

SET UP TO FAIL – play text

By: Lea Zengage, Justice Works! ©

Part 1

Those are harsh words.... We are set up to fail. But that's how almost all of us feel. The people who really don't know what we are experiencing might think that we are just whining. Maybe they think that we are trying to manipulate the bleeding hearts into feeling sorry for us. Our cries could be interpreted as just further proof that we're trying to get something that we don't deserve. Well, there are some incarcerated people who whine, manipulate and seek undeserved sympathy but, that is only the case with a few. We know. We live with ourselves every day. We know that what is happening to us does NOT make communities safer. We know that how the criminal justice system is run creates crime. We really are set up to fail. We often say, "If the public only really knew..." Please try to understand. Our motivation is to let people know what will reduce crime and allow us to be successful in life. There is too much to explain in one telling but here is some of it.

But first, we need to make something really clear. For those of us who are guilty of a crime, we agree that we should be punished. But, what is punishment? Is it being denied freedom of movement? Yes. Is it being denied the right to make decisions for yourself? Yes. Is it being required to live in an extremely small space in extremely close contact with many other people? Yes. Is it being removed from family and friends and access to normal positive human contact? Unfortunately yes. We accept all that. But, should it be to strip a person of their dignity? No. Should it be to be humiliated? No. Should it be to permanently lose our health? No. Should it be to be faced with ongoing insurmountable obstacles when we have completed our prison terms and we have returned to society? Absolutely not!

Please remember a system that strips a person of their dignity and humiliates them, makes it almost impossible for them to create a life for themselves as a tax-payer rather than being a tax-burden, THE SYSTEM is a significant factor contributing to crime in our communities. We want to take responsibility for our part but we want the system to take responsibility for its part too.

Ok, so how exactly are we set up to fail? There are so many ways it is hard to know where to start... We'll focus our discussion now mostly on money matters. Let's set the stage. Most of us were unemployed when we got locked up. Many are illiterate. We mostly come from poor neighborhoods. We haven't had many good examples of how to get out of this hole called poverty. There were no rich relatives to send us to rehab or pay for an attorney. What we do

have are children that we love, parents in need, and lots of bills to pay. Commonly it feels like we can never find our way out of this. But many, many of us are sincerely working to find that way out. Most people have debts prior to incarceration. You might be surprised to learn how many people committed their crime because of the desperation they felt over money problems. Then, in addition to your existing financial challenges, your sentence includes a Legal Financial Obligation (LFO). More bills... While incarcerated, we're charged 12% interest on this LFO with no means to pay that interest let alone the principle. 12% is an extremely high interest rate. What is the thinking behind the decision to charge us 12% interest? Never mind that now... So, we try to get jobs while locked up. There simply aren't enough jobs. Even if we try hard to get one, only a very small percent of us get jobs – maybe only 10%. The jobs we get pay either 42 cents or \$1.10 an hour. From that, by law 20% is deducted for our LFOs and another 35% percent is deducted by another law. We'll talk more about the 35% deduction later. If there is child support owed, another 15% percent of our money is taken. We are left with almost nothing to take care of our basic needs. Again, due to the lack of jobs most people have no way to earn anything at all. They have no way to pay back anything on their debts and no way to take care of their families and no way to even take care of their own most basic needs.

What needs do have incarcerated people have? Aren't their basic needs all taken care of by the Department of Corrections? If you haven't had experience with the actual workings of the criminal justice system, it would be easy to assume that incarcerated people have all their needs met. Your displeasure about our crimes might cause you to think that an incarcerated person should just be satisfied with what they get – no matter what the conditions. We accept your displeasure. You are right. Most of us come to understand about the harm done by our mistakes. That is often why we try so hard to find those answers to create a new life. But we still know that it isn't just us that need to change. We know absolutely that society will be safer if you would see the bigger picture. In Washington State we lock up 9000 people every year. And, we release over 8200. If you think "lock them up and throw away the key" will work, you are only fooling yourself. How safe you are is partially impacted by what happens to us while we are locked up.

Some people believe that there is no need for families to send their incarcerated loved ones any money. As you read about the realities of prison life, you can decide for yourself. Hopefully you will see that without money coming from family and friends, it is nearly impossible to survive prison while maintaining some dignity. Then, you can ask yourself if it is fair that the family and friends of incarcerated people have between 55 and 70% of the money they send to their incarcerated loved ones taken by the state? Is it right that family and friends must pay more

than other citizens for the “cost of incarceration” when they are not the person who committed a crime? What does this additional financial drain do to communities who are targeted by the police? Remember, it has been well documented by University of Washington sociologist Katherine Beckett that in Seattle a small time black drug seller goes to prison at a rate 22 times higher than a small time white drug seller who commits the exact same crime. But we are getting ahead of ourselves... Let’s start with explaining about the day to day financial demands on incarcerated people. After you understand that, we can come back to these bigger questions.

WHAT IS FREE

What is provided “free of charge” to incarcerated people in Washington State? The Department of Corrections provides a thin mat placed on a metal or concrete platform for a bed. A small, flat pillow is provided. Towels, a pillowcase, sheets, blankets and a trashcan are provided. We get three meals a day. Access to a broom, dustpan, mop and bucket/ringer is provided. Access to washers and dryers are provided. Each cell has a metal desk, a steel stationary stool, a shelf, a metal mirror, a sink and a toilet. State issued clothing includes pants, shirts, underwear, socks, tee shirts, shoes and a jacket. When we leave the institution, all state issued clothing must be returned the day before we leave except the clothing we are wearing that day and one change of clothes. As long as we are not in solitary confinement, daily access to a shower is provided. Monthly haircuts are provided. Access to the Big Yard where we can walk in circles is also free.

Everything else costs. If a person doesn’t have any money at all, there are a few things they can still get but they aren’t free. The indigent person’s debt just grows and grows. As debt grows, desperation grows. As desperation grows, potential for crime grows.

So again, what needs do incarcerated people have? Why should the public care about these needs?

What are normal needs on the outside may not be needs at all in prison. Things that are minor needs on the outside may become a life or death level need on the inside. A place where humans cage other humans will never be a “normal” place. This is a place where there is a dense packing of people into extremely close quarters where bodily functions happen within inches of other people. Witnessing violence and threats of violence are an everyday occurrence. It is only a matter of time until the violence comes home to you. You can be made to live with a stranger at any moment. This stranger could have serious mental issues. You can see it in his

eyes and his walk. He's gone. You can be locked in your cage with a serial killer or someone who has cannibalized people or someone with extreme fetishes. Even if you are with someone ok today, that could change tomorrow. There is no way to ever get a moment of privacy to cry, to think, or to just breathe. Between the clang of metal doors, the footsteps of guards, the droning of the intercom system and the constant arguing, there is virtually never a moment of silence. Guards with obvious "issues" have direct authority over you and you have no recourse with them. There are no acceptable ways to give or receive good touch. Loaded guns are pointed at you every single day. Extreme daily threats coming from prison administration and other prisoners are as ordinary as going shopping on the outside. Suicide and thoughts of suicide are common. One never knows when they will get swept up in a situation outside their control. Actually, control is non-existent. Cameras are watching your every move. Despair and hopelessness hangs in the air like a thick cloud. Racism is rampant. Trust is also almost non-existent. You have a deep and painful yearning to feel loved physically and otherwise. In this hard world, the comfort of softness happens only in our daily fantasies. Due to the fact that incarcerated people have no actual power, we define power in terms of ability to get access to information, access to things, and access to influence. This influence is often a prison official working the system his or her own way. We devise complex systems of rules for defining positions of power within our ranks and very specific rules for gaining and maintaining that power. It is extremely easy to break a rule without even realizing it. This whole life comes with a unique language that leaves the fish (new prisoner) at a disadvantage. It takes time to learn how to survive. Many are aware that they won't ever really understand the upside down rules where bad is good and good is bad. But if you don't learn some things fast enough you can lose your life or your manhood. It is like walking on eggs every day. You can't share any details about yourself or your life, even with your "friend", without risking having it be used against you at a later date. Jealousy causes chaos. If you have always lived at a low level on the pecking order, you may never ever receive information about all the rules, all the shot callers, all the players and all the hierarchies that exist. You can't make any assumptions about guards; sometimes their alliances are with the Department of Corrections, sometimes their alliances are with other prisoners. At predictable moments, the hum of deal-making is not only heard but felt. You can be moved from one prison to another for no reason and with no notice whatsoever, even if you are right in the middle of a class or program that is important and beneficial to you. Some people in prison live day in and day out with a belief that they have nothing more to lose. These people are obviously very dangerous.

We explain this little bit about prison life to make a point. Please don't think that because you know what a person needs to survive life on the outside that you'll automatically know what is

needed to survive life in this hell called prison. But, we'll try to help you understand our needs at least a little.

CLEAN BODIES

We have a need to keep our bodies clean. That sounds simple enough but it's not. You say an incarcerated person can just shower every day, right? Please remember that prison has a culture of its own. As horrible as it is, as we explained, the conditions of humans caging humans universally generates a code of conduct that includes violence as standard. Please try to understand that prison conditions create such a pressure that people must do things there that they would never ever do on the outside. We are talking about basic survival in nothing less than a war zone. Without writing a textbook to explain why and how things come to be the way they are and about the realities of surviving life in prison, we are left to simply tell you that the showers can be a dangerous place to be. Even if you can't fathom that, we know this is true. Also, please know that when a person has body odor, that is often reason enough for them to be the target of a beating or even rape. Remember, DOC does not provide free soap, shampoo, deodorant, toothpaste, toothbrush, or hair brushes or combs. What is needed to maintain a clean body is not free. These items must be purchased at the "inmate store" at a cost that is generally 20% higher than what the general public pays. All non-food store items are taxable just as on the outside. At the pay rate of 42 cents an hour and with the huge deductions, it is impossible to purchase the items needed for basic cleanliness without outside help. There is a special indigent store list. But, remember, if you are indigent, you can get those few special "indigent" items such as soap, but with every item you accept, your debt grows, your desperation grows and your chance at a good life declines. When the system tells us that we do not have the right to basic body cleanliness, we feel vulnerable and stripped of our dignity. We feel the raw, naked, rank ugliness of life. We feel humiliated.

HEALTH

We need to maintain our health. Remember, prisons are well known breeding grounds for communicable diseases. As these diseases are passed from one incarcerated person to another, they are later brought to the community since over 95% of the people who are in prison eventually get released. Yes, there are medical services available but whether we are indigent or not, we are charged the \$3 co-pay for every visit. This is true even if you miss the visit. Let's say you sign up for a medical callout the night before and let's say the intercom system is low or the custody officer doesn't call the sick callout like he should, you still will be charged the \$3 co-

pay. Let's say that you need medication such as an antifungal for athlete's foot or antacids for heartburn or an antibacterial cream for an infection, or treatment for hemorrhoids. All these things are available at the inmate store but again, at a cost approximately 20% higher than what the general public pays. If we are indigent, well, you've heard that story before. DOC does not provide free medical care or medicine. Those of us who don't have family and friends who can afford to send enough money so we can purchase what we need - after paying the 20% inmate store markup, in addition to the 35% taken by the state and the 20% taken for LFOs and the 15% for child support, well, we're back to the indigent's debt accumulation. We must pay for our medical expenses and that is almost impossible considering the lack of jobs, the low salaries and the extremely high deductions. The mattresses are so thin that hips and shoulders develop arthritis which causes severe pain. We sleep on metal or concrete. We sit on metal. We stand on concrete. Bodies are not designed for this treatment. Most people know that a lot of people in prison lift weights but they don't know that we are charged a fee to do that. So, remember, knowing that the system does not see us as human enough to deserve reasonable access to health care that works, leaves us feeling shamed and angry. Again, please understand that we are the experts at what creates crime. Believe us when we say being backed into a corner and being treated as if you are less than human and unworthy leaves people feeling desperation and defiance. These feelings play a huge part in moving a person towards crime.

EMOTIONAL PAIN

And what about the psychological and emotional pain? It is easy for outside people to start to think we are whining when we talk about this. Please take a minute to hear us. Let's just say you really believe that since we committed a crime that we should bear the hell of prison. Ok. But do you know that there are people in solitary confinement literally for months and years because they speak out about the injustices they see and what they experience themselves? We are charged 12% interest on our LFOs but the state pays 0% on our savings (if we are able to accumulate any..). Lies are told by prisoners and prison officials alike. There are DOC employees who really like to unreasonably and disrespectfully dominate us because they can. We know the details of how we are set up to fail. When we speak of them, we are labeled a "security risk". When we are a security risk the system is allowed to cage us in a cement box inside a box. We are only allowed out for one hour per day. The lights are on constantly. There is a complete and total lack of human contact and sensory stimulation. So you think retaliation doesn't exist? You are wrong but now isn't the time to get into all that. To add insult to injury, there is a special and very limited half page "inmate store" list for people caged in

solitary confinement. Remember if we speak out against injustices we can be locked away in the hole for years, literally for years... No whining here. So what options do we have when we experience a real injustice? Should we silently bear it because we know that we will be put into solitary confinement? If we do, then our opinion of ourselves goes down the drain anyway because we should have stood up for right. We know that we shouldn't let people suffer alone against a force so formidable. But, we are silenced. We are effectively silenced. Only the extremely strong survive but everyone subjected to this torture is affected. One way or another, we are affected by this treatment. Desperation? What causes it? Let's count the ways. Defiance? Please listen to us before it is too late. We sincerely do want to live right. But, it is impossible to not have this affect your view of life, yourself and your opinions about your options. To be secluded for long periods of time hurts mental health. This is not whining. It is real and it is happening in prisons across this state every day.

Knowing that society believes that our punishment should include this potentially permanent bodily and emotional harm and that they are ok with the daily pain we suffer from these harsh conditions, hurts the heart even more than the body. The bitterness of knowing that we are living in a place and in a society that believes that maintaining our health is too much to ask causes us to look again at life and this place where we live. It is especially true of the people in here for non-violent crimes like drug addiction. Are we so vile that you will allow our health to deteriorate because we have an addiction or because we made a mistake in how we handled our moments of desperation on the outside? Creating more desperation for us is your solution to helping us with our past desperation? And if we try to explain what happened to us every day when we were 3, 6, or 9 years old, you'll tell us that not everyone that has problems steals or becomes an addict. So you put us into a system that stands on our backs to serve itself. But we already know that you don't care about how our backs feel. We are told that we are the bad ones and all those mistreating us are the good ones. No, your lack of caring about our desperation only causes us to feel outraged. We want a good life. We want to give back to our communities in a good way. We understand that we are responsible for our mistakes but why does that mean we should accept being treated as if we have no value as human beings? We feel the need to fight back.

RELATIONSHIPS

We need to maintain strong healthy relationships with positive people. We need this for the same reason every other human being needs this but we also need it to remind us that there is another reality beyond the insanity of prison life. All we have to maintain these relationships are

visits, telephone calls and letters. For many, many reasons most people in prison simply do not get visits very often, if at all. Sometimes visits are impossible because DOC has transferred us to a location that is too far for our families to travel. Recently more and more of us have been shipped out of state causing us to feel even more abandoned and even more deeply alone. Before being shipped out of state, we didn't even imagine that it was possible to feel more alone but now we know that there is no end to the level of pain that can be experienced. Many, many of us don't have telephone contact with outside people. The cost of the collect calls is so extremely high that it is often impossible for our family and friends to bear this expense. But, can you imagine how it feels to have such a pain in your heart and as you reach out to your family for comfort, you face a telephone block? We don't blame our families. We know the system has made it impossible for them to pay for us to speak to each other. But, to be so alone in such an insane place and to not be able to even hear the voice of a mother, a child, a spouse, well, that plunges you deeper and deeper into despair. If you can't see your loved one or even speak with them on the phone, a photograph sent through the mail is the next best thing. We must pay to get our picture taken. Unbelievably, incarcerated people are not even provided with free paper and pens... let alone stamps and envelopes. Again, these must be purchased at the inmate store at a price higher than what the general public pays. Even when we find a person or a group that offers their support, if we don't have paper, pens, envelopes and stamps, that offer goes nowhere. Again, even indigent people don't get these things for free. Anything they get becomes debt. The debt grows like a wall, taller and taller. This wall gets so tall that it can never, ever be scaled. Hopelessness is common. Feelings of being completely deserted and unloved are common. Again, feeling stripped of your right to give and receive love and comfort is dehumanizing. So again, what is needed to maintain even the most basic communication with family and friends is not free. If outside people cannot afford to send money to the incarcerated person, the debt just grows and grows. Without these positive relationships we often give up hope. The challenges we face are simply too much for us to handle alone. It's a plain and simple fact. Deep inside, many of us feel powerless to change anything. But, that's how the system seems to want it.

Part 2

Now, imagine yourself being the person we've been talking about who has been living in prison. You know this is all insane and you don't ever want to come back. You don't want to be treated as less than human. You want to be able to relax. You don't ever want to commit a crime again. You don't want to do things wrong. You don't want to be like them. You want to be free to do what you want, go where you want and to create a life for yourself. You don't want to

experience the degradation of being strip searched. You don't want to ever experience the intense frustration of knowing that your potential is being wasted. You dream. You don't want to feel so alone ever again. You realize how important your relationships with your family and friends are and you've decided to never again take them for granted. You don't want to feel the rage of knowing that you are right while not having the power to challenge the corruption you see. This rage intensifies when you know that society sees you as the "bad" and lowly one. All the while, you know your value system and your intentions and they are good. You don't want to be subjected to the constant surprise attacks of getting caught up in things that have nothing to do with you. You dream and plan. You desperately need to control your own life. You know that you have lived under the control of many others who are way more "bad" than you. You think about everything intensely. But, you decide to swallow it all. You decide to set that aside and create a positive life. You decide to get more education. You look for forgiveness from your higher power. You study. You work to fight your addiction. You dream. You battle your insecurities. You learn. You go back and forth between getting angry with yourself and getting angry at others as you try to make some kind of sense of your life. You resent that there was no interest at all in helping you to reform yourself. You think through what they did and what you did and why. You are proud of the fact that you have reformed yourself by yourself. You dream of how your work will pay off and you will be seen by others as successful. You write out your plans. You strain to let go of the convict code. You catch yourself trying to justify what you did but you check yourself. You fight that voice inside yourself that constantly tells you that you aren't enough. You force yourself to read books. You let go of your clique. You constantly work through the shame and guilt. You are anxious to let go of the mask you were forced to wear in prison. You look deep inside yourself for the emotional strength to face past problems. You develop your spirituality. You have dreamed and fantasized for years about your success. You dream now. You see yourself with the comforts that you longed for. You see yourself receiving the respect you have missed. You define your future. You commit to change. You are excited. You are terrified. You are ready.

You are finally released from prison. You feel ready. You think you are free.

FREE

You are finally outside the walls. The wire is behind you. You are required to report to DOC within 24 hours. You have the DOC address on a paper in your pocket. Everything and everyone around you is moving very, very fast. Things look different from what you remember. Even the money looks different. When you are in prison everything stops but now you see that

life has gone on without you. You are afraid of looking foolish because you don't know how to do things. Your head spins. You are carrying all your earthly belongings in one cardboard box. Your heart is racing. You have to remember to not write your DOC number behind your name any more. You have your \$40 gate money. You have no place to go. You have no food. The nerves in your legs start to tingle. You wonder how to get around on the bus. Where is a place to sleep or eat or bathe or use the bathroom? How will you get change for the bus? Which bus do you take? You become so tired you just want to sleep. Wearing your state issued clothing, you know everyone knows that you just came from prison. You feel embarrassed.

You are hit over and over again with one barrier after another. You realize that you still really aren't really free. Your head aches. Survival is all there is.

You realize that it is one thing to decide not to commit a crime again but it is another thing to know exactly how to do this new thing. It's not about just getting a job. It takes changing from a day-to-day life which includes hustling, stealing and living without any cause or purpose. But where do you start when you have absolutely nothing? Actually, your debt means you have less than nothing. How can you build something new when the foundation is so wobbly? You know that in the old lifestyle, there is no world outside this way. There are no hopes for a better future. There is only survival of the fittest. It is dog eat dog. It is death or prison. All you knew before was keeping up the macho image and fitting in. To change means really understanding on a deep level that you have more options than just death or prison. It means defining a whole new way of thinking, new beliefs, new values, a new self-image, new friends, a new set of priorities and learning new skills. You flash on how you felt before going to prison; afraid, powerless, hopeless, guilty, shameful, angry and unworthy. It's all there tapping on your shoulder. You don't really know how to make all the needed changes but you continue to look for the answers. You look over your shoulder and constantly see the past trying to catch up with you. But, you move forward into the unknown future and decide to trust what you have heard from others. Remember, trust isn't done on the inside. You have to learn it.

On nearly every job application you are asked about your criminal history. If you tell them, you won't be considered for the job. If you don't, you will be fired when they find out later. With every "don't call us, we'll call you" you get more and more worried and discouraged. You feel like you are seen as an untouchable. Your mind explains the unfairness of it all in great detail. It is humiliating to be told by apartment managers that "we don't accept anyone with your background".

You are nervous because you are back in the neighborhood where you are targeted by the police. You always knew that you were targeted but no one believed you until a University of Washington professor published a report to “prove” it. You may be out of prison now but you know you are still in the place where they know that some people sentenced under the 3 Strikes Law are in prison for life without the possibility of parole for grabbing a wallet three times. This world that treats repeat purse snatchers the same as serial killers can be terrifying. No one seems to care about these injustices because they just continue even after they have been pointed out again and again.

You did make it to your CCOs office within 24 hours. But, now the pressure is really on. You have to pay the DOC a monthly fee. You have to attend classes every other day. You have to check in weekly. You have to stay in a shelter until you find a job and save some money. The shelter makes you leave at 5am. You aimlessly walk the streets cold and tired because you can't apply for jobs until the stores open. You have no phone number to give potential employers. Most jobs require that you have a driver's license but your fines prevent you from getting one. And insurance, come on now, that is way too expensive when a warm place to sleep is still an issue. Since you have never worked before, you have no job history. You feel discouraged when you discover that the computer hardware and software that you learned to use while in prison has been obsolete for some time. You are tired. It startles you when you notice that you forgot to eat. You realize that you never had to remember mealtime because the rhythm of prison life removed all need to remember anything. Now, the details of everyday life seem overwhelming. There are so many big and small decisions before you. And even if you can make it through today, the debts are a cloud over your future. Your addict self is wooing you to come to the place where all this goes away. And, you keep hearing that you need to pay this and that by this and that date. You are tired. You don't see how you can do it all. While all this is happening you are feeling a toxic shame like never before. It's from the child inside that carries the feeling of being bad, inadequate or being a problem just because you exist. We live in a very shaming society. When you were in prison, all those feelings had to be put away deep inside but now they seem to be flowing almost uncontrollably. You are tired. You feel everyone is watching you and you are aware of their expectations. Having been incarcerated creates yet another layer of significant shame. Without the support from someone or from a positive group it is extremely difficult if not impossible to lift oneself from this chronic, painful state of shame. Your CCO assumes that you are doing bad things. You aren't. You are spoken to as if you are expected to fail. You know you are doing everything right and the negative assumptions weigh you down. You are tired. You are still writing down plans but they seem to just stay on the paper. You remember telling yourself and others that you would become a billionaire when you

got out. Now you feel foolish for having said that. You don't know why your plans aren't moving. You are confused. You don't know what to do. Your debts seem to be the glaring proof of your inadequacy. You hear about how to do certain things and it all makes sense. But, you don't know how to make use of this information. You think people will think you are silly or stupid when the answers appear to be right before you. You are feeling vulnerable. You struggle. You feel society's scorn for you. You resent their scorn because you know their part in creating society's problems. Your debts loom large. You need to find something to help you keep grounded. There is a pressure on you all the time. There are too many choices. Things get confusing. You are tired.

REFUSAL TO FAIL

Ok. We aren't going to end this little story with your failure. We refuse to let that happen. We said you were set up to fail. But, you don't have to fail. We know we can't solve all these problems by ourselves. We come together. Encouraging words are there when needed. We create a community for us that is unique, affirming and safe. We help each other. We get help. Some of us can write well. Others are great speakers. Some are creative and others analytical and politically savvy. When one succeeds, we all succeed. We share our wisdom with our brothers and sisters. We work side by side with our allies. We challenge the system. We succeed in spite of the fact that all indicators pointed to our failure. Our triumphs create the energy needed to support the next one coming down the pike.

Won't you join us?

JUSTICE WORKS! WHEN ITS PRINCIPLES ARE NOT COMPROMISED...

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