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## Incarceration and Violence: Time for a Change

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# Incarceration and Violence: Time for a Change

REV. ASHLEY DIAZ MEJIAS



## Prison Isn't Working

In her book detailing the work of Common Ground, a New York-based incarceration alternative to violent crime convictions, Danielle Sered writes that there are four core drivers of violence—shame, isolation, exposure to violence, and a diminished ability to meet one's economic needs. Simultaneously, there are four key features of prison and the ways that the prison industrial complex strains Black and brown communities: shame, isolation, exposure to violence, and a diminished ability to meet one's economic needs. Sered writes, "As a nation, we have developed a response to violence that is characterized by precisely what we know to be the main drivers of violence." Furthermore, incarceration fails to provide accountability or bolster public safety. The very structure of incarceration prevents reckoning with the human impact of harms. And studies have demonstrated what's known as the [Prison Paradox](#)—our rise in incarceration rates have had a zero to negative impact on our overall community safety. Decreased violent crime rates come from aging populations and increased access to employment, education, and other social services, not from higher incarceration rates.

It seems a change is long overdue—and we are having public conversations about equity and incarceration, but the focus, by elected leaders and the general public alike, is mostly on low-level, nonviolent offenders. We are moved—rightly—by stories of wrongful convictions and offenders who are locked away with extreme sentences for small crimes. Our sensibilities turn, however, when it comes to those who have committed the harms we'd rather not talk about—the violent offenses that are difficult to understand. Something about these offenses makes us unable to apply compassion or indignation about the collateral injustices of incarceration.

**But if we, as a nation and as a local community, are serious about addressing the lasting harms of mass incarceration and reducing our prison population, and if we are serious about accountability and public safety, we have to address the relationship between incarceration and violence. We have to admit that, "[we cannot incarcerate our way out of violence.](#)"** As the "single blunt instrument" for dealing with violent crimes, incarceration acts only as a powerful reproductive agent for racialized trauma and mass incarceration.

## Jabar

In my work with young folks at Bon Air Juvenile Correctional Center, with the Richmond Community Bail Fund and at other facilities in the area, I've seen lengthy incarcerations act in traumatic and reproductive ways in response to violent offenses. Nowhere have I seen this more conspicuously than in the systemic response to my young friend, Jabar Taylor.

When he was 15 years old, Jabar was convicted of 2 counts of second degree murder, malicious wounding, and criminal solicitation, all stemming from a large fight that broke out in the early morning hours of July 20, 2015 at a Cook-Out in Fredericksburg, VA. During the court proceedings, the prosecuting attorney, who was running for commonwealth's attorney, advocated for sentencing beyond the statutory guidelines and encouraged the judge to ignore the mountains of adolescent brain science confirming that children are [constitutionally different from adults](#) in their culpability. The judge agreed, and gave the teenaged Jabar a virtual adult life sentence of [72 years, with 22](#)

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[years suspended](#). Jabar was sent to Bon Air Juvenile Correctional Center, where he would stay until his 21st birthday, when he would move to an adult facility in Virginia.

Jabar's final serious offender review before leaving Bon Air was in the [spring of 2020](#), just as BAJCC was hit with an unprecedented outbreak of COVID-19, the worst outbreak in a juvenile facility in the country. As a measure to contain the virus, youth were confined to their cells for up to 23 hours a day. At this serious offender review, Jabar's record at BAJCC was examined and his sentence was reconsidered based on the recommendations of all who'd worked with him at Bon Air. The same judge who'd originally sentenced Jabar dismissed the testimonies of staff, teachers, therapists, and clergy like me, the stacks of letters from friends, and the support Jabar received from those around him. Despite a significant amount of positive feedback, and utterly devastatingly, Jabar's full sentence was upheld, and he was returned to isolation at BAJCC. With his transfer to adult prison looming and no access to his support system to process this blow, Jabar and another young man, Rashad Williams, aided by at least two staff, overpowered a guard and escaped from Bon Air in the early morning hours of July 13, 2020.

As abolitionist cries to shrink policing and shutter prisons were being covered in news headlines, those same outlets published articles flattening the boys into criminal tropes, calling them "dangerous felons." No mention was made of the harrowing realities that these boys escaped—severe lockdowns, the prospect of a lifetime of incarceration, and a system that isolated them, beginning when they were adolescents, from all family and community.

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The boys were eventually found and peacefully brought in, and both Jabar and Rashad will serve additional time for their escape. Jabar, and his family, bear the weight of so many of the attendant crises in the criminal legal system—for example, the public reading of Black and brown youth as adults, and the systemic demarcation of sentence length as the only measure of accountability for harm. The drivers of violence can be seen in his experience—Jabar was publicly shamed by a judge at the hands of the courts, he's been repeatedly exposed to violence on the inside, he experienced extreme isolation for weeks during the COVID-19 pandemic and has been isolated from community, family and friends since his incarceration began. But most frustratingly, I believe that because we still operate with racist biases, especially when it comes to violent offenses, the community accepts narratives that reduce young people of color to criminals while remaining blind to that which demands collective transformation—here, the trauma building in a COVID-ridden locked-down juvenile detention center, an over-sentenced young person's desperation and the collateral consequences of a broken prosecutorial system.

### Why We Struggle with Violence

If we want to move the needle on equity in reducing the impact of mass incarceration, core beliefs must be challenged. We have to begin to re-evaluate the utility of incarceration in reducing violence and providing accountability. But also, we have to gain clarity about the role of violent convictions in the exponential rise of mass incarceration.

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The rising consciousness of white Americans about racial disparities in incarceration has not been enough to produce the meaningful reductions in our national incarceration crisis—particularly not the kind of reductions needed to heal communities. I believe this can be traced to at least two reasons.

First, when it comes to understanding the mechanisms of the mass incarceration crisis, Americans frequently overestimate how many people are in prison for nonviolent drug offenses. We have fallen prey to what criminologist, John Pfaff, calls this the [“Standard Story”](#): the growth of the prison industry is the result of the prosecution of mostly young black men for drug crimes, which, when combined with mandatory minimums, has led to a booming prison economy that demands inmates in order to survive. Most Americans believe that over half of the prison population is incarcerated on drug charges, when the actual numbers are closer to 20%.

Pfaff, and other advocates, make clear that reform must be focused on the right things. Over [60% of the growth of state prisons over the past 40 years is actually due to the increased number of people incarcerated due to violent convictions](#). And while there is fairly high support among both liberals and conservatives for sentence reductions for non-violent offenders, most people—liberals and conservatives alike—do *not* support reducing sentences for violent crimes, even when offenders are described as unlikely to re-offend.

But I think there is a second, deeper reason as to why raising the consciousness of white Americans has not been enough to make meaningful change in mass incarceration. As Ta Nehisi Coates has said, [“the presumption of criminality of black people is deeply written into the bones of this country.”](#)

In many ways, white Americans live by this presumption with transparency. The hashtag #Livingwhileblack enumerates infinite moments of ordinary life for Black Americans that are criminalized by whites. There are dangerous and deadly encounters with police. Despite mountains of evidence to the contrary and education efforts to disabuse white Americans of these notions, white Americans continue to [report a belief](#) that Black Americans are dispositionally more violence-prone than whites, and that Black Americans are more deserving of harsher, longer penalties when it comes to violent offenses.

But what about all of us who are reading the books, trying to “do the work”? What about the folks who are listening and learning and would never say, out loud, that we believe in the myth of Black criminality? So far, it hasn't been enough to generate meaningful change—we still have failed to move, to act with our bodies in ways that dismantle the systems that perpetuate violence. **Even when white Americans, in our conscious minds, articulate anti-racist perspectives, we still live in neighborhoods, go to schools, and make choices with our dollars that demonstrate that there is tremendous work to be done in addressing what Resmaa Menakem identifies as “white body supremacy.”** “This is what elevates the white body above all other bodies, as the supreme standard against which other bodies’ humanity is measured,” [writes](#) Menakem.

Menakem describes the beliefs, practices, and ideas of white body supremacy as reflexive, like the belief of a claustrophobe that the walls are closing in. If we are born and raised in America, our bodies inevitably house, and are often subconsciously motivated by, this white body supremacy. This animates the white imagination about, and bodily response to, violence.<sup>2</sup> These are the wordless stories we carry about what threatens our safety, stories that are living in our amygdala, the feeling and panicking part of our brains, which in moments of crisis and fear overpowers the part of the brain that does book groups and posts inclusive yard signs.

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It should come as no surprise that there is something deep within us, pushing us to value and protect, by any means necessary, the white body, and to essentialize all others as dangerous and disposable. In the United States, there is a direct line from plantation to prison as setting for social control and white profit in response to not only Black Americans, but Latinx, and Native Americans. From our founding to the present, one of the distinguishing features of the American project has been a [narrative](#) about rising minority crime rates, corresponding public anxiety and then the use of state isolation to contain and control those communities in response. But this direct line isn't just ideological, it is in the physical land upon which we live. In Bon Air, Virginia, Bon Air Juvenile Correctional Center is built on land that was once worked by slaves owned by Robert Murchie.<sup>3</sup> When Jabar escaped after a devastating court review that instead of offering a measure of accountability, condemned him to die in prison, the parallels were difficult to miss.

The specter of violent offenses threatens our white sensibilities, and the power of the prison industrial complex depends on maintaining that sense of threat in order to survive. But lengthy, unrestrained incarceration for harms does not heal. It does not protect. It makes false promises. If we truly want to end mass incarceration's impact on communities, we must do the work needed to sever our reliance on, and belief in, incarceration as the catch all for violent offenses. But in order to do that, we have to attend to what drives our acceptance of incarceration as the answer for harm.

### What Can We Do

I am writing primarily to the folks in my community who look like me—to white and white-presenting folks who want change, feel stuck, and are curious about a system that looks at violence differently. The road to ending our reliance on mass incarceration for violent offenses is a long and complex one, involving not only difficult and personal perspective change but legislative changes that close doorways into the criminal legal system and fling wide open the doorways to community resources—even when there are harms to be addressed. A learning journey can be a good place to start.

- Move your anti-racist work from your brain to your body. There are lots of great resources online and in Richmond to introduce the concept of racial trauma.
  - » [Cultural Somatics Free 5 Session E-course](#)—a short free e-course.
  - » [Foundations in Somatic Abolitionism](#)—a year long intensive with Resma Menakem. There is a cost associated with this course.
  - » [Richmond Hill Koinonia School of Race and Justice](#)—follow their events schedule/course offerings.
- Follow Richmond's local Commonwealth Attorney's office
  - » Our local CA's office has recently begun the [Community Justice Reform Unit](#). Follow their progress to see what is being done locally to reduce convictions and implement alternatives to incarceration.
  - » CA's in Virginia have an enormous amount of [power](#) and are your elected officials. [CA Difference](#) is a non-partisan Virginia campaign to raise public awareness about the power of the prosecutor's office in the justice system.
- Take some time and learn about [Common Justice](#) in New York. Common Justice is the first alternative to incarceration in the US that focuses on violent felonies in the adult system. Their program is based on restorative justice principles, and with victim consent only, offenders participate in a rigorous year to year and a half long violence intervention program.

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### Endnotes

- 1 Danielle Sered, *Until We Reckon: Violence, Mass Incarceration, and the Road to Repair*. (New York: The New Press) 67.
- 2 Sered, 59.
- 3 Resmaa Menakem, *My Grandmother's Hands: Racialized Trauma and the Pathways to Mending Our Hearts and Bodies*. (Las Vegas: Central, 2017) 6.

### Ashley Diaz Mejias

Originally from Memphis, Tennessee, Ashley Diaz Mejias began regularly challenging systemic bias while working as the educational director for a small nonprofit after graduating from college. Drawing on both her research and pastoral experience in men and women's correctional settings, Ashley has written for blogs and led curricula for institutional and congregational conversations on race, systemic bias, and mass incarceration and is currently a candidate for ordination in the Presbyterian Church, USA. When she isn't writing, she is either working with an amazing group of folks to grow the Richmond Community Bail Fund or she is pastoring at the Lord Jesus Korean Presbyterian Church. She earned her MDiv from Union Presbyterian Seminary in 2016.