. Ask a participant to read Noelle's poem out loud and then lead the group in a discussion of the questions below.

Veteran Freedom

By Noelle, Incarcerated Iraqi War Veteran

America, where there are those who stand for it
Those who stand under it
And those who stand above it.

As I grow older, I see what America has not become
I see what we once sought out but never achieved
I see the changes that need to be made
And the help we need to encourage each other to seek.

I joined the Army at 17 years old.
I thought I was doing something good for myself and my country.
I thought little old me could make a change.
And what it brought me was pain, hate, and bad memories.

Being American means hardship, heartbreak, pain, suffering, poverty and no freedom.
The trauma that we go through for our country.
The trauma we have to go through alone in our minds.
The fact that we suffer at the hands of the government with no help
Come home from war alive but barely alive inside.

Some are not able to handle the trauma for long
And although we survived the war for what we call our country
We don't survive the war inside ourselves
And end up taking our own lives.

There is no way to repay what we lose inside of ourselves
when we fight for such a divide.
When we fight and come back and see that nothing has changed.
When we fight to fight more.

When families are broken apart from the loss of their child
because of this country we think we are helping
When there is a loss within my mind and soul
Or a loss within my body.

How do you repay someone for the loss they gave
to serve a country that doesn't change?
How do you repay a lost soul?
A family who has lost a body?

You can't.

What are we fighting for?
Freedom, that we don't have?

When you're seeing a veteran on the sidewalk sleeping in a sleeping bag
With people being mean to them because they think they're just vagrant
Not knowing what this country has done to their minds and lives
Not knowing that they aren't getting the benefits they promised us after fighting for our
country
Making our lives impossible to live
Apathy, PTSD and hopelessness bring us to the point of no return.

Not able to escape the memories we have
Of the children we have killed. The mothers. The fathers.
The families that just the day before we were eating dinner with and laughing with.

Never anything good to come home to
Because our families are too scared to be around us
due to reactions we have to certain sounds or smells
that trigger an instinct that our government has instilled inside of us
Doing what we were told to do to make our country free.

Never free either way
Because at that point
Even if we were free in our country
We never again can be free in our minds.

When will we have the chance for real freedom?
When will we realize that we are all the same?
We all bleed the same color

Cry the same tears
Feel the same emotions.

To me, being American and a veteran
We are still looking for our freedom we have not yet reached
We shouldn't still be fighting for our freedom
It should be something we have already achieved.

And realizing that until we stand as one united
Stop the war, the fighting, the hate, the racism
We will never be changed
We will never gain.
We will never overcome.

But I hope maybe someday we will all say
There is not one, there are many
And we all want the same.

Change.

It's time America
Time to make a stand
Time to make a change
Time to become free of our chains
Time to be free.

Discussion Questions:

- Summarize what Noelle is saying in this poem. What does she want her readers to understand?
- What part of the poem stood out to you? Why?
- From Noelle's perspective, as an incarcerated veteran, what are the changes that need to occur so that all Americans can experience freedom?

Closing: (10 minutes)

Does losing one's first amendment rights while in prison reduce harm and contribute to personal and emotional growth? Why or why not?

Homework for Week 7:

- Read Lewiston Sun Journal, February 9, 2014 article "Prison hospice program comforts the dying and changes the living."
- Listen to Safe Space Radio Episode 72: "Prisoners and Hospice with Bobby Payzant"

As you read/listen, consider loved ones you have lost, what you needed to mourn them, what helped you move through the grieving process in their wake. Take notes on your reflections.

POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

ACCOUNTABILITY

Vets might have been asked or ordered to commit violence in the name of our country. When vets have PTSD and subsequently cause harm, is prison the appropriate response to that harm?



RADICAL LOVE

Should our country have a special duty to veterans whose crimes are related to harms they experienced while serving their country?

WEEK 7: LOSS, REPAIR, AND TRANSFORMATION

Death, Dying and Bereavement



"No one ever told me that grief felt so much like fear."

— C.S Lewis

"Grief is not a disorder, a disease, or a sign of weakness. It is an emotional, physical, and spiritual necessity, the price you pay for love. The only cure for grief is to grieve."

— Earl Grollman



Goals:

- Explore the intricate ways that death impacts those both inside and outside of the carceral system, including the barriers to mourning the loss of a loved one.
- Understand the ways that grief and bereavement are challenging when incarcerated, as well as the ways that end-of-life hospice care affects those inside.

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - When you die, what do you want to be remembered for?

Topic 1: Loss of a Loved One While Incarcerated (40 minutes)

Introduction: When a loved one dies while a person is incarcerated, prison policies impose barriers to end-of-life visitation or attendance of memorial services. Permissions to attend a farewell visit or funeral are restrictive and often only extended to a narrow definition of close family relations and with close geographic proximity. Furthermore, some facilities isolate incarcerated residents who have lost someone close out of concern that in their grief they might cause harm to others or themselves.

Exercise A: Full Group Discussion. Together, watch the scene, "[Kiki grieving his sister](#)," from the documentary film, *The Work*. Then ask a volunteer to read Lulu's essay "Inequitable Grieving Practices" aloud.

Inequitable Grieving Practices

When my dad died, I felt alone, isolated, and unable to process my grief. I learned to carry the burden inside and keep my feelings to myself. During my incarceration, I witnessed people taken to segregation or isolated areas of the prison because of how they processed their grief. Although wailing, emotional outbursts or depression are part of the grieving process for many people, intense emotions are dangerous for anyone grieving in prison. Emotional displays may lead to staff fears of self-harm or harm toward others. When community support is the most needed, it can be ripped away.

For those who conform to carceral standards of behavior, there may be an opportunity to attend an immediate family deathbed visit or funeral after staff verifies the situation by contacting an informed professional. According to department policy (Policy Number 21.5 Funeral Attendance and Deathbed Visits), a spouse, child, sibling, or grandparent are part of the immediate family. However, other family members may have raised the person, or they created their own family out of necessity. Your loved one must reside in the state, and "a prisoner may not be allowed both a deathbed visit and attendance at a funeral for the same person." It is a challenge to decide if you want to see your loved one for a final visit or receive support from the rest of your family at the service.

If your choice is a deathbed visit, it cannot exceed two hours. It must be in a hospital or healthcare facility but not at a person's home. At least two security staff, "who shall be present at all times during the funeral or deathbed visit" must transport the person. Without privacy, a person must consider how comfortable their loved one feels about a supervised deathbed visit or attendance at a funeral. Even after receiving approval for attendance, the decision may be reversed at any time and "for any reason." A host of other factors including public safety, security considerations, and criminal history influence the decision to approve or disapprove a visit.

The policy states, "If the deathbed visit or funeral attendance is approved, the Chief Administrative Officer, or designee, shall determine whether the prisoner or resident is able to pay the cost of transportation and per diem compensation of the transporting officers and, if so, shall require the prisoner or resident to do so."

During the last few weeks of my dad's life, he continually asked when I was coming to see him. He had forgotten where I was, and I didn't have the heart to tell him. We never saw one another again, and I am glad he never knew that I couldn't attend his military service.

Everyone grieves in their own way but does everyone have the right to grieve? I wonder if my loss is somehow less than any other person's loss. I struggle to find an appropriate and safe way to grieve that satisfies the carceral state and honors my father.

Break into small groups to talk through these questions (we will not share these conversations within the larger group):

- Imagine loved ones you have lost. Given only one option and weighing the supervision circumstances – would you choose a bedside visit to a dying relative or attendance at a memorial service? What are the impacts of isolating incarcerated residents in their grief? What's lost?
- Would you hide your grief to avoid being isolated?
- What are the supports you would want to experience bereavement while incarcerated?

Exercise B: Full Group Discussion. Ask a volunteer to read Foster Bates' poem "Grandma" and consider these following questions:

- Considering distanced bereavement of Foster's grandmother and Lulu's father, what feelings would linger to not be present at a loved one's loss?
- What ways would you try to find comfort or closure in their absence?

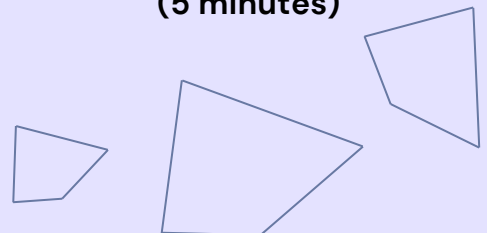
Grandma

by Foster Bates

Sitting in a prison cell when my grandmother died.
From the mid-East bakers to the encouraging words,
you could get all things through the Lord.
On my bunk with tears in my eyes.
My love and memories run deep –
in the colder of winters living on Wells Street.
Boy! Don't make me get my belt.
Grandma endured on a lot of "can't sit-down's" to my backside.
Back then I didn't see it,
now I do.
After each spanking that Grandma gave,
she'd comfort and hold me in her arms
and always said, "I love you."
Those moments hurt Grandma more than it did me.
Grandma, why'd you have to be so far away?

You gave all of us your entire life —
You taught us the difference between right and wrong
Your great-grandson Marcus made you a great-grandmother.
Marcel and Donno, well they're coming along.
Trevor won a Superbowl ring with the New England Patriots,
the boy was destined for NFL greatness,
till he got in trouble and signed with the New York City Police Station.
Haley, your great-granddaughter, is strong and vibrant,
just like you.
She's just like my mom,
the woman who is beautiful and smart
just like you.
Yeah, you know I did,
I gave Haley the nickname Leelou.
Grandma, I didn't get a chance to say goodbye.
I never told you thank you,
thank you for my mom,
she's the greatest.
Please hug my Auntie Carol and say what's up to Gerome.
Oh, by the way, Uncle Ricky came home.
I know you'll be happy about that.
Some of our family members are mad and I know what you would say:
they can all kiss my Black ass.
Grandma, I think about you all the time,
the fun moments watching you drive
barely seeing over the steering wheel,
playing whistle on holidays.
Keep an eye on go when he deals!
Cooking Thanksgiving dinner,
16 hours over a hot stove.
"I'm not always right,
but I'm never wrong"
were your favorite words.
"That child is yours, just look at the nose!"
My grandma, all of her,
four-foot eleven,
an Amazon before Wonder Woman.
A colossal-size hollow love was her super-shield.

TAKE A BREAK!
(5 minutes)



Topic 2: Losing a Loved One Who is Incarcerated (40 minutes)

Not everyone returns from incarceration. Many residents pass away as a result of poor healthcare, overdose, suicide, violence, or while serving long sentences. Their loss impacts both their loved ones on the outside as well as the incarcerated community around them.

Exercise: Screening + Full Group Discussion. As a group, watch TUG Collective's short film with Jan Collins, Closure, which reflects on the loss of Collins' father while incarcerated. Then ask a volunteer to read "Dying in Prison" from the Freedom & Captivity essay collection, "Aspects of Maine's Criminal Justice Operations."

Give the group a few minutes to silently reflect and jot down some thoughts on the following questions and then open for a full discussion. The facilitator allows the discussion to unfold, interjecting only when necessary to invite participants who have not contributed to do so.

Discussion Questions:

- Consider and discuss how losing a loved one who is incarcerated would impact your mourning process. What comforts and services would you want for them in their final days?
- What feelings come up if you were to imagine dying while incarcerated? What would you miss in your final days?
- What do you imagine the impact of the death of a resident has on the rest of the community?

Topic 3: Care (30 minutes)

Exercise: Full Group Discussion. Read the Sun Journal article "Redemption, untapped empathy through hospice program at Maine State Prison," February 16, 2014, by David Sharp, Associated Press.

Redemption, untapped empathy through hospice program at Maine State Prison

WARREN (AP) — Steve Carpentier still sees the face in his dreams: Delirious and agitated, a dying inmate at the Maine State Prison cried out over and over that he was drowning.

"I just grabbed my arms around him and called him by his first name. I said, 'I gotcha. I'm not gonna let you drown.' Then a smile came across his face," Carpentier said.

Carpentier, a wiry man with blue eyes, has served 28 years in prison for murder, but he and other violent offenders volunteering for hospice duty at the state's maximum security prison are finding an untapped reservoir of empathy by caring for their fellow inmates in their final hours.

The program is part of a trend at prisons where inmate populations are aging along with the rest of America. There are now more than 60 hospice or end-of-life programs in prisons across the country, but this is the only one in Maine, officials say.

In Maine, the hospice program is using therapy dogs and soothing music to help inmates in their final days. All volunteers are trained and certified in hospice care. There's even a band called Sounds of Comfort that was formed by the hospice volunteers and that will perform this week for the first public concert inside the Maine State Prison.

"I don't think anyone should die in prison. That's just wrong. But it is what it is and you can't change that. So the best that we can offer is the opportunity for the person to pass with dignity and respect and a companion and compassion," said Nathan Roy, who's serving a 10-year sentence for sex crimes.

There are currently a dozen volunteer participants, 10 of whom are serving convictions for homicide.

The program is the brainchild of Kandyce Powell, executive director of the Maine Hospice Council. She persevered in winning over skeptical prison officials over an eight-year period. The program launched six years ago. All the participants are vetted by prison administration, and she interviewed the latest class of volunteers.

The inmates learn much about themselves through spending time with others during their final hours, Powell said.

"By providing care for another human being, what they've found is they've plumbed the depths of their own humanity and they found that person — that tender, caring, gentle person — that they just didn't allow to surface before," said Powell, who visits the prison each week.

It's not easy work.

Volunteers clean soiled bed sheets, change catheter bags and keep patients clean. They've watched brain cancer and dementia steal a patient's personality. Patients are sometimes verbally abusive or violent.

Often, the volunteers say, dying inmates resist the medical staff's best efforts to help them. But those same unruly patients tend to relax and accept care administered by fellow inmates.

"Once you spend so long in here, they become your friends, your family members. And you have to be there to take care of them," said Wes Knight, 44, of Rockland, who's serving a 45-year sentence along with his brother for murder.

The hospice program has earned the respect of the volunteers' peers. All inmates — young and old — realize they could end up needing the care.

Michael Tausek, deputy warden for programs, said the program has been a win for dying inmates, prison staff and the hospice volunteers themselves. Society could be a winner as well, he said, because inmates who develop a sense of empathy are less likely to reoffend.

Robert Payzant, who's in prison for robbery and aggravated assault, was there looking in the eyes of a fellow inmate as he took his last breath last month. During the final hours, volunteer inmates were posted in pairs in a 24-hour vigil to ensure that the dying man's needs were met.

"I think we get classified as people who don't care. But there are a lot of good people here who have that capacity and desire to help someone else," he said.

The music started as a form of therapy for dying inmates. Payzant, 47, of Freeport, is one of the singers in the band. The other is Roy, 35, of Bangor. Carpentier, 60, plays mandolin. A fourth man, Chris Shumway, 28, of Caribou, plays bass. Kevin Knight, 42, of Rockland, is the "sound man."

Roy, who also plays guitar, said some tones can raise or lower a heart rate and some rhythms help with respiration. The songs they've created together focus on dark subjects but also on redemption. One of their songs, titled "Darkest Before The Dawn," was written by Roy's mother.

"They sing a song, 'I Am Redeemed.' There's a line in there that 'I'm not who I used to be,'" said the Rev. Kevan Fortier, the prison chaplain, after a recent practice in the visitor center, where the band will play this Wednesday. "They're growing every day. They see that there's more to life."

There's little doubt the volunteers have been changed by what they've seen. They say they're committed to ensuring that inmates can pass with peace.

Carpentier said the images are seared into his memory. And even though the care is difficult, he knows that he's making a difference for inmates.

"I still see that man's face every now and again when I'm sleeping. And I see that smile. It really touches the heart," he said.

Discussion Questions: Give the group a few minutes to silently reflect on these questions and jot down some thoughts, and then open for a full discussion.

- What policies might help alleviate the end-of-life-while incarcerated experience?
- What alternatives to isolation might help a resident experience the grieving process?
- Imagine the compassionate experience of providing hospice care to a dying resident; how might that affect you?

The facilitator allows the discussion to unfold, interjecting only when necessary to invite participants who have not contributed to do so.

Closing: (10 minutes)

Go around the room and ask participants to share one thing they will be taking away with them from this class.

Homework for Week 8:

Create a landscape on a handkerchief or piece of cloth (torn from clothing or a sheet) using only condiments, coffee grinds, tea leaves, and kool-aid. Please bring your work or a photograph of it to share with the class.

- How did the process of creating your landscape feel? How did you feel upon its completion?
- How did the limited materials affect your creative process?
- Were you tempted to use other items? Why or why not?

POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

ACCOUNTABILITY

Does the state have a responsibility to facilitate the ability of an incarcerated person to attend the funeral of a family member?

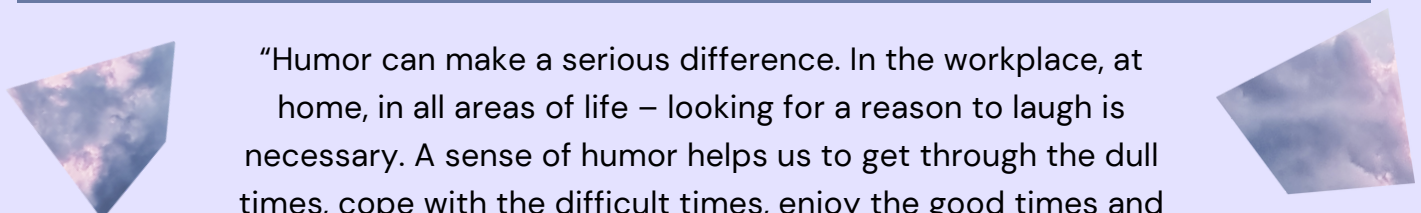


RADICAL LOVE

Published death announcements of incarcerated persons often note their crime but rarely mention their other accomplishments or contributions. When you read such a report, would you contact the writer to ask them to consider offering a more holistic portrayal of a person's life who passed away while incarcerated?

WEEK 8: LOSS, REPAIR, AND TRANSFORMATION

Coping Inside with Loss



“Humor can make a serious difference. In the workplace, at home, in all areas of life – looking for a reason to laugh is necessary. A sense of humor helps us to get through the dull times, cope with the difficult times, enjoy the good times and manage the scary times.”

— **Steve Goodier**

Goals:

- Understand how incarcerated people cope with grief and loss.
- Understand how the arts and creative self-expression become a cathartic – and sometimes humorous – avenue for processing oppression and maintaining hope for those who are incarcerated.

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - What is your creative form of self-expression?

Introduction: We have learned in previous sessions about the barriers to expressing loss, bereavement, care, and personal agency inside prison. And yet residents find coping strategies; ways to express and share their humanity. Art classes and/or art-making is one arena in which incarcerated people are allowed to express themselves, whether or not they actually have access to art materials and instruction. Humor is another, as is cooking and repurposing materials designed for a different use. This session explores these strategies.

Topic 1: Creative Self-Expression in Art (60 minutes)

Exercise A: Group Share. For those willing to share: What was your experience creating your piece from last week’s homework assignment?

Exercise B: Small Group Discussion. Divide into five small groups and assign each group one of the following artworks. If there are not enough participants for five groups, then give each group two artworks to consider. Within each group, read the artist's statement and discuss the following questions.

- What surprises you about the piece?
- What is this piece saying?

After 10–15 minutes, come together and ask each group to summarize their conversation. Invite additional comments from the class for each piece. (Note: We do not have permission to use the full names of the artists incarcerated in Maine DOC facilities.)

Artwork 1: Self Portrait: Silent No More, Chad Merrill, n.d.



Artist Statement: "Chad Merrill's story truly embodies the transformative power of the arts. When he was first incarcerated, Chad was on a path towards self-destruction. He barely cared about what happened to him or anyone else. He says, "I was so full of hate that I couldn't see past my nose."

This is a difficult mindset to escape from once in the system. There is a vicious cycle of hate and destruction that does not let people out easily. Luckily for Chad, though, he had someone pushing him off of his toxic path. A teacher named Casey constantly encouraged him to do better, asking Chad, "What do you want to do with your life?" and not letting up until he gave an answer.

He introduced Chad to art history and they would analyze and discuss it together. Even when Chad was struggling, Casey never made him feel "anything other than his equal." This encouragement and care is exactly what Chad needed to get on his new path: the path of an artist. He had finally discovered what he wanted to do with his life.

My life is pretty much centered on art and around getting better at it. I had no idea that through art I could make a positive impact and seeing that in real life has lit a fire in me and after years of being a selfish asshole I can give back some and maybe even things out a bit."

Although his art career started by analyzing historical pieces, his style is anything but traditional. At his facility, Chad does not have access to many typical art supplies. He is only allowed to work with pen and paper, but he still manages to create incredible paintings.

"I make homemade paint brushes using toothbrushes and I use a toothpaste cap to blow the pen ink into and I paint."

By deconstructing the three pens he is allowed to purchase each week, Chad gets ink to paint with. As you might guess, he goes through pens like crazy and is always "on the grind" to find more.

He is not allowed to purchase art paper so he needs to have it sent in to him. There are many restrictions on this and even when all rules are followed, getting supplies in is "hit or miss". When Chad runs out of paper he uses snack boxes, styrofoam trays, and anything else he can get his hands on. His creativity is endless and his ability to work within his means is truly amazing. Looking at his work, you would never guess he was creating with such limited supplies.

Chad is inspired by the unique expressions of the human face and he strives to capture this in his artwork. Since every face and every expression is so different, Chad says that he never knows how his portraits will end up, but that he is always excited to see where they go.

“Whenever I sit down to paint with my junky paintbrush and pen ink I’m transported out of this cell and am totally consumed with filling that piece of paper full of my emotions, my stress, anxiety, fear, love, etc. I’m able to let it all out with each little stroke and it never fails to surprise me when I’m finished at how cool it comes out. I’m completely in love with painting. Thank you for allowing me to “set free” each portrait I do. It’s stupid but I like to think that just because I’m in here it doesn’t mean they have to be as well.”

So with just a few pens, a toothbrush, and some paper (if that), Chad sets out to convey the complexity of human emotion in the form of beautifully painted portraits. With each piece, he embarks on a transformative, all-consuming, and freeing journey.

“No matter what they take from me they can never take my creativity and truth is, that has forced me to become a better artist, and for that I’m thankful.”

Cited, with permission, from the Justice Arts Coalition.

Artwork 2: Leaping Men, Peter Merts, 2015.



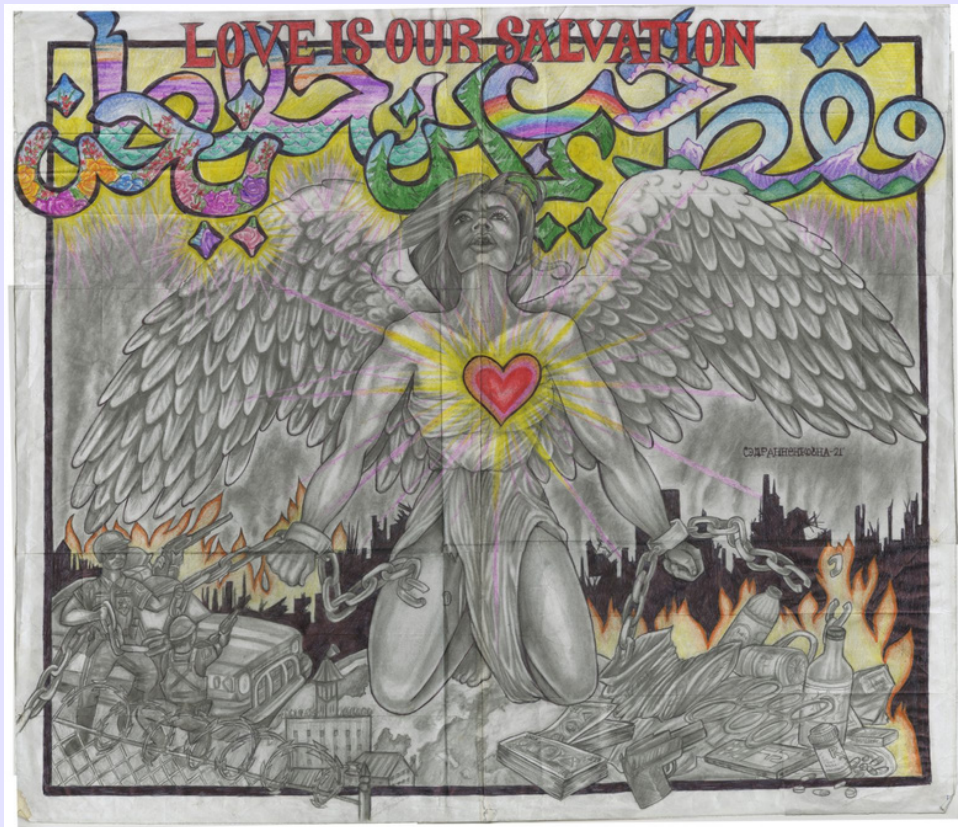
Artist Statement: The title of this exhibition and publication, *Freedom & Captivity*, perfectly describes the dichotomy in which my photographs reside. By encouraging incarcerated men and women to explore and express their creative selves, prison art programs are designed to re-imagine incarceration variously as self-discovery, transformation, and sometimes even rehabilitation.

Studies have shown the effectiveness of art practice—the development of confidence, self-control, and self-awareness; increased purpose, agency, and critical thinking; and improvement of relationships with other inmates, staff, and family. For these reasons, for the past 15 years I have been photographing California’s Arts in Corrections program.

The title of my project is *Unbound: the Passion of Incarcerated Artists*. The works engage in two ways with the notion of abolition—by illustrating the unbridled creativity and artistry of incarcerated artists, and by highlighting the humanity of the artists by showing their authenticity, expressiveness, courage, and passion.

There are many ways to envision abolition, and progress comes in many forms. Prison art programs, by engaging the creative passions of incarcerated men and women and offering opportunities for personal transformation, are rich environments for nurturing such changes.

Artwork 3: Love is our Salvation, Cedar Annenkovna Mortenson, 2021.



Artist Statement [excerpt]: “My creativity has no boundaries and I channel it through whatever outlets I can configure into expressions of beauty and thought. I have been here at this facility for over two years now fighting an armed robbery case. I’ve learned to be very innovative and resourceful as art supplies available on commissary here are very limited to nonexistent, consisting of lined paper and 3” pencils, and limited access to a pencil sharpener. I need a larger platform to create so I deconstruct white paper lunch sacks and tape them together with masking tape peeled off of notices posted in the day room. I make paint brushes with my own hair. I make tinctures to paint with out of freeze dried instant coffee, in doing so discovering all the glorious shades of brown one may achieve. I trade whatever I can to girls who attend the therapy classes, where they are given colored pencils.

I use whatever I can to make into art, as I also do in the free world, as I wish to exemplify in my own creations the re-use, re-invention, re-imagining of materials considered trash, especially non biodegradable plastics and synthetic packaging materials (chip bags, candy wrappers, soda bottles.) I’ve been working really hard since I’ve been in here to establish a continuum to support my animals and help my loved ones with what they may need and to spread my message via my art and writing.”

Artwork 4: Stands Alone, Colin*, n.d.



Artist Statement: I find I can escape my confinement through my imagination and the imagination of others and their influence.

Art and imagination are therapeutic in my situation. Utilizing fantasy, and science fictional thoughts and getting lost in the mind's eye image that's used to create visual arts can fuel me into believing I am somewhere else other than where I am. This can keep me out of the prison politics, violence, and substance abuse that permeates my environment.

*Maine Department of Corrections does not allow the publication of this artist's surname.

Artwork 5: "Thank You For Asking," Lalee*, n.d.

Thank you for asking
but I am okay.
I have looked and looked
but I yet to see it or feel it.
Thank you for asking
but I'm okay.
I walked and walked
until I walked out of my feet
and walked some more.
There, I walked out of my soul
Thank you for asking
But I am okay.
I yell I yell
until I taste my own blood.
Thank you for asking
but I am okay.
I meditated at the shop late,
kissed my skin.
Thank you for asking
but I am okay.
Yes, several times
I wonder what waits me on the other side.
Thank you for asking
but I am okay.
The four walls that guard my pain
became my best friends.

Thank you for asking
but I am okay.
I watched him go and never come back.
Thank you for asking
but I am okay.

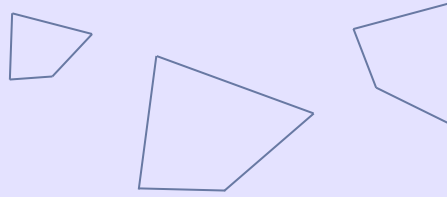
I laugh to hide my cries and smile to hide my pain.
Thank you for asking
but I am okay.

All hours I toss and turn
on cold stainless steel underneath my spine.
Thank you for asking
but I am okay.
I was told I'm a fool or to be sold to the fifth law.
Thank you for asking
but I am okay.
Worthless.
A thug.
A punk.
Nigger.
Invader.
Terrorist.
Waste
is what I was told.
Thank you for asking
But I am okay.
Each morning I wake out with friends -
His names.
Her names.
-
Sadness.
Depression.
Thank you for asking
but I am okay.
I attempt to create my image
in a broken mirror.
But thank you for asking.
I am okay.
Thank you for asking.
I am okay,
are you?

*Maine Department of Corrections does not allow the publication of this artist's surname.

Artist Statement: This poem is inspired by Meghan and Harry and the struggles Diana had in her marriage to Prince Charles. Also, it's about how we sometimes forget to ask each other how we're doing and then assume we are okay.

TAKE A BREAK! (5 minutes)



Topic 2: Humor is the Best Medicine:

100 Ways to Use a Tampon (30 minutes)

Introduction: With limited access to resources, repurposing is a mainstay of incarcerated life. It is also a source of laughter, creativity, and ingenuity. The first time you witness someone using a tampon outside of its original purpose is surprising. Women find humor in the absurdity of using this sacred symbol of femininity in unexpected ways.

Exercise: Full Group Project. Mind-map how many ways can you think of using a tampon (use a whiteboard, chalkboard, or open sharing and the chat if on zoom). When the group has compiled its list, compare this list to one compiled by incarcerated women. Ask one or two participants to read the list out loud.

100 Ways to Use a Tampon and Counting...

- Dishwasher
- Threading eyebrows
- Painting
- Makeshift Q-tip with pencil
- Fix an annoying wobbly table
- Window washer
- Pick up spills
- Toilet paper in a pinch
- Stuffing for animal toys
- Block air vent when cold
- Ear plugs
- Replacement for eyeglasses nose pad
- Padded bra
- Shoe softener instead of insoles
- Do not disturb sign on doorknob
- Hair bun
- Dental floss threads
- Hair curlers
- Shoes too big (men's shoes)
- Make up remover
- Pillow filler
- Plug holes in the wall
- Stop annoying faucet drip
- Hold door open: stuff into jamb
- Stop clattering of a clip-on fan
- Bloody noses
- Making a Snowman
- Blush brush
- Plug wounds
- Temporary toothbrush
- Fake snow
- Face washer
- Dry erase board eraser
- Gauze
- Pad inside edge of drawers (no slamming)
- Nail polish remover
- Spot cleaner for clothing
- Jewelry holder while traveling

- Remove permanent marker from skin (with milk)
- Soak with water to hydrate cut flowers in transport
- Tissue for tears
- Kitty toy
- Pull cord for a lamp
- Sponge painting
- Absorb pizza grease
- Test tube cleaner
- Shoe polisher
- Eco-friendly packaging
- Bandage for cuts and scrapes
- Fire tinder
- Knock-out tooth stauncher
- Mop up sweat
- Chandelier
- Bookmark
- Teething drool wiper
- Knee and elbow pads
- Tubes as pen/pencil extension
- Blow tube for art (spreading watercolors)
- Tubes as a funnel
- Tubes for spitballs
- Replaces bottlecap
- Mulch for indoor plants
- Pads for chair bottoms
- Cleans between vent slots
- Cleans buildup gunk inside bottles and caps - to repurpose empty ones
- Safety covers for outlets



Joana Vasconcelos, *The Bride*, 2005.

The Guerilla Girls hung a chandelier made of tampons in the Arsenale during the 2005 Venice Biennale. Created by Joana Vasconcelos, the piece is titled *The Bride*.

Topic 4: Culinary Arts in Prison (20 minutes)

Exercise: Small Group Activity. How would you make someone a birthday cake out of the following items? Have each group take ten minutes to draft a recipe. You may choose to use all of the listed items, just a few, or any combination you wish. Please have one person from each group write down the recipe to share with the full group. Then rejoin the class and ask for volunteers to share. The facilitator or volunteer may then read the Southern Maine Women's Reentry Center (SMWRC) recipe.

Items:

- cream filled vanilla cookies
- cocoa mix
- Milky Way bars
- M & M's
- water
- sugar packets
- cream-filled chocolate cupcakes with fondant on the top
- caramel squares
- instant coffee
- vanilla drink mix
- peanut butter
- powdered milk

Tools:

- small plastic bowls
- plastic knife, fork, spoon
- plastic cups
- imagination

Note: There are hundreds of prison cake recipes depending on your imagination and what is available in the commissary (the 'store' in prison from which incarcerated people are allowed to purchase certain snacks, hygiene items, and other authorized personal items).

SMWRC Chocolate Birthday Cake Recipe

Scoop out the cream filling from the cupcakes and set aside. Throw away the fondant on top, it is gross. Scoop out the filling from the cookies and set aside. Make your cake pan by taking the bottom of a puzzle box and lining it with a clean trash bag. Press the cupcakes into the bottom and fill it as a base. The amount depends on the size of the box you choose. Big parties require bigger boxes.

Mix several packets of vanilla drink mix and add just enough water to make it a paste consistency. Spread layer over the cupcakes. Let set until firm. In the meantime, chop up candy bars and set aside. Chop up M & M's. This takes a while. Place several bags in a bowl and crush with the base of a soda bottle. Add crushed M & M's to the candy bar mixture. Add peanut butter and stir.

Add a second layer of cupcakes over the vanilla drink mix layer. Press them to deflate the air. Then, spread your peanut butter/candy mixture over the top in an even layer.

Press another layer of cupcakes over that.

For the frosting: Open up enough sugar packets to fill about half a plastic drink cup from the chow hall. Steal some butter packets from the kitchen if you can. If not, don't worry about it. Add the sugar and butter to the cream cookie and cupcake filling you set aside. Mix well. If you want chocolate frosting add some cocoa. If you want peanut butter frosting, add some of that. You'll need to add sugar until you find the right consistency. Spread over the top. Sprinkle with crushed cookies. Sneak it outside. Staff won't let you do this but find a way. Hide your cake in a cool spot to set. The best place is a snowbank! Sorry, no candles.

Large cakes can cost \$50 to make.

Would you eat a piece of this cake?

Closing: (10 minutes)

Ask everyone to make one silent physical movement that demonstrates what coping in the midst of loss looks like or feels like.

Homework for Week 9:

Listen to [Leo Hylton's talk at the Oak Institute of Human Rights](#) (end at 19:08).

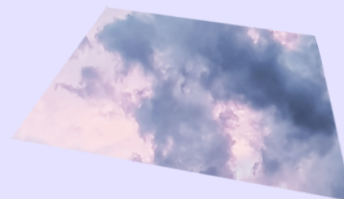
POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

ACCOUNTABILITY

On a scale of one to ten, how important to personhood is creative self-expression (i.e. story-telling, artistic expression, dance, and other forms of expression that do not violate the rights of others)? Should the state have the right to take away or punish creative self-expression for those who are incarcerated?

RADICAL LOVE

Is creative self-expression a human right?



WEEK 9: LOSS, REPAIR, AND TRANSFORMATION

Repair, Restoration, and Reconciliation

Goals:

- Explore the concepts of repair, restoration, and reconciliation in the wake of harm.

We all make mistakes, but what matters is how we go back and fix them.

— Rwynn Christian

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - What would your worst critic say about you and what would your best friend say about you?

Topic 1: Thinking through Repair/Restoration/Reconciliation (30 minutes)

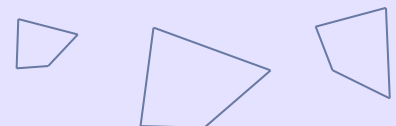
Exercise A: The facilitator poses the question: Wendy discovers that one of her bicycles is missing. A neighbor reports that she saw Linda take the bicycle. What are Wendy's options?

- Ask participants to individually write their responses in their journals. We will return to these responses in subsequent weeks.

Exercise B: Give time for each participant to respond to the following prompts in writing. Then ask for volunteers who are willing to read or share their repair stories to the group. Facilitator: if time is short, ask participants to choose between these two questions.

- Write a story of repair, restoration, or reconciliation that you have initiated.
- Write a story of repair, restoration, or reconciliation initiated by another that you have experienced or witnessed.

TAKE A BREAK! (5 minutes)



Topic 2: Repair/Restoration/Reconciliation vs. Retribution (35 minutes)

Exercise: Full Group Discussion. Listen to [Leo Hylton's talk at the Oak Institute of Human Rights](#) (end at 19:08). Invite the group to reflect on the following questions for several minutes in silence and then open for group discussion.

Leo tells his listeners that he is not paying his debt to society, but rather THEY are paying his debt. Who do you think is paying Leo's debt? Why? Leo distinguishes between retributive and restorative justice. Can you define each of these terms? Do you agree with Leo that our system emphasizes the first (retributive) while ignoring the second (restorative)? Why or why not? How does dehumanization of people who live and work in the system prevent repair?

Topic 3: Harm, Repair, and Restoration (30 minutes)

"Criminal justice sees crime as broken laws and justice as punishment. It intentionally pits two opposing parties against each other in a zero sum battle to determine right/wrong, guilt/innocence, and winner/loser. Restorative justice sees crime as broken lives and justice as healing. And there are no sides. Parties enter into the justice process, together focused on accountability and the common central question: how do we heal and transform relationships and structures in the wake of harm?" – **Fania Davis**, *The Little Book of Race and Restorative Justice: Black Lives, Healing, and US Social Transformation*, p. 27, 2019.

Exercise: Small Group Discussion. Ask a participant to read the following story out loud. Then take 20 minutes to break out into small groups to discuss the following questions.

Rachel's Story

'Rachel', a 19 year old woman, gets pulled over a mile from her home in rural Maine. The officer states that the reason he pulled her over was because he recognized her as someone without a valid driver's license, as it was currently under suspension due to a speeding ticket. In the course of the encounter, the officer chastises and berates her, saying "Why would you be stupid enough to drive in a place where people in town have known you since birth?" She was not allowed to explain why she was driving before he impounded her car and took her to jail.

Rachel was a young, single mother of an infant who was out of baby formula. She had no family and few close friends in the rural area where she lived and was not able to

locate anyone to drive her from her home to the store for baby formula. Rachel sobbed while explaining to the intake officer at the jail why she was driving her car, even though she knew that she didn't have an active license. This rural area of Maine completely lacks public transportation, taxi, and ride-share services. Rachel was holding down a part-time job while attending school full-time, in addition to single parenting her baby. After the officer took Rachel to jail, she emptied her bank account to bail herself out of jail in order to get home to her baby, who was being watched by her elderly neighbor. She walked all the way home with her car still in impound, but still without baby formula for her baby. Her night in jail triggered a DHHS investigation, causing more stress. Rachel is a caring mother and DHHS found no grounds for charging her with neglect, but now there is a file with her name on it at DHHS.

Discussion Questions:

- Name the harms that occurred during this episode.
- Are there any injured parties? If so, who are they?
- With these harms in mind, what could accountability look like? What could repair look like?

Return to the full group and ask a participant to read one potential outcome out loud to the group.

Possible Outcome:

When Rachel was telling the intake officer why she had been driving to the store, the arresting officer was in the next room, filling out the necessary paperwork for the arrest. He overheard the conversation, although Rachel was not aware of this at the time. This officer had a change of heart after hearing why she was driving. He purchased cans of baby formula and delivered them to her home. Later, he went to court and advocated for this young woman to attend a Restorative Justice circle and have her charges dismissed. He also gave her his personal number so she could reach out to him in the future if she needed to get food for her baby and had not yet had her license reinstated.

Closing: (30 minutes)

Group Discussion: Are there additional repairs or transformative outcomes that you can imagine in Rachel's case? What else could happen in this scenario to keep this harm from happening again?

Homework for Week 10 (optional): Watch [Vittorio de Seca's *Bicycle Thieves*](#).

POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

ACCOUNTABILITY

How does our justice system enable repair, restoration, and reconciliation rather than just punishment? Are these important in the wake of harm? In the wake of crime?



RADICAL LOVE

In the story of Wendy and Linda, imagine the needs that might have prompted Linda to take Wendy's bicycle. Why is it important to understand these needs?

WEEK 10: LOSS, REPAIR, AND TRANSFORMATION

Accountability and Reparation

“Justice is what love looks like in public, just like tenderness is what love feels like in private.” — Dr. Cornel West

Goals:

- Explore what accountability can look like when a restorative approach is taken to addressing harm.
- Explore what justice can look like when a restorative approach is taken to addressing harm.

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - How have you taken accountability as an adult for a harm you have caused or a law you have broken?

Introduction:

In the last session, we heard Leo Hylton explain why he thinks our criminal legal system does not enable or encourage those who have caused harm to take accountability and contribute to the repair of those they have harmed. He advocates for a restorative rather than a retributive approach to accountability. In this session, we investigate various examples of what accountability that leads to repair might look like in cases of property theft and damage.

Topic 1: Accountability (60 minutes)

Exercise: Case Study (based on a true story with details left out for confidentiality).

Ask a participant to read the following story out loud. Then break into small groups for 15 minutes to address the discussion questions below.

Three young men broke into a church. They didn't break in to steal anything, they just wanted to ring the church bell. They had had a few drinks and wanted to do something fun (there were not many alternatives for entertainment in this part of the state). In

order to get inside, they had to break the window. The neighbor heard the window break and called the police. These three young men were arrested and taken to jail, where they faced felony charges.

Church officials wanted a restorative rather than a punitive response. They reached out to the DA to say they did not want to press charges; they just wanted the window to be paid for. The church officials continuously kept in contact with the courts and the arresting officer, trying hard to navigate through the bureaucracy to get these young men's felony charges dropped.

The DA eventually acceded to the desires of the church and sent the three young men to a restorative justice circle with the church members, where they were asked to identify the harm they had committed and pathways toward accountability and healing during this process.

A restorative harm repair circle is a mediated and structured conversation that allows every participant to share their experience of how they were impacted by the incident, what accountability and repair might look like, and how they would like to move toward resolution. Restorative circles involve the person(s) who committed the harm or their representative, the person(s) who was harmed or their representative, a support person for each, community members, and the circle keeper, who moderates the circle. Everyone involved is well prepared by the facilitator prior to convening the circle.

We will not be engaging circle practice in this exercise, but rather will explore how to locate harm, envision avenues toward repair, restoration, and accountability, and imagine what kind of transformation in the context might change the circumstances that led to the harm in the first place.

Discussion Questions:

- What were the harms committed?
- What could repair look like in this scenario?
- What could restoration look like in this scenario?
- What do you imagine as potential pathways toward accountability in this scenario?
- Can you imagine transformations beyond repair and restoration that might come out of this scenario?

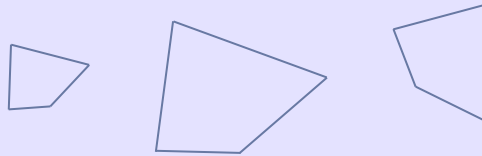
Return to the full group to briefly share each group's conclusions. Then ask a participant to read the actual outcome:

Following the restorative justice circle process, the three young men covered the cost of the window, but they also took it upon themselves to show up to the church every week for months to help with mowing the lawn, planting flowers, and cleaning up after events. They built a strong bond with the church members, even showing up for services on Sundays on a regular basis. The young men also created a presentation that they have taken into the local school in order to talk with youth about the need for and how to show community support by using their journey as an example.

Discussion Questions:

- How was this outcome restorative?
- Can you identify different kinds of accountability in this resolution?
- How do you imagine the scenario might have ended with a traditional punitive approach rather than a restorative approach?

TAKE A BREAK! (5 minutes)



Topic 2: Comparing Punishment, Restoration, Transformation (70 minutes)

Exercise: Bicycle Thief Scenario. Break into an even number of small groups. Give each group 15–20 minutes to develop a scenario for the Linda and Wendy bicycle theft issue that includes a surface story, a backstory, other characters, etc. The scenario should explain what happened, who was involved, their motivations, and their backstories.

For example: Linda has helped Wendy on many occasions and provided after-school care to Wendy's son with modest payment for years while Wendy was working, but she feels her assistance has been unreciprocated. Linda intended to return the bicycle after using it while her car was undergoing repairs. She did not expect to get caught. She is profoundly embarrassed but feels, righteously, that she had some claim to 'borrowing' the bicycle because of her help to Wendy in the past.

Once each group has prepared its story:

- Return to the full group and ask 2 or 3 of the groups to share their scenarios. For each scenario, ask the full group to workshop a restorative response and a punitive response. Then answer the following discussion questions as the full group.

Discussion Questions: (20 minutes)

- What are the assumptions that came up about the goals of a retributive response and the goals of a restorative response for the scenarios presented?
- Which of the responses workshopped by the group would be the response you choose? Why? What is left unaddressed in this choice of response?

Closing: (15 minutes)

A transformative response to harm is one that addresses the underlying issue so that this issue does not happen again. In other words, a transformative response does more than restore the relationships; it transforms the social conditions within which those relationships take place. What might a transformative response to the bicycle theft look like?

Homework for Week 11:

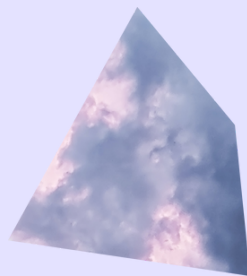
Listen to Joseph Jackson's poem, "Love is How I Greet You."

- Develop a vocabulary list of ten key terms and definitions that you would associate with restorative justice, a restorative approach to harm (repairing what was lost) and a transformative approach to harm (changing the conditions that led to harm in the first place), including violent harms.
- Continue to develop this list, which we will return to in Week 12.

POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

ACCOUNTABILITY

What do you see as the strengths and weaknesses of a restorative approach to establishing accountability for harm?




RADICAL LOVE


What needs to change in our culture and society so that no one needs to steal a bicycle?

WEEK 11: LOSS, REPAIR, AND TRANSFORMATION

Responding to Violence with Accountability, Radical Love, and Transformation



“Justice and revenge are not the same thing. Justice is a continuum that includes accountability, change toward preventing further injustice, strategic hope, etc. As my father said, ‘Justice at its best is love correcting everything that stands against love.’” — **Bernice King**



Goals:

- Explore what accountability can look like when a restorative approach is taken to addressing violent harm.
- Explore what justice can look like when a restorative approach is taken to addressing violent harm.
- Explore what accountability for corporate violence could look like.

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - On a scale of one-ten, how comfortable are you talking about alternative pathways toward accountability, justice, and repair for violent harms (with one being extremely uncomfortable and ten being extremely comfortable)? The group should take note of those feelings as we move into the discussion of the session.

Introduction:

So far, we have focused on accountability and repair in response to crimes and harms such as theft, property damage, and driving infractions. But what about violent harms? A significant minority of people in our prisons are convicted of causing violent interpersonal harm. What possibilities exist for alternative ways to seek justice, accountability, and repair in the wake of violent harm? Since violent harm is often an expression of underlying issues like trauma, poverty, mental health challenges, intergenerational cycles of violence, and oppression – how can those underlying conditions be addressed to interrupt the possibility of harm in the first place?

Topic 1: Addressing Violent Harm with Accountability and Reparation: Case Studies

(60 minutes)

Exercise: Small Group Discussion. Divide into small groups and have each group read one of the following case studies. Take 20 minutes to read the story together and address the discussion questions. Then return to the class and ask each group to briefly summarize the case study and the substance of their discussion.

The first two case studies are quoted from *Until We Reckon: Violence, Mass Incarceration, and A Road to Repair* by Danielle Sered, executive director of Common Justice, a New York City-based organization that operates alternative-to-incarceration and victim-service programs that focus on violent felonies in the adult courts.

Ana/Trish Story:

During Hanukkah, Ana was on the subway with a group of friends, wishing fellow passengers a joyful holiday and handing out candy. Suddenly a group of young people began insulting them, claiming that the Jews had killed Jesus, and spitting in the face of one of Ana's friends. The verbal attack turned physical, and Ana and her friends were badly beaten.

The young man who initiated the attack had another open hate-crime case — for assaulting two black men — and was sentenced to prison. The friends who had played a more minor role in the attack were given probation and community service. Trish, the woman who attacked Ana, was somewhere in between. She didn't have a prior history committing crimes, but she had hurt Ana seriously — punching her, kicking her, and pulling out her hair. Ana suffered serious trauma symptoms following the attack, and she never rode the trains anymore. The change rippled through every part of her life...

...After extensive preparation, Common Justice convened a dialogue with Ana, Trish, and their support people to address the harm done to Ana and identify actions Trish could take to make things as right as possible. The group made quick, solid progress in shaping a wide range of commitments Trish would make — including work, education, apologies, reading assignments, and community service. Then we reached an impasse.

Ana's hair had fallen out after the incident, both because Trish tore much of it out and because hair loss is a common response to extreme stress and trauma, so much so that Ana finally had to shave it off. Now Ana wanted Trish to shave her head.

Chapter 4 [of *Until We Reckon*] explores restorative justice processes such as this one in much greater detail. For now, it is important to note that such processes don't allow agreements that are harmful or degrading to the responsible party. In this case, there was disagreement about whether this proposed commitment crossed the line. We took a break to see if we could find common ground. We talked to Ana about what this agreement meant to her. At first she said "I want her to suffer the way I suffered." And while we empathize deeply with that, we cannot be in the business of replicating the suffering caused by violent crime. Ana added "But it isn't just that. It's. . ." She paused. She took a breath. And she said, "Everywhere I go, I think about this girl. When I wake up, I think about her. When I look at myself in the mirror, I think about her. And when I go to touch my head and my long hair is not there, I think about her. And when people tell me my short haircut is cute, I think about her. And when I get on the bus instead of the train, I think about her. And when I wait for the bus and I'm cold, I think about her. And when I go to sleep and can't fall asleep, I think about her. And I dream about her and I wake up and start it all over again. She's everywhere for me. I want to be everywhere for her. I want to be on top of her head."

That, we said, we can try to do. We talked for hours, and the agreement that emerged from our conversation was that Trish was not allowed to ride the trains for the next year. Trish lived on the outskirts of Brooklyn, far from her school, the programs she was required to attend, and the job she had to maintain. The agreement we reached required her to stay off the trains and keep a daily journal in which she reflected about how Ana must have felt each day following the attack. At first her entries were short and even a little trite: "I think she felt angry." And "I think she felt mad." But after having to write these reflections day after day, finally something clicked: "I bet she felt so tired of waking up angry. I bet she was so frustrated that everything changed because of me, because of something she didn't even do, something she didn't even choose, something that wasn't meant for her. I bet she felt so sad because she didn't know if that feeling would ever go away. I bet she hated me for causing her that pain. I bet she hated hating me too." [Until We Reckon, pg 115.]

Federico/Carl Story:

One night, a young man robbed an immigrant named Federico of his week's wages, as he came home from a fifteen-hour shift at the restaurant where he worked in the kitchen for cash. The incident changed everything for Federico, who experienced post-traumatic stress symptoms in its aftermath. He had trouble sleeping, withdrew from his relationship, and could not concentrate on the GED test he planned to take. He started

taking taxis home, which consumed a huge portion of his already small income. He became afraid of walking on the street. He would say that whenever anyone came up behind him, “even a little old lady,” his mind would race, his heart would race, his stomach would turn, and his whole body would freeze up.

Several months after Federico’s case came to Common Justice, we convened a circle with Carl, the young man who robbed him. After hours of talking about what happened and its impact on Federico, we brainstormed ways that Carl could make things as right as possible. After the group suggested (and Carl agreed to) some typical actions — going to school, apologizing, doing community service — Carl added, “Every man older than me in my family has been in prison. My older brother served a long time, and he won the prison boxing league championship when he did. He is the one who taught me how to fight. I showed you the wrong end of that on the street that day. But he is also the one who taught me how to defend myself — and if you want, I will show you that, too.”

Then it was Federico’s turn to speak, and he said, “I would love that.”

A few months after the circle, Federico and Carl went to a local dojo. Supervised by a seasoned martial artist, Carl first stood in the position of the person being held against his will and Federico held him there. Carl demonstrated multiple ways to escape the hold. Then, they switched positions. Federico was in the same position he was in the night he was mugged — and being held by the same man. Only this time, as he practiced the techniques Carl taught him with increasing skill, he was repeatedly able to free himself from Carl’s grasp. The next day Federico called my Android, “I’m calling to tell you nothing happened.” “What?” I asked. Federico explained: “Nothing happened. A six-foot-tall man passed me on the street and nothing happened.” His mind did not race. His heart did not race. His stomach did not churn. His body did not freeze.

Federico had a little while before he had to be at work, and he went to Times Square so he could walk by as many people as possible. He looked for the tallest people, the biggest men, to walk past. At each one, he said to me on the phone, “Nothing!” “Nothing.” [Until We Reckon, pg. 148]

A Case Study From Maine:

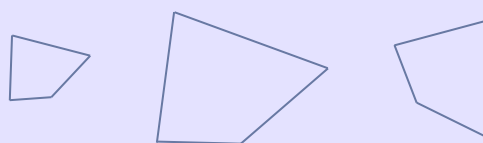
A young woman sits in jail awaiting trial for accidentally shooting and killing her one-year-old niece and grazing her brother and father with stray bullets. This incident was

caused by an argument that escalated during a family dinner. Remorseful, full of guilt and shame, she reaches out to her brother, mother, and father. Her mother understood the situation and accepted the heartfelt apology, but the father and brother did not. They stated that she was a murderer who took the life of a small child and deserved to go to prison for life. Her mother reaches out to a local restorative justice group, looking for any kind of support in this matter that might bring her family back together. After finally getting all the parties to agree to participate, a restorative justice circle was held. The young woman that was in jail was able to participate via Zoom, while the others were in person. During this circle, there were a lot of tears shed, questions answered, apologies, accountability and harm identified. After an hour and a half session, forgiveness came into play. The brother took accountability for his role in the incident, stating that he antagonized the young woman, knowing that she was experiencing a mental health crisis. The young woman identified accountability by showing remorse for grabbing the gun that day, stating that she should have used her words around her unstable mental health condition. They healed together and once again became a supportive family. The young woman still sits in jail awaiting trial but receives letters from her brother and father weekly. She speaks to them on the phone every night. The brother and father reached out to the courts to indicate that they do not want a life sentence but they do want the young lady to get the mental health help that she needs. The young woman, once isolated from general population due to suicidal tendencies, has now been re-housed to general population, where she can interact with others inside the jail. Her ability to move forward is helped by knowing her family is fighting for her life and that she may have a pathway toward healing and accountability.

Discussion Questions:

- What does each case study reveal about restorative responses to harm? What is the form of restoration you see? Of accountability? Of justice?
- Do you see any problems or shortcomings with this approach?
- Return to the class and ask each small group to briefly summarize the case study and the substance of their discussion.
- What are the differences between the outcomes in these case studies and why are there differences?

TAKE A BREAK! (5 minutes)



Topic 2: Corporate and Governmental Violence (30 minutes)

Introduction:

So far our discussions have centered primarily on individual and interpersonal contexts of harm and breaking the law. But some harms are caused by corporate malfeasance. Now we consider justice, accountability, repair, restoration, and transformation in the wake of harms caused by corporations. Corporate violence is a distinct form of violence and can be lethal. Unlike the harms committed by individuals, it is often difficult to know or prove who is responsible. It can take months or years of investigation to determine guilt and accountability. It is harder to prosecute corporate crimes because it is difficult to prove a causal link between corporate activity and harm. Yet, many argue that corporate violence may inflict more damage to society than individual harms.

Exercise: Case Studies + Small Group Discussion. Break into small groups and ask each group to read one of the following case studies and address the discussion questions. *Please note: These cases are still ongoing and circumstances may change from the scenarios presented below.*

Case One:

The maker of OxyContin, Purdue Pharma, was instrumental in escalating the opioid crisis, which has caused the death and suffering of millions of people. The Sackler family owns Purdue Pharma.

Purdue Pharma has admitted criminal wrongdoing based on deceptive marketing that downplayed the risk of becoming addicted to OxyContin in a plea agreement with the U.S Justice Department. The Sackler family have voiced “regret” but deny wrongdoing. Members of the Sackler family were never criminally charged.

Nine states attorney generals have agreed to drop an objection to a deal granting immunity from opioid lawsuits against the Sackler family members. In exchange, the family agreed to increase the amount paid from personal funds from \$4.5 billion to \$6 billion. Court records show the family received \$10 billion in profits from OxyContin and will likely recoup much of what they lose in the settlement. Family members continued to deny any wrongdoing. The deal ensures that the Sacklers are protected from current and future lawsuits related to OxyContin and other Purdue pain medications.

[Adapted from the NPR article, [“Purdue Pharma, Sacklers reach \\$6 billion deal with state attorneys general”](#)]

Discussion Questions:

- How do we determine accountability? What does it mean to be accountable in this case?
- How do you feel about the outcome?
- Imagine what a restorative justice process could look like in this case.

Case Two:

In 1996, a commercial jet crashed into the Everglades shortly after takeoff. Both pilots, the three flight attendants, and all 105 passengers were killed. The crash was caused by a fire. According to the shipping manifest for the plane, it consisted of two main tires and wheels, a nose tire and wheel, and five boxes that were described as "Oxy Canisters - Empty." The lead ramp agent on duty at the time asked the first officer of the flight for approval to load the material listed on the manifest. He showed the manifest to the first officer and put the material in the forward cargo compartment. According to the lead ramp agent, he and the first officer did not discuss the notation about the oxygen canisters on the shipping ticket. The ramp agent who loaded the material into the cargo compartment stated that within five minutes of loading the material, the forward cargo door was closed.

Subcontractors hired by the airlines illegally sent the oxygen canisters for transport in the plane to the destination. Although labeled as empty, they still contained oxygen. When they ignited, the plane had no fire detection system.

Prior to the flight, the airline had a poor safety record. Bids for government contracts were rejected due to their lack of safety. At no time was the airline required to address their safety issues or stop flights. [Adapted from Washington Post article, "Containers on Jet were Mislabeled"]

Discussion Questions:

- What might accountability look like in this case?
- Imagine what a restorative justice process could look like in this case.

Case Three:

In 2014, to save money, officials in Flint, Michigan switched the city's drinking water supply from Detroit's system to the Flint River. But the failure to adequately treat and test caused the lead pipes carrying the water to corrode, causing lead to contaminate the water supply. Officials repeatedly dismissed residents' claims that Flint's water was

making people sick. For 18 months, Flint residents complained that their water was foul-smelling, discolored, and off-tasting, causing skin rashes, hair loss, and itchy skin.

Although they had the data about the origin of the problem, the state's Department of Health and Human Services failed to intervene, as did Michigan's Department of Environmental Quality. The Michigan Civil Rights Commission, a state-established body, concluded that the poor governmental response to the Flint crisis was a "result of systemic racism." Later studies revealed the contaminated water resulted in elevated (double and sometimes triple) amounts of lead level in the blood of Flint's children. Nearly 9,000 children were supplied lead-contaminated water for 18 months. Lead was not the only issue, as the switch from Detroit water to the Flint River coincided with an outbreak of Legionnaires disease (a severe form of pneumonia) that killed 12 and sickened at least 87 people between June 2014 and October 2015. This was the third-largest outbreak of Legionnaires' disease recorded in U.S. history.

The city's failure to maintain sufficient chlorine in its water mains to disinfect the water was part of the problem. Ironically, the city's corrective measure—adding more chlorine without addressing other underlying issues—created elevated levels of TTHM, cancer-causing chemicals that are by-products of the chlorination of water.

Flint's population has since plummeted to just 100,000 people, a majority of whom are African-American, and about 45 percent of its residents live below the poverty line. Nearly one in six of the city's homes has been abandoned. [Adapted from NRDC article, "[Flint Water Crisis: Everything You Need to Know](#)"]

Discussion Questions:

- When the government is responsible for harms against its own citizens, how can those who are harmed hold the government accountable? What could accountability look like in this case?
- Describe a restorative justice process to resolve the harm in this case.

Closing: (10 minutes)

Outside of current structures in place to adjudicate harm, how might we envision holding corporations or governments accountable for creating harm in a way that is restorative and/or transformative?

Homework for Week 12:

Review your journal entries for the past 11 weeks in response to the accountability and radical love pop-up questions. Identify three things from your reflections you'd like to discuss with the group.

POP-UP QUESTIONS: ACCOUNTABILITY & RADICAL LOVE

ACCOUNTABILITY

What would need to change in our society for transformative justice – an approach that changes the context within which harm occurs to minimize the possibility that harm will occur – to work?



RADICAL LOVE

What do we gain by addressing harm through community intervention as a society? What are the benefits of keeping a person who caused harm in their community rather than separated from it?

WEEK 12: LOSS, REPAIR, AND TRANSFORMATION

Accountability, Radical Love, and Transformation

"Power at its best is love implementing the demands of justice."

— **Martin Luther King Jr.**

"The challenge of love is to extend belonging to someone that we may not even know, someone that may actually have hurt us." — **bell hooks**

Goals:

- Address journal reflections on accountability and radical love.
- Work collectively to envision a safe and healthy society.

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - Reflecting on what you've learned in the past classes, offer a brief definition or example of how you understand radical love. If you're feeling creative, feel free to use poetry, song, or movement to express this.

Topic 1: Group Share of Vocabulary Terms from Week 10 (20 minutes)

Exercise: Homework Share. Referencing the homework assignment from Week 10 (develop a vocabulary list of ten key terms and definitions that you would associate with restorative justice...), ask participants to write their terms on the board, type them into the chat, or use a shared jamboard or Google doc to collect the terms. Give everyone a few minutes to enter their words and read the entire list. Allow the group to share their reactions to the list and ask each other questions about any terms that are contested, missing, or confusing.

TERMS FOR CONSIDERATION:

Accountability — An obligation or willingness to accept responsibility and take ownership of what happens as a result of your choices and actions.

Amends — To correct a mistake that one has made, or a bad situation one has caused.

Apology — An acknowledgment of remorse for causing harm.

Blame — An emotional response to harm that discredits the blamed, finds fault, and reproaches.

Communication/Conversation/Dialogue — A discussion between people or groups of people, such as victims and offenders with a goal of mutual understanding.

Community Accountability — A community-based approach, rather than a police/prison-based strategy, for addressing and preventing harm.

Empathy — The ability to understand and share the feelings of another.

Explanation — Make clear to someone by describing it in more detail or revealing relevant facts or data.

Forgiveness — A conscious, deliberate decision to release feelings of resentment or vengeance toward a person or group who has harmed you, regardless of whether they actually deserve true forgiveness, have apologized, or have expressed remorse.

Harm — An act that causes loss, suffering, or pain.

Healing — The process of making or becoming sound or healthy again.

Injustice — Unfair procedures, acts, or circumstances within the legal and carceral system, including the violation of rights.

Justice — Fair and equitable treatment within the criminal, legal, and community accountability systems. Justice is the ethical idea that people are treated impartially, fairly, properly, equitably, and reasonably by the law and by arbiters of the law.

Punishment — Inflicting harm as retribution for causing harm.

Radical Love — An ethical foundation for transformative power. An unapologetic means of resolving social issues through compassionate action.

Remorse — Deep regret or guilt for a wrong committed.

Repair — Addressing and ameliorating harm and rebuilding interpersonal and community relationships.

Reconciliation — The restoration of friendly relations.

Restoration — The act of returning something to a former owner, place, or condition.

Restorative Justice — According to Fania Davis: “Ours is a system that harms people who harm people, presumably to show that harming people is wrong. This sets into motion endless cycles of harm. Restorative justice seeks to interrupt these cycles by repairing the damage done to relationships in the wake of crime or other wrongdoing, and do so in a way that is consonant with indigenous wisdom... Justice is a healing ground, not a battleground.” (*The Little Book of Race and Restorative Justice*, 2019, p. 25)

Retribution — Punishment inflicted on someone as a vengeance for a wrong or criminal act.

Transformative Justice — A liberatory approach to harm, which seeks safety and accountability without relying on alienation or punishment. While restorative justice addresses specific conflict, transformative justice uses conflict as an opportunity to address larger socio-political injustices and create change in social systems.

Topic 2: Group Share on Journal Revelations (40 minutes)

Exercise: Full Group Discussion. Open the floor for participants to share any questions, issues, or reflections from the course they would like to share with the group. Participants might choose to share responses to the Accountability or Radical Love pop-up questions from past weeks.

Accountability Questions:

- What would accountability look like for a law that you may have broken?
- Do we as a society hold responsibility for assisting those experiencing loss? Why? How?
- According to the Vera Institute, two out of three people in the U.S. are rearrested within three years of their release, and 77% are rearrested within five years after

release. Children of incarcerated parents are more likely to become incarcerated themselves. Given these facts, do you think punishment acts as a deterrent to crime?

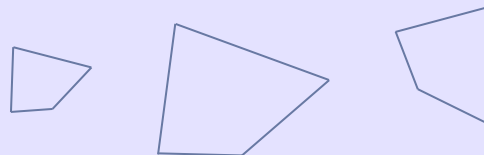
- “There’s an impression among some in our community that incarcerated folks don’t deserve to have a family,” claims Judge Anthony Capizzi, president of the National Council of Juvenile and Family Court Judges from 2000–2022. Do people who are incarcerated because of their substance use disorder deserve to lose their families?
- Should the state have the power to strip people of their personhood if they are found guilty of committing a crime and sentenced to jail or prison?
- Vets might have been asked or ordered to commit violence in the name of our country. When vets have PTSD and subsequently cause harm, is prison the appropriate response to that harm?
- Does the state have a responsibility to facilitate the ability of an incarcerated person to attend the funeral of a family member?
- On a scale of one to ten, how important to personhood is creative self-expression (i.e. story-telling, artistic expression, dance, and other forms of expression that do not violate the rights of others)? Should the state have the right to take away or punish creative self-expression for those who are incarcerated?
- How does our justice system enable repair, restoration, and reconciliation rather than just punishment? Are these important in the wake of harm? In the wake of crime?
- What do you see as the strengths and weaknesses of a restorative approach to establishing accountability for harm?
- What would need to change in our society for transformative justice – an approach that changes the context within which harm occurs to minimize the possibility that harm will occur – to work?

Radical Love Questions:

- The popular saying, “hurt people hurt people” suggests that those who cause harm have usually been hurt themselves. Is a punitive response the best way to respond to harm if, “hurt people hurt people”?
- Name four ways that people can offer support and love to those who are experiencing loss.
- Drawing on what you’ve learned this week, what do children with incarcerated parents need? Draw a picture that responds to this prompt.
- Given the stories you read, how can we support motherhood for women in prison and not create additional harm?

- If we embraced all the losses of incarceration, what would a compassionate response look like?
- What is our duty as a society to those who served our country?
- Published death announcements of incarcerated persons often note their crime but rarely mention their other accomplishments or contributions. When you read such a report, would you contact the writer to consider an article that offers a more holistic portrayal of the person's life?
- Is creative self-expression a human right?
- In the story of Wendy and Linda, imagine the needs that might have prompted Linda to take Wendy's bicycle. What needs to change in our culture and society so that no one needs to steal a bicycle?
- What do we gain by addressing harm through community intervention as a society? What are the benefits of keeping a person who caused harm in their community rather than separated from it?

TAKE A BREAK! (5 minutes)



Topic 3: Visioning Exercise (40 minutes)

Exercise: Small Group Discussion. Over the past 11 weeks, we have been working to envision alternative ways to respond to loss and harm, while taking account of the breadth of losses that occur in the wake of harm. In this exercise we'd like to open a space to pull our insights and reflections into a collaborative project of envisioning a society that offers a better way to prevent harm and to handle loss in the wake of harm. What does the society of your dreams look like? What are the social and political formations that support the sort of society you'd most like to live in? How can you imagine a society invested in dignity, care, nurturing, safety, and well-being?

Break into small groups. Ask each group to take 40 minutes to create a detailed map and description of what they can imagine would be needed to create a safe, healthy, just, and equitable society. Think broadly, expansively, deeply, and creatively. Suspend any need to operate within currently existing structures and systems. The groups can express their view in whatever form feels good: a hand-drawn picture detailing all the components they would like to see in their ideal society; a list of things they would include; a collaborative dance or performance that showcases what their imagined society looks like or feels like. After 40 minutes, the groups should come back together and share their visions.

Closing: (10 minutes)

As a group, share one insight you are leaving class with today.



WEEK 13: LOSS, REPAIR, AND TRANSFORMATION

Accountability, Radical Love, and Transformation

Goals:

- Begin to create a personal understanding of abolition.
- Consider next steps after completing this course.

“You may choose to look the other way but you can never say again that you did not know.” — **William Wilberforce**

Opening: (10 minutes)

- Facilitator introduction
- Overview of expectations
- Group ground rules (quick review)
- What to do if you experience activation based on the material (quick review)
- Circle Introductions: Names, Pronouns, Circle Question (round the room with option to pass)
 - Identify a concept or a word that has become meaningful to you through this class.

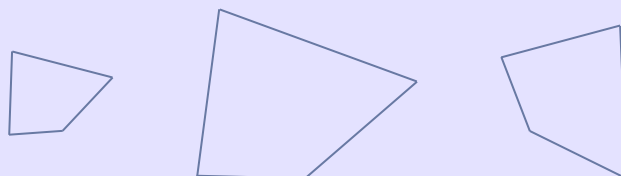
Topic 1: Defining Abolition (20 minutes)

Exercise: Video Screening + Full Group Discussion. Watch the short film [ABCs of Abolition](#). Then ask how participants now define 'abolition' after 13 weeks of discussions. The discussion can be managed in a circle practice, where each participant speaks in turn, or it can be held as an open discussion. Invite participants to share their thoughts about the concept, including what they appreciate, fear, and don't yet understand about abolition.

One possible definition:

Abolition — An approach to addressing, ameliorating, interrupting, and discouraging harm, using restorative and transformative practices that center justice, accountability, equity, and safety to eliminate imprisonment, policing, and surveillance.

TAKE A BREAK! (5 minutes)



Topic 2: Back to the Bicycle Theft (30 minutes)

Exercise: Full Group Discussion. Discuss the potential outcomes, pathways, and merits of the following bicycle theft scenarios. Note: The facilitator can step back and allow participants to guide the conversation among themselves.

- Wendy steals someone else's bicycle to replace the one she lost.
- Linda sneaks back to Wendy's house and returns the bicycle, without recognizing the theft or expressing remorse. No one has to acknowledge anything, and everyone moves on.
- Linda apologizes and asks for forgiveness. She also asks to continue to use the bicycle because she has no other means of transportation and there is no access to public transportation where they live.
- After apologizing and asking for forgiveness, Linda wants to help restore Wendy's feeling of safety. How can Linda restore Wendy's trust?
- How can the community help to meet Wendy's need for safety and Linda's need for transportation?

Topic 3: So What? (30 minutes)

Exercise: Full Group Discussion. We have come to the end of the course. The 13 weeks together have introduced new concepts and perspectives, and enabled new kinds of insights, conversations, discomforts, and discoveries. We'd like to close the course by asking the question, So What? What difference has taking this course meant for you? What are you taking away from this course? What are you now prepared to do, from where you are, with what you have, toward a different future?

Please address this question using the circle format, offering each participant the opportunity to speak.

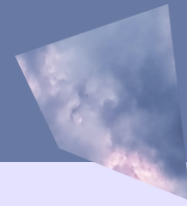
Some suggestions for next steps:

- Please continue your education by exploring the resources listed below and on the [Freedom & Captivity website](#).
- Find a restorative justice program near you and get involved.
- Become an informed citizen, get to know the laws and policies regarding the criminal legal system, and contact your local legislators about making changes.
- Find a mentoring program for returning citizens and volunteer your time and energy.
- Donate your time, clothing, or resources to advocacy groups supporting changes in the carceral state.



LOSS, REPAIR, AND TRANSFORMATION

Class Materials



Podcasts:

- [·Finding Our Way](#) – with Mariame Kaba, about the difference between crime and harm.
- [·‘Why Do We Need To Be Punishing People?’ Abolitionist Feminism and The Last Girl.](#) Freedom & Captivity podcast with Samaa Abdurraqib and dee clarke.
- [·‘We’re Creating the Next Generation of Broken People’: Parenting and Prison.](#) Freedom and Captivity podcast with Cait Vaughn, Wendy Smith, and Kayla Kalel.
- [·“Prisoners and Hospice with Bobby Payzant.”](#) Safe Space Radio Episode 72.

Visual Artwork:

- [Living Monuments](#) – sculpture by Chris Revelle
- [America’s Brave](#), Anonymous, Maine State Prison Color pencil, 2021.
- [A Prisoner’s View](#), Anonymous, Maine State Prison, Color pencil, 2021.
- [Freedom is a Pipe Dream](#), Anonymous, Maine State Prison
- [This I Will Defend](#), Anonymous, Maine Correctional Center Color pencil, 2021.
- [Salute the Flag](#), Anonymous, Maine Correctional Center Color pencil, 2021.
- [Unjustified](#), Anonymous, Maine State Prison Graphite, 2021.
- [Freedom Within](#), Anonymous, Maine State Prison Paper, string, gum wrappers 2021.
- [Self Portrait: Silent No More](#), Chad Merrill, n.d.
- [Leaping Men](#), Peter Merts, 2015.
- [Love is our Salvation](#), Cedar Annenkovna Mortenson, 2021.
- [Stands Alone](#), Colin, n.d.

Presentations:

- [Home Fires: Children Families and the Impact of Incarceration](#) – a presentation by Jan Collins of the Maine Prisoner Advocacy Coalition about the impact of incarceration on families.
- [·Leo Hylton’s talk at the Oak Institute of Human Rights](#) – Colby College

Audio Stories:

- [·Kim’s Story](#) – about giving birth while incarcerated
- [·Gail’s Story](#) – about mothering from prison
- [·Charlotte’s Story](#) – about mothering from prison

- Personhood Anecdote #1 – about slow walking
- Personhood Anecdote #2 – about the weaponization of love and care in prison
- Personhood Anecdote #3 – about the loss of personal agency while incarcerated

Films:

- Pine and Genessee, by Kelly Gallagher
- What if Black Boys Were Butterflies, by DaeQuan Collier
- 'Kiki Grieving His Sister' Scene, from *The Work* (2017)
- Closure – with Jan Collins on the loss of her father while he was incarcerated.
- Bicycle Thieves, by Vittorio de Seca
- ABCs of Abolition, by Freedom & Captivity

Poetry/Song:

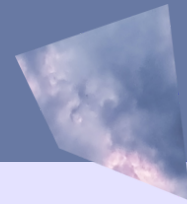
- "Through The Lens of a Child," poem by Kirsten about having a mother who is incarcerated
- "Felon," performed by Reginald Dwayne Betts for Freedom & Captivity
- "Freedom & Captivity" – poem by Joseph Jackson
- "Go Free" – poem by Joseph Jackson
- "Veteran Freedom" – poem by Noelle
- "Grandma" – by Foster Bates
- "Thank You For Asking," by Lalee
- "Love is How I Greet You," by Joseph Jackson

Readings:

- F&C's U.S. Incarceration Timeline and Brief History of Incarceration in Maine Timeline – a timeline of the growth of incarceration in the US created by Freedom & Captivity
- "Prison hospice program comforts the dying and changes the living." Lewiston Sun Journal, February 9, 2014
- "Dying in Prison." Freedom & Captivity background essay.
- "Redemption, untapped empathy through hospice program at Maine State Prison," February 16, 2014, by David Sharp. Lewiston Sun Journal.

LOSS, REPAIR, AND TRANSFORMATION

Additional Resources for Further Learning:



Readings:

- *Abolition for the People*, a collection of 30 short essays published in October 2020 by abolitionists, organizers, scholars, and political prisoners, supported by Kaepernick Publishing.
- Nell Bernstein, *Burning Down the House: The End of Juvenile Prison*. The New Press, 2016.
- Patrice Cullers, "Abolition and Reparations: Histories of Resistance, Transformative Justice, and Accountability." *Harvard Law Review*, April 10, 2019. Available [here](#).
- Angela Davis, *Are Prisons Obsolete?*
- Fania Davis, *The Little Book of Race and Restorative Justice: Black Lives, Healing, and US Social Transformation* (Justice and Peacebuilding), Good Books, 2019.
- Elizabeth Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*. Harvard University Press, 2016.
- Leo Hylton and Catherine Besteman, "[A Restorative Pathway to Decarceration and Abolition](#), Parts 1, 2 & 3." 2023
- Victoria Law, *"Prisons Make Us Safer" and 20 Other Myths About Mass Incarceration*. Beacon Press, 2021.

Webinars and Podcast Episodes:

- [Abolition Feminism: The Heart and Soul of Transformation](#), a webinar from The Resonance Network and the Washington State Coalition Against Domestic Violence featuring Nan Stoops, Shira Hassan, Beth Richie, and Alisa Bierria.
- Mariame Kaba on "[Hope is a Discipline](#)," Episode 19 of [Beyond Prisons](#) podcast.

Organizations:

- [Common Justice](#): Focuses on alternatives to incarceration and providing services to victims of violent felonies. Site offers videos, publications, podcasts.
- [Critical Resistance](#): International abolitionist movement. Site offers newsletter, reports and downloadable resources and tool kits, videos, podcasts.
- [INCITE! Women of Color Against Violence](#): Feminist organization against state and domestic violence. Site offers information on abolition feminism, including a blog, archival video and audio of conferences, resources and toolkits for anti-violence abolitionist organizing.

- Project Nia: Advocates for restorative and transformative justice models instead of incarceration. Site offers research, reports and a toolkit for Building Accountable Communities.
- Prison Policy Initiative: A research institute that produces reports about incarceration with the goal of ending mass incarceration. Tons of publications, fact sheets, and visuals for the nation and for each state.
- TransformHarm: Site offers articles, videos, podcasts, curricula and more on transformative and restorative justice, abolition, carceral feminism, and community accountability.

Podcasts:

- Beyond Prisons: Abolitionist podcast about incarceration.
- Decarcerated: Each week highlights the journey of an individual who has been incarcerated.
- EarHustle: Stories about life in and after San Quentin, co-founded by former San Quentin resident Earlonne Woods and visual artist Nigel Poor.
- Freedom & Captivity: On abolitionist organizing and visions for Maine.
- RustBelt Abolition Radio: Detroit-based show about the impact of incarceration, decarceration, and the carceral state.

More resources available on the [Freedom & Captivity Resource List](#).