I Spent Over 40 Years Working in Corrections.

I Wasn’t Ready for Rikers.

A reflection from former New York City jails commissioner Vincent Schiraldi
A Letter from Lawrence

For the last nine of the 27 years I served, I heard rumors about a state bill passing that would make more New Yorkers eligible for reduced sentences for good behavior. I wanted to believe it, and parts of me did. But it would’ve been better to know that the legislation was trending toward failure, and various versions of the bill did just that — over and over again, for years.

I think of this whenever I get one of your letters asking us to add local legislative and criminal justice news to our magazine. I can’t cover every state, but to answer your call, I thought I’d wrap up the year in “serving time” by highlighting some important developments.

In March, Colorado enacted a law to pay the state minimum wage to incarcerated people who work off-site through its Take Two (Transitional Work Opportunity) Reentry program. The state’s minimum hourly wage is $12.56 this year, and it will go up to $13.56 in 2023, but according to The Colorado Sun, up to 20% of workers’ salaries can be deducted to pay for restitution, child support and other court fees. At our press time, Take Two was on hold following the August escape of a man in the program.

Also in March — and much to the chagrin of Floridians in the pen — a bill that sought to reduce the minimum percentage of a sentence an incarcerated person must serve from 85% to 65% died in committee.

In Virginia, a law that took effect in July created a four-level earned credit system that allows some people who are incarcerated for nonviolent crimes to reduce their sentences up to 15 days for every 30 they’ve served. Earned credits were supposed to apply retroactively from 2020, when the law was passed, but a state budget amendment passed in June reversed the retroactivity, and even reduced the number of people qualified for the credits.

In September, California became the second state with a department of corrections to make phone calls free for its imprisoned population. (The first was Connecticut in 2020.) As you know, this move will lessen the financial burden on loved ones and increase Californians’ chances of maintaining community ties that can lead to successful reentry.

Throughout the year, Florida, New Mexico and Wisconsin joined North Carolina, North Dakota and Pennsylvania in implementing a ban on physical personal mail going to incarcerated people. The state corrections departments will scan this mail — including children’s drawings and holiday cards from loved ones — and distribute the copies to recipients. Officials claim the policies will help prevent drug smuggling through the mail.

For the same reason, in August, New York stopped allowing incarcerated people to receive care packages from home. Instead, they will only be allowed to receive items directly from approved vendors.

In October, President Joe Biden announced one of the largest acts of clemency in a generation by pardoning people convicted of federal marijuana possession.

In November, voters in Alabama, Oregon, Tennessee and Vermont approved ballot measures that will change their state constitutions to officially prohibit slavery and involuntary servitude as punishment for crimes. The measures could decrease the use of prison labor in these states and become the catalyst for others.

Within, you’ll find more reporting on marijuana pardons and other topics, and our regular features such as Reader to Reader, the crossword puzzle, In the Spotlight and Thinking Inside the Box.

As usual, it has been a pleasure serving you this year. I look forward to doing even more in 2023 with News Inside and our newly reimagined video series — Inside Story.

See ya then!

Lawrence Bartley

Lawrence Bartley is the Publisher of The Marshall Project Inside. He served a 27 years-to-life sentence and was released on parole in May 2018.
Letters from our Readers

Greetings. I have been incarcerated for 27 years. I recently was placed in isolation. As I cleaned out my cell, I came across your magazine, News Inside Issue 9 (December 2021), and loved it. I would love to write for your magazine. I like how you asked about the topic of our relationship with our kids, etc. I really like that kind of story. Thank you for all that you do.

Artemio C., California

I have been reading your magazine for three years now. As an incarcerated inmate, I have found a lot of the stories inspiring. It also gives me hope as I have been in prison since I was seventeen-years-old - for twenty-six years now. To see people getting out after thirty and forty years gives me a lot of hope that my turn is coming. Thank you for all the hard work you are doing.

Willis D., California

I would like to thank the staff at News Inside for their accurate and concise reporting of events that affect individuals who are currently dealing with America’s justice system or those incarcerated. I have read your last two issues (#10 & #11) available to us and, to be honest, I am surprised that they allow us access to this fine publication of truth.

The article that really hit home with me in this latest issue was “I Joined the Parole Board to Make A Difference. Now I Call It ‘Conveyor Belt Justice’” by Carol Shapiro. I commend Beth Schwartzapfel for her efforts to improve a government agency with a less than desirable record for success. It is sad to say that New York’s parole system is vastly superior to the one in the state of Florida.

Please keep up the good work you are doing in reporting the truth and thank you.

Paul L., Florida

I recently just read News Inside for the first time: August 2022 - Issue 11. I am interested in all of your future stories. You have good publishing and good editorial. It definitely contains useful information that I can extract.

Jerome D., New Jersey

I am writing to say I really enjoy the newsletter from you guys. I really appreciate your project and the vision. Thank you!

Steven M., Virginia

I love News Inside! I am in college here and my professor brought in your magazine. After covid and college on zoom, we met back with campus students and our professors; however, I didn’t see your magazine again. I just got your April 2022 Issue 10 and it made my day. I pray you continue sending them to me.

Alisha G., Tennessee

### Manager’s Note

News Inside is provided to you free of charge. While we appreciate the gesture, you do not have to send stamps, money or donations of any kind.

Please know that we are unable to write back. Our News Inside team has sat where you are now and understand the struggle, but we are a small team with limited capacity.

Please follow the following format to ensure you receive your copy of News Inside:

- Full name, Identification number
- Name of Facility
- Street Address or PO Box
- City, State, Zip Code

Thank you for your continued interest in and support of News Inside!

— Martin Garcia

Martin Garcia is the manager of News Inside. He served a 10-year sentence and was released on parole in September 2019.

---

I would like to thank the staff at News Inside for their accurate and concise reporting of events that affect individuals who are currently dealing with America’s justice system or those incarcerated. I have read your last two issues (#10 & #11) available to us and, to be honest, I am surprised that they allow us access to this fine publication of truth.

The article that really hit home with me in this latest issue was “I Joined the Parole Board to Make A Difference. Now I Call It ‘Conveyor Belt Justice’” by Carol Shapiro. I commend Beth Schwartzapfel for her efforts to improve a government agency with a less than desirable record for success. It is sad to say that New York’s parole system is vastly superior to the one in the state of Florida.

Please keep up the good work you are doing in reporting the truth and thank you.

Paul L., Florida

I recently just read News Inside for the first time: August 2022 - Issue 11. I am interested in all of your future stories. You have good publishing and good editorial. It definitely contains useful information that I can extract.

Jerome D., New Jersey

I am writing to say I really enjoy the newsletter from you guys. I really appreciate your project and the vision. Thank you!

Steven M., Virginia

I love News Inside! I am in college here and my professor brought in your magazine. After covid and college on zoom, we met back with campus students and our professors; however, I didn’t see your magazine again. I just got your April 2022 Issue 10 and it made my day. I pray you continue sending them to me.

Alisha G., Tennessee

### Answers from Issue 11 Crossword (for this issue’s crossword, go to page 31)

![Crossword Puzzle](image-url)
I Spent Over 40 Years Working in Corrections. I Wasn’t Ready for Rikers.

Rikers Island jail complex “reflects our nation’s racist and destructive fixation on imprisonment,” writes former New York City jails commissioner Vincent Schiraldi. “It’s Exhibit A for why we need to end mass incarceration.”

By VINCENT SCHIRALDI

I started as commissioner of New York City’s Department of Correction in June 2021. In that role, I was responsible for running New York City’s jails, including the legendarily brutal Rikers Island. Having spent 42 years in the criminal justice field, I thought I was professionally and emotionally prepared for what I would encounter. But even though I had headed up a probation department and a youth corrections system; served as an advocate, academic and nonprofit director; and toured correctional facilities throughout the world, nothing could have been further from the truth.

During my seven months as corrections commissioner, conditions at Rikers consistently fell below my already-low expectations. Staff absenteeism soared, uses of force increased, programming and visitation declined, shank attacks skyrocketed, and deaths rose. Little has changed since I left last December. In my view, the chaos reflects our nation’s racist and destructive fixation on imprisonment. It’s Exhibit A for why we need to end mass incarceration.

The United States didn’t always imprison or otherwise detain almost 2 million people. Our unofficial march toward mass incarceration began in the 1970s with President Richard Nixon’s cynical War on Drugs. From 1972 to 2009, the nation’s incarceration rate mushroomed more than fivefold. With the 1973 passage of New York’s punitive Rockefeller Drug Laws, the state’s rate exploded alongside the nation’s. By 1996, the rate of people in its prisons and jails exceeded the nation’s by 30%.

Between plummeting violent crime rates, sophisticated advocacy, open-minded officials and a robust network of services, New York City’s average daily jail population has declined — from about 22,000 in 1991 to about 5,600 in January 2020. Unfortunately, our willingness to throw money at corrections seemingly knows no bounds. From 2011 to 2021, as the city’s jail population decreased by more than 60%, the budget for jails grew by more than $200 million.

And New York City’s jails have long been brutal. Conditions declined to the point where, in 2015, the city entered into a consent decree sought in Nuñez v. City of New York, a class-action lawsuit filed by prisoners. Nuñez plaintiffs accused the New York City Department of Correction of using excessive force, failing to adequately protect incarcerated people from violence, and inappropriately placing adolescents in solitary confinement.

Although I didn’t witness many outright, unprovoked beatings by corrections staff during my tenure as commissioner, I heard retired officers brag about brutalizing people they incarcerated. Most of the atrocities I saw were more reflective of the banality of evil, of the day-to-day, ritualized degradation of people living and working in jails.

By the time I set up my office on Rikers Island last June, morale was so low and staff were so fearful for their safety that thousands called out sick, either because they were truly sick or feigning illness. Others were AWOLing — simply failing to come to work without calling.

Many of the correctional officers who actually came to work refused to interact with incarcerated people, indicating that they had already “jailed” and now intended to work in civilian posts such as administrative assistant, driver or baker until they retired. And when they were ordered to work in jails, many who were healthy moments earlier used their unlimited sick leave to allege illness and go home.

This created a destructive cycle. Inadequate staffing on living units meant the people we were incarcerating were denied basics like showers, recreation, visitation and commissary. The neglect fomented frustration and violence, contributing to the already-terrible conditions and further exacerbating absenteeism.

The absences peaked last summer when thousands of staff were out sick — a number that spiked on weekends and holidays. Hundreds more were on light duty and still others AWOLed. Despite having the nation’s richest staffing complement — and costing almost $557,000 to incarcerate one person in New York City for a year — many people were working triple shifts on weekends. Dozens of living units went unstaffed to the point that incarcerated people couldn’t make it to medical appointments. For example, in April of this year, people in Rikers missed nearly 12,000 medical visits, according to Gothamist.

On those unstaffed units, homemade shanks proliferated, medical needs went unattended and people died. There were over 400 slashings and stabblings in Rikers facilities in 2021, more than triple the previous year. Sixteen people died at Rikers last year.
— at least six by suicide and four by drug overdoses. At publication time, 17 people have already died there this year, and slashings and stabbings are up.

By contrast, I was proud of the many officers who came to work despite COVID-19, violence and the risk of working triple shifts. Those staff members and many incarcerated people defied “Shawshank Redemption” stereotypes.

People we were incarcerating would urge me to send the officer in their unit home because she was exhausted. Several times, when staff were assaulted, incarcerated people defended them.

Other times, correctional officers would plead for commissary to be delivered to incarcerated people and for something as simple as haircuts to resume. They would also beg us to send people to recreation or religious services.

On the midnight shift the Friday before Father’s Day, I met an exhausted correctional officer working a triple while supervising two separate living areas. The previous day, a man on her unit had been expecting a visit from his daughter that looked like it was going to be canceled because there was no escort officer. When she informed him of the cancellation, he burst into tears, something no one likes to do in jail. She gathered all the men together and asked them to “be good” while she left the unit unguarded to escort him to his visit. If a fight had happened, she knew she’d be disciplined, perhaps even fired, for that act of insubordinate decency.

Many correctional officers came to us as decent, hard-working people eager to make a difference. But during my tenure, dozens of officers were arrested for crimes like drunk driving, discharging their weapons dangerously and spousal or child abuse. In my view, somewhere between the onboarding of fresh-faced recruits and these arrests, the trauma they experienced on Rikers contributed to their illegal behavior.

Similarly, research by the Center for Court Innovation found that sentencing people to New York’s jails increased the likelihood that they would be rearrested within two years by 7%, versus others with similar charges and prior records who were not jailed.

Rikers makes almost everyone who encounters it worse.

After years of rampant brutality, deplorable conditions, stark racial disparities and high costs, Rikers Island is set to close in 2027. The current plan is to replace the sprawling island complex of eight lockups with four smaller, more decent jails throughout the city. But we must dramatically alter the culture of violence and apathy that pervades Rikers Island so it doesn’t migrate to these borough-based jails.

Decades of giveaways to correctional officer unions — like unlimited sick leave and a prohibition against hiring supervisors from outside the city’s Department of Correction — have contributed to the destructive culture. The only path I see to real change is for the federal court already overseeing the Rikers Island consent decree to appoint a receiver to run the system while we reduce its population.

As the city’s jail population declines, officials should reinvest the money in the corrections department’s bloated budget into communities hardest hit by crime. Imagine if we spent the nearly $557,000 a year it takes to incarcerate one neighbor on community-based safety and reentry efforts. What if even a portion of the $1.34 billion the city budgeted for corrections in 2022 was reallocated to communities heavily affected by incarceration?

We must also pay attention to the shocking racial disparities in our city’s jails. Black and Latinx people make up 52% of the New York City population but about 90% of jail admissions. Bolstering resources in neighborhoods of color disproportionately affected by incarceration will help those communities support their returning neighbors as we reduce incarceration.

Elie Wiesel once wrote, “The opposite of love is not hate, it’s indifference.” Rikers and jails like it throughout the country reek of indifference. It’s time for the city I love to close this place and treat staff and incarcerated people the way we’d want our own sons or daughters treated if they worked or were confined on Rikers Island. ■
When It Comes to Voting in Jail, the Devil Is in the Details

Most people in New York City jails are eligible to vote. But that doesn’t mean it’s easy for them to register or cast their absentee ballots. That’s where volunteers come in.

By ALEXANDRA ARRIAGA

For years, Derrick Oliver has traveled across the state of Alabama helping register formerly incarcerated people to vote. Most often, he says he spends his time correcting the misinformation that any Alabamian with a felony conviction has permanently lost the right to vote.

But this year he encountered an overwhelming barrier: fear.

In August, Florida Gov. Ron DeSantis announced the arrests of several formerly incarcerated people for voter fraud because they had cast ballots in the 2020 election, despite having a disqualifying felony conviction. News and videos showing their confusion and dismay as they were arrested aired on TV news stations and major media outlets across the country.

“Immediately, our phones were blowing up,” Oliver said. “People want to know, ‘Hey, did you hear about this? What’s going on with it? Does this affect us in Alabama?’”

During a press conference just days before Florida’s primary election, DeSantis billed the arrests as the “opening salvo” of an office that was set up on July 1 to investigate election crimes. Voting rights experts have widely panned the move as the latest GOP-led effort to cast doubt on election integrity and discredit the 2020 election results.

In conversations with several formerly incarcerated people and nine volunteers working to register the people with felony convictions in several states, The Marshall Project found that Florida’s raids reverberated well beyond the state’s borders.

Roughly 20 states passed legislation returning or expanding the right to vote to people on probation and parole or those with a felony conviction who have served their time since 2016. But figuring out if their rights have been restored is a daunting task for the previously incarcerated who, in many states, have to navigate Byzantine rules and regulations governing their eligibility. Often, the very agencies tasked with notifying the newly eligible of their rights fall short of their mandate. Sometimes, the agencies spread incorrect information.

Getting it wrong and voting when they are not technically allowed to do so brings a threat of a new felony conviction and a return to prison. Now, the 19 arrests in Florida are proof for some that casting a ballot isn’t worth the risk. (Prosecutors have already dropped charges for one man.)

That’s how Iris Gray feels. She was convicted of fraudulent use of a debit or credit card, a Class C felony in Alabama. When Gray first heard about the news of the arrests in Florida, she couldn’t bring herself to watch the videos. Though she is legally eligible to vote in Alabama, and officially registered, she does not plan to vote in the midterms.

“No, ma’am,” she told The Marshall Project in a phone interview. “I’m not gonna vote.”

Prosecutions of the formerly incarcerated for voting are not new. In April 2022, a Tennessee prosecutor dropped all charges against Pamela Moses, who had been sentenced to six years and a day in prison after attempting to register to vote in 2019. Moses registered after being incorrectly informed by her probation officer that her probation had ended.

Such prosecutions made national news, and volunteers working to register the formerly incarcerated say people often cite them as reasons they do not want to vote. But the high-profile nature of the Florida arrests, and their connection to the GOP narrative of election fraud, has intensified alarm.

Volunteers registering people to vote with the Georgia Justice Project, a nonprofit dedicated to easing barriers to reentry after prison, say they’ve seen an uptick in people calling into their offices seeking reassurance that they are legally eligible to vote because of what happened in Florida. “When people try to exercise the franchise and are getting arrested, absolutely that’s a chilling effect,” said Doug Ammar, the executive director. “There’s a lot of legitimate concern for folks who are vulnerable and have had encounters with the law who will perceive a threat.”

Confusion and fear among the formerly incarcerated because of frequent changes and variations in voting laws across states is a longstanding obstacle. As a result, these people often remain de facto disenfranchised even when they are legally eligible to vote, according to Richard Fording, a political science professor at the
University of Alabama.

“People in that situation are often reluctant to come forward,” he said. “They don’t know how to investigate this on their own, there’s a lot of stigma, to ask for help you need to identify yourself as someone with a felony conviction.”

This year alone, an estimated 4.6 million people, roughly 2% of the voting-age population in the United States, will be ineligible to vote as a result of felony disenfranchisement laws and policies. That’s according to a recently released analysis by the Sentencing Project, a nonprofit organization aiming to reduce incarceration. Many of these laws date to the Reconstruction era, when they were designed to limit the political participation of the nation’s Black citizens.

The racial disparities in the ability to vote as a result of these laws are striking. In eight states — Alabama, Arizona, Florida, Kentucky, Mississippi, South Dakota, Tennessee, and Virginia — the Sentencing Project found, more than one in 10 Black adults are legally barred from voting. Across the country, one in 19 Black people of voting age are barred from voting, a rate 3.5 times higher than their White peers. Fifteen of the 19 people successfully detained by DeSantis’ election task force are Black.

The South has historically had the most arcane and complex laws limiting voter eligibility after time in prison.

Despite their fears that a mistake could again land them behind bars, many formerly incarcerated people lead registration efforts of their peers. For Oliver, who spent time in federal prison for bank robbery before being released in 2018, the risk of a prosecution feels real but isn’t strong enough to stop him from encouraging others to vote. He works as the state coordinator for the Ordinary People’s Society, which was founded by Kenneth Glasgow in 2001 to build political power in communities with high rates of incarceration. Glasgow was also once incarcerated and is currently facing federal drug charges (he pleaded not guilty and sees the charges as blowback from his political organizing).

Oliver says that during his conversations when he is out door-knocking, people express misgivings about the Florida arrests.

“There’s a fear: ‘I want to do the right thing but not sure what that is at this point,’” he said. “That’s more or less the feeling.”

Research shows that election administrators and criminal justice officials often hold incorrect beliefs about voting rights for formerly incarcerated people. Many of those arrested in Florida said they were told they were eligible by state election officials or were able to register without anyone telling them they did not qualify.

The task of explaining their rights is often left to volunteer groups such as the League of Women Voters, Florida Rights Restoration Coalition and the NAACP. These groups worked to re-register voters in Florida after the passage of Amendment 4 in 2018, which initially restored voting rights to over 1 million people before the legislature required that all legal financial obligations accompanying a conviction must be paid off first.

While U.S. District Court Judge Robert L. Hinkle limited the measures in a May 2020 order, the law had already chilled voter registration efforts. “Each organization curtailed its voter-registration activities out of fear that citizens who registered with the organization’s help might be prosecuted, even if the organization and the citizen believed the citizen was eligible,” Hinkle wrote.

As in Florida, many voter registration forms in other states do not actually clarify who is eligible or how to check eligibility status after incarceration. Instead, voters must certify that the information they are providing is correct under the penalty of criminal prosecution. Unlike those who handle applications for driver’s licenses, passports, or other forms of identification, election officials are often not able or not required to inform people of their eligibility status.

“People operate under the assumption that if you are ineligible they will tell you,” said Blair Bowie, who leads the Campaign Legal Center’s Restore Your Vote efforts, which helps people regain their voting rights. “That is just how most applications work.”

During a voter registration drive in Alabama in partnership with Greater Birmingham Ministries, Bowie said a few of the people reached via text message cited Florida as a reason they would not accept the offer to help restore their voting rights. The Marshall Project reviewed the text correspondence and found the voters brought up Florida unprompted before declining to move forward.

“Don’t want to fall into a trap like they got in Florida,” one person responded. For one man, the decision comes down to a common-sense calculation: Why risk everything he’s built after time behind bars just to cast a ballot on Election Day?

“I had read that some of the guys in Florida that had their voting rights restored had gotten into some type of trouble cause of it,” he said in his text response; he withheld his name to limit the stigma associated with having a felony conviction. “I have a family and a daughter in college and I am the sole breadwinner. I cannot do anything that would create any scenario to jeopardize that.”

The Problem With The FBI’s Missing Crime Data

Many police departments have not adopted the feds’ new reporting system, muddling the picture about national crime trends.

By WEIHUA LI and JAMILES LARTEY

The FBI released its 2021 national crime data estimates this week, and, as expected, the takeaway is far from conclusive. In short: The nation’s most thorough crime data collection program concluded it’s possible crime went up,
went down or stayed the same. That’s partly because the year-on-year changes to the numbers were small. The FBI estimates that murders rose by about 4% compared with 2020, while overall violent crime decreased by about 1%. Officials cautioned that neither change is statistically significant, and concluded that crime rates were roughly flat.

The uncertainty largely stems from the fact that 2021’s data was more incomplete than any in recent memory. Comprehensive FBI data depends on law enforcement agencies’ (there are about 18,000 in the U.S.) voluntary submissions. This year about 7,000 police agencies, covering about 35% of the U.S. population, were missing.

Why? Last year, the bureau phased out a nearly century-old data-collection platform and began accepting data only through a newer system — the National Incident-Based Reporting System (NIBRS).

The feds for years had announced the change was coming, but many agencies did not switch in time to submit data, including the New York City Police Department and Los Angeles Police Department — the nation’s two largest. Some entire states, including California and Florida, sent virtually no data. To make up for the data holes, the Justice Department created new estimation methods that use data from agencies that did submit to the FBI to fill in the blanks for the rest of the country.

In some cases, the FBI didn’t even have enough information to make an estimation. Here are a few examples of what the FBI could not include in its 2021 crime report:

- State-level violent crime estimations for eight states: California, Florida, Hawaii, Illinois, Maryland, New Jersey, New Mexico and Pennsylvania. In several of these states, crime is a hotly contested issue in the midterm election.
- The number of violent crimes, murders and aggravated assaults for the West.
- The number of violent crime victims who are Asian, Native Hawaiian or other Pacific Islander.

This problem could persist for years, as upgrading reporting systems has proven expensive and complicated for police agencies. The Los Angeles Police tried for years and had to start from scratch. The San Francisco Police Department previously told The Marshall Project that they don’t plan to send crime data to the FBI until 2025.

Even if every agency sent the numbers to the FBI, it’s important to remember that what we typically think of as “crime data” is not a neutral measure. Individual enforcement decisions by police departments can make some crimes seem more or less common. There are also numerous examples of police intentionally manipulating numbers, as Ethan Corey notes for The Appeal.

And then only about half of violent crime victims ever report it to the police, according to the latest crime victimization survey that the Justice Department released earlier this fall.

Despite these limitations, it’s not all bad news. The FBI’s new system provides much more detailed data than the old form of reporting, and tells us things it never could before. For example, the FBI estimates roughly 80% of murders reported to the police in 2021 were committed with firearms — something that the old data system couldn’t capture. The new system will also include the demographics of crime victims, and the arrest rate for crimes. Even though only 65% of law enforcement agencies submitted data under the new system to the FBI this year, that number has doubled over the past decade.

But as long as the reporting rates remain low, data analyst Jeff Asher reminds us that “properly expressing uncertainty about what’s happening” is more important.

---

Don’t Expect Mass Prison Releases From Biden’s Marijuana Clemency

The president’s mass pardon may signal a shift in the federal approach to cannabis, but it won’t let anyone out of prison.

By JAMILES LARTEY

Last week President Joe Biden announced the largest act of clemency in a generation: a mass pardon for people convicted of federal marijuana possession.

As far as bold acts of mass clemency go, it won’t lead to many people getting out of prison. In fact, it will lead to none. According to the White House and a report this week from the U.S. Sentencing Commission (USSC) there is no one currently in federal custody for simple possession of marijuana.

In an opinion article for the New York Daily News, criminal justice professor Barry Latzer walks through how this is possible. There were fewer than 800 marijuana possession cases heard in federal court in 2020. About half led to convictions, mostly by guilty plea, and of those only 160 led to prison sentences, the average being six months.

Federal law enforcement is not generally tasked with the kind of policing that leads to drug possession arrests. Outside of interstate travel and specific places under federal control — namely the U.S. border — drug possession is a matter for local law enforcement.

In his announcement, Biden urged state governors to follow his lead in granting mass clemency to people behind bars for state marijuana possession crimes, which some estimates put at 30,000 nationwide. Politico warns not to expect much from this plea. “The governors most sympa-
thletic to the president’s goal of pardoning those with nonviolent marijuana offenses are way ahead of him, having wiped records or set up systems for people to get their convictions expunged as state lawmakers legalized weed,” write Paul Demko and Mona Zhang.

Take Illinois’s J.B. Pritzker, who began a mass pardon and expungement campaign nearly three years ago. In Massachusetts, Gov. Charlie Barker pointed to the state’s existing system for expunging marijuana convictions as the simplest way to address the issue, noting that the state’s pardon process is complicated and “doesn’t happen overnight.”

Similarly in Louisiana, Gov. John Bel Edwards noted that under state law he can’t grant the type of mass pardons Biden asked for, and that he would need the state’s pardon board to grant its approval in each individual case. A number of states have similar bureaucratic limits on pardon power.

Some governors, like North Carolina’s Roy Cooper and Kentucky’s Andy Beshear, have said they are looking into how they might pursue Biden’s request. Marijuana Moment has compiled this list of responses from governors across the political spectrum that the clemency doesn’t do enough to address racial disparities in drug sentencing. As conservative Jason Riley argued for The Wall Street Journal this week, “if the goal is to address mass incarceration and racial imbalance in the prison system, then focusing on drug offenders is the wrong approach.”

Biden’s pardon only applies to citizens and lawful permanent residents, a move that deeply frustrated many immigrants’ rights advocates. Speaking with the San Diego Union Tribune, Sirine Shebaya, executive director of the National Immigration Project, speculated that the administration “made this choice to avoid upsetting conservative immigration hardliners who would have likely used the move to increase fearmongering ahead of the midterm elections.”

For many years, non-citizens made up a substantial percentage of people convicted of simple possession. According to data from the Sentencing Commission, in 2014 more than 90% of simple possession offenders were detained at the southern border (mostly in Arizona), and about 94% of those arrests were of noncitizens. That number has dropped sharply over recent years. In 2015, there were over 1,600 noncitizens convicted of marijuana possession according to commission data. In 2021 the number was just six.

Biden also asked Health and Human Services Secretary Xavier Becerra to review how marijuana is classified under federal law. Currently it’s as a Schedule 1 substance, the most restricted group of drugs, along with heroin and LSD, considered to have no medical use and a high likelihood for abuse. This despite the fact that 37 states now allow medicinal weed, and another 19 plus Washington, D.C., have legalized adult recreational use. If the review sees the drug moved to a less restricted category, or descheduled altogether, some experts believe that could have a much larger impact on the justice system than Biden’s pardons and sets the stage for a federal paradigm shift on the drug in the near future.
In an exclusive new survey, The Marshall Project found that sheriffs are key to our debates on policing, immigration and much more.

By MAURICE CHAMMAH

Surveys by The Marshall Project with Emily Farris (Texas Christian University) and Mirya Holman (Tulane University), 2021

Over the last decade, debates about police violence, mass incarceration and other criminal justice issues have generally focused on police chiefs and prosecutors. But sheriffs demand equal attention. In an increasingly partisan America, they lobby state legislatures and Congress. They run jails and carry out evictions. They decide how aggressively to investigate and arrest people on matters ranging from guns to elections to immigration. And they may shape how new abortion laws play out at the local level.

Most sheriffs are elected, and hundreds are on the ballot this November. Progressives are promoting candidates who promise to make jails safer and leave immigration enforcement to the federal government. Conservatives increasingly see sheriffs as standard-bearers in fights over guns, immigration and voting, and it’s not unusual to see them on Fox News or standing on a rally stage next to former President Donald Trump.

To make sense of this blend of policing and politics, we conducted an exclusive, wide-ranging survey with two of America’s leading scholarly experts.
Where would you place yourself on an ideological scale?

<table>
<thead>
<tr>
<th></th>
<th>Strongly approve</th>
<th>Approve</th>
<th>Neutral</th>
<th>Disapprove</th>
<th>Strongly disapprove</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very conservative</td>
<td>17.3%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conservative</td>
<td>53.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moderate or middle of the road</td>
<td>28.1%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liberal</td>
<td>0.8%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Very liberal</td>
<td>0.3%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

398 respondents answered this question.

Do you approve or disapprove of the job performance of Donald Trump, while he was in office? Joe Biden?

<table>
<thead>
<tr>
<th></th>
<th>Strongly approve</th>
<th>Approve</th>
<th>Neutral</th>
<th>Disapprove</th>
<th>Strongly disapprove</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly approve</td>
<td>25.6%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approve</td>
<td>47.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neutral</td>
<td>14.3%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disapprove</td>
<td>4.8%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Strongly disapprove</td>
<td>7.8%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

398 respondents answered this question. 397 respondents answered this question.

On sheriffs, Emily Farris of Texas Christian University and Mirya Holman of Tulane University. We received answers from more than 500 sheriffs — roughly one in six nationwide. (Read about our methodology below.)

Among the takeaways, we found that sheriffs — the vast majority of whom are White and male, according to the progressive study — are also far more conservative than Americans as a whole, and largely approve of Trump’s performance as president.1

Other findings include:

- Many subscribe to a notion popular on the right that, in their counties, their power supersedes that of the governor or the president. (More on that in an accompanying story.)

- Most believe mass protests like those against the 2020 police murder of George Floyd are motivated by bias against law enforcement.

- They are frequently open to some changes championed by the criminal justice reform movement, including a federal government system to track officers accused of misconduct and police training in nonviolent alternatives to deadly force.

We gave respondents the opportunity to respond without revealing their name publicly, but also gave them the option to talk with us in follow-up interviews. We spoke to 17 sheriffs about their responses. Each sheriff spoke about the unique nature of their power as elected law enforcement officials. As Sheriff Tim Leslie of Dakota County, Minnesota (population 442,000), put it: “Everyone’s your boss; no one’s your boss.”

**How We Got Sheriffs**

The United States inherited the office of sheriff from England, where kings appointed them to enforce orders and collect taxes. In the 1600s, North American colonists who wanted to undermine the crown’s power began electing their own sheriffs. Many states eventually wrote the position into their constitutions.

On the Western frontier, a sheriff might be the first elected official in a newly settled area, and would enlist citizen “posses” to help him keep the peace internally — and attack outsiders. “Sheriffs often served as the first or only law enforcement representatives as settlers engaged in the genocide of Native Americans and Mexican citizens,” Farris and Holman write in a forthcoming book about sheriffs based on surveys and a decade of research.

In the South, sheriffs’ authority was intimately connected to slavery. If you escaped the plantation, the sheriff might be the one chasing you. After the Civil War, the Jim Crow-era laws known as “Black codes” allowed sheriffs to arrest Black men and women for minor violations like loitering and “rambling without a job” and hire them out to private companies. This so-called convict leasing was essentially a continuation of slavery.

Historians have found that sheriffs frequently intimidated Black voters and facilitated lynchings, often by allowing mobs to abduct people from their jails. The sheriff was among the most visible public opponents of civil rights advances — “hired by the Republic to keep the Republic [White],” as James Baldwin put it in his 1987 essay “To Crush a Serpent.” Progressive activists see echoes of that history in the fact that, as of 2020, 90% of sheriffs were still White men, according to the progressive Reflective Democracy Campaign.

Today, some county sheriffs continue to extract labor from the people they detain. A few, like Sheriff Wayne Ivey of Brevard County, Florida, still operate chain gangs. But their power stems more broadly from their role as the administrator of the county jail, which can account for a significant portion of a county’s budget.

Most Americans fund their sheriffs through taxes, but sheriffs also support themselves through fines and fees. This has frequently led to accusations that they are financially motivated to issue traffic tickets or overcharge people in their jails for food, phone calls and other necessities.

Last year, a pair of progressive organizations found that conflicts of interest are common: Sheriffs can receive campaign contributions from the very companies that contract with them for services like jail medical care and detainee transportation. Farris and

---

1 For sake of comparison, according to Gallup, in 2021 a random sample of U.S. adults identified as the following: 9% Very conservative, 27% Conservative, 37% Moderate, 17% Liberal, 7% Very liberal, 3% No opinion
Holman argue elections are often uncompetitive because sheriffs have an ability to “manipulate” the pool of candidates and “keep it shallow,” citing examples in which sheriffs fired deputies who announced campaigns against them. While police chiefs generally serve for up to six years, political scientist Michael Zoorob found recently that the average sheriff serves for roughly 11 years, and often runs uncontested.

What Sheriffs Do
Once you’re elected sheriff, it can be a steep learning curve. “All you need, in Minnesota and most states, is 50 bucks and a peace officer license” to run for the office, Leslie noted. “It’s your electability.” Farris and Holman found that only 18 states require sheriffs to have particular qualifications or experience — sometimes set by sheriffs themselves, through their own associations. Most of our respondents have gone to college, but are less likely to have a master’s degree than police chiefs2.

The job can vary widely. In Cook County (population 5.17 million), which encompasses Chicago, Sheriff Tom Dart oversees as many as 9,000 detainees a day at a jail he has previously called the country’s “largest de facto facility for mental illnesses.”

By contrast, Sheriff Sharon Wehrly of Nye County, Nevada (population 53,500), oversees around 190 detainees, but her deputies police more than 18,000 square miles. She said it takes her up to five hours to drive across her jurisdiction.

Farris and Holman have found sheriffs are more likely to patrol rural areas and tend to have more duties in the West and South than the Northeast and Midwest. Many sheriffs’ offices are tiny, employing fewer than 25 sworn officers, according to the federal Bureau of Justice Statistics. Most sheriffs run jails and oversee deputies on patrol, but Farris and Holman have documented a surprising range of other roles, from running summer camps to rescuing injured birds to hunting cougars.

The survey respondents we interviewed did recognize their power and longevity, but argued that both stemmed from their deep relationships with their communities. “Sheriffs have to feel the heartbeat of the citizens that voted them in there,” said James Hammond, who retired as sheriff of Hamilton County, Tennessee (population 369,100), earlier this year. “For the most part, they grow up around the people that elect them.” Whereas many police chiefs hop from city to city, more than half of sheriffs in our survey went to high school in the counties they now serve.

“People will call me if it’s a neighbor dispute, a kid with a behavior problem, [or] a family member with an addiction problem,” said Sheriff Chuck Jenkins of Frederick County, Maryland (population 279,800). Why do they come to him? “I think it goes back to a little bit of romanticism with the role of the sheriff,” Jenkins said, noting that he still watches “The Andy Griffith Show,” the 1960s sitcom about the kindly sheriff of fictional Mayberry, North Carolina, who helps resolve local quarrels.

Sheriffs on Immigration
But does everyone feel they can call Jenkins? He champions aggressive immigration enforcement on Fox News. His office is one of more than 140 agencies nationwide in the 287(g) program, which allows local law enforcement agencies to aid the federal government’s efforts to detain and deport undocumented immigrants.

Last year, Jenkins settled a lawsuit with a Latina motorist who believed she’d been racially profiled and wrongfully detained by his deputies. “You have my sincere apology for the events that occurred during that traffic stop and any fear that they may have caused you,” Jenkins wrote to the woman in an official letter, promising

---

2 A 2017 study by Christie Gardner for the National Police Institute and California State University, Fullerton, found 38.2% of CEOs of municipal law enforcement agencies (who are generally called police chiefs) had earned a master’s degree or higher, compared with 20.8% for county agencies (generally referring to sheriffs). Just 12.7% of sheriffs who responded to our survey said they had a master’s, professional, or doctorate degree. 23.6% said their highest level of school was bachelor’s degree; the rest had a high school diploma, some college credit or an associate’s degree.
Federal spending on tightening border security and preventing illegal immigration should be increased.

<table>
<thead>
<tr>
<th>Category</th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree nor disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strongly agree</strong></td>
<td>69.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Agree</strong></td>
<td>20.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Neither agree nor disagree</strong></td>
<td>8.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Disagree</strong></td>
<td>1.3%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Strongly disagree</strong></td>
<td>1.1%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

449 respondents answered this question.

When your officers encounter individuals who might be unauthorized immigrants in each of the following situations, do they typically check their immigration status with Immigration and Customs Enforcement?

- Required or mandatory
- Preferred or advised
- Neither

**Arrested for a violent crime**
398 respondents answered this question.

<table>
<thead>
<tr>
<th>Category</th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree nor disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strongly agree</strong></td>
<td>35.2%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Agree</strong></td>
<td>41.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Neither agree nor disagree</strong></td>
<td>23.9%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Arrested for domestic violence**
395 respondents answered this question.

<table>
<thead>
<tr>
<th>Category</th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree nor disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strongly agree</strong></td>
<td>24.3%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Agree</strong></td>
<td>41.8%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Neither agree nor disagree</strong></td>
<td>33.9%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Arrested for DUI/DWI**
389 respondents answered this question.

<table>
<thead>
<tr>
<th>Category</th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree nor disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strongly agree</strong></td>
<td>17.7%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Agree</strong></td>
<td>37.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Neither agree nor disagree</strong></td>
<td>44.7%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Arrested for a non-violent crime, with no prior record**
389 respondents answered this question.

<table>
<thead>
<tr>
<th>Category</th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree nor disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strongly agree</strong></td>
<td>15.7%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Agree</strong></td>
<td>36.8%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Neither agree nor disagree</strong></td>
<td>47.6%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Stopped for a traffic violation**
366 respondents answered this question.

<table>
<thead>
<tr>
<th>Category</th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree nor disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strongly agree</strong></td>
<td>1.3%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Agree</strong></td>
<td>22.1%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Neither agree nor disagree</strong></td>
<td>76.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Interviewed as a crime victim, complainant, or witness**
355 respondents answered this question.

<table>
<thead>
<tr>
<th>Category</th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree nor disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strongly agree</strong></td>
<td>2.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Agree</strong></td>
<td>19.4%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Neither agree nor disagree</strong></td>
<td>78.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

better training for deputies.

In our survey, most sheriffs proved hawkish on immigration. They want the federal government to spend more on border security.

Policy views often stem from personal opinions. Farris and Holman included questions to measure resentment of immigrants and other groups, based on a scale developed by scholars at the nonpartisan American National Election Studies. We found as many as one in four sheriffs believed that some immigrants — even those with legal status — take more from the United States than they bring to it.

These opinions help explain why many sheriffs have played such an enthusiastic role in immigration enforcement. Farris and Holman have found that when sheriffs hold negative views of immigrants, they are more likely to advise deputies to check the immigration status of crime victims, witnesses, traffic violators or people arrested for nonviolent crimes.

These findings reflect a broader reality about the power of sheriffs: How they see the world shapes their policy preferences. As Farris and Holman put it, “If the sheriff does not like your group, he is structuring hiring, training and policy in his office to punish you.”

**Sheriffs on Policing**

From Ferguson, Missouri, in 2014 to Minneapolis in 2020, racial justice protests have tended to coalesce around killings of Black people by police officers, rather than sheriff’s deputies. But sometimes a death in a county jail — where the sheriff is the leader to hold accountable — will spark local protests, and even motivate people to challenge the sheriff in their next election.

In our survey, sheriffs mostly took a skeptical line towards these protests, seeing them as motivated in part by a “longstanding bias” against law enforcement.

These views appear to stem from a fundamental disagreement with protesters about the basis for the protests: Four out of five sheriffs thought...
As you may know, demonstrations have been held in many parts of the country in recent years to protest the deaths of African Americans who died during encounters with the police. How much, if at all, do you think these protests have been motivated by...

A genuine desire to hold officers accountable for their actions?

<table>
<thead>
<tr>
<th>A great deal</th>
<th>Some</th>
<th>Not much</th>
<th>Not at all</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.5%</td>
<td>39.9%</td>
<td>38.2%</td>
<td>15.3%</td>
</tr>
</tbody>
</table>

398 respondents answered this question.

A longstanding bias against the police?

<table>
<thead>
<tr>
<th>A great deal</th>
<th>Some</th>
<th>Not much</th>
<th>Not at all</th>
</tr>
</thead>
<tbody>
<tr>
<td>43.1%</td>
<td>41.3%</td>
<td>11.8%</td>
<td>3.8%</td>
</tr>
</tbody>
</table>

397 respondents answered this question.

Do you think the deaths of African Americans during encounters with police in recent years are:

<table>
<thead>
<tr>
<th>Isolated incidents</th>
<th>Signs of a broader problem</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.5%</td>
<td>80.5%</td>
</tr>
</tbody>
</table>

389 respondents answered this question.

Do you favor any of the following policies?

Respondents could choose more than one response.

Require law enforcement to be trained in nonviolent alternatives to deadly force

<table>
<thead>
<tr>
<th>Require law enforcement to be trained in nonviolent alternatives to deadly force</th>
</tr>
</thead>
<tbody>
<tr>
<td>89.9%</td>
</tr>
</tbody>
</table>

Create a federal government database to track law enforcement officers who have been accused of misconduct

<table>
<thead>
<tr>
<th>Create a federal government database to track law enforcement officers who have been accused of misconduct</th>
</tr>
</thead>
<tbody>
<tr>
<td>48.9%</td>
</tr>
</tbody>
</table>

Make it a crime for police to usechokeholds or strangleholds

<table>
<thead>
<tr>
<th>Make it a crime for police to use chokeholds or strangleholds</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.2%</td>
</tr>
</tbody>
</table>

Give a civilian oversight board the power to investigate and discipline misconduct by your deputies

<table>
<thead>
<tr>
<th>Give a civilian oversight board the power to investigate and discipline misconduct by your deputies</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.8%</td>
</tr>
</tbody>
</table>

368 respondents answered this question.

The deaths of Black people during encounters with police were “isolated incidents” rather than “signs of a broader problem.”

And zooming out, most sheriffs think racial inequality is a problem that’s been solved. Seventy eight percent agreed more with the idea that “our country has made the changes needed to give [B] lacks equal rights with [W]hites,” while the rest thought we needed to continue making changes. (Most Americans, according to the Pew Research Center, see things the opposite way.)

As with immigration, opinions shape policy; if you don’t see a systemic problem, you probably won’t favor a systemic solution. Sheriffs in our survey mostly opposed civilian oversight of their offices or making it a crime to use a chokehold like the one Minneapolis police officer Derek Chauvin used to murder George Floyd.

At the same time, they are not uniformly opposed to certain changes. Training in nonviolent tactics fared well, as did the idea of a federal database to track officers accused of misconduct.

Some of these views may reflect their managerial role: A database might help them decide who to hire, and more training might decrease the risk of civilian deaths under their watch, along with the lawsuits that can follow.

Sheriff Frank Gomez of rural Grant County, New Mexico (population 27,900), said training his staff to de-escalate potentially violent situations is especially helpful given how often his half-dozen deputies are alone in their 4,000-square-mile jurisdiction: “Backup’s not coming for 10 or 15 minutes — the last thing you want to do is think that that badge is bigger than your head.”

There’s also a financial incentive: More tools and forms of training can mean a bigger budget. “These reforms have been absorbed into their thinking because that means money,” said Jessica Pishko, a former researcher at the University of South Carolina Law School and author of “The Highest Law in the Land,” a forthcoming book on sheriffs.

The Sheriff as Political Celebrity

In 2011, then-Sheriff Joe Arpaio of Maricopa County, Arizona, made national headlines for questioning the veracity of then-president Barack Obama’s birth certificate. Then Milwaukee Sheriff David Clarke became a fixture on Fox News, talking about everything from crime rates to Beyoncé’s outfits. Both became allies of Donald Trump, who regularly hosted sheriffs at the White House and paved a road from the local to national spotlight.

Sheriffs have long been able to exert a kind of soft power by sharing views on local radio shows and their own Facebook pages. Some may do this to get on the national media radar. Others say they want to explain how national

---

3 We asked: Which of these two statements comes closer to your own views — even if neither is exactly right? 78.2% clicked “Our country has made the changes needed to give Blacks equal rights with Whites.” 21.8% clicked “Our country needs to continue making changes to give Blacks equal rights with Whites.” 335 sheriffs offices answered this question.
issues are playing out locally, which can reduce the hostility stirred up by more famous politicians. “I’m all for border security,” said Sheriff Greg Graver of Jones County, Iowa (population 20,800). “But also, we’ve got Mexican restaurants: Don’t disrespect these people because you’re hearing on the news that they’re rapists and murderers.”

Still others said they use public statements to test how their communities really feel about new issues. “It’s important for us to dip our toe in the water every once in a while,” said Sheriff Mike Murphy of Livingston County, Michigan (population 195,000). “Trust me, I’ve had my share of backlash from things that I’ve said or done, and...I look at that and go, ‘OK, well maybe that’s not really what the community is looking for.’” (Murphy faced criticism last year when his office investigated a woman whose tweets attacked another woman for spreading COVID-19 misinformation. Prosecutors never filed charges.)

But in recent years, sheriffs have been seeking higher office. Former sheriff Mike Parson is the governor of Missouri, while others have run to represent parts of Arizona, California, Mississippi and Texas in Congress. Many are building national brands by hewing closely to Trump; several have announced investigations into voting during the 2020 election.

It’s possible some sheriffs will gain more public attention from the left; already those in New Orleans and San Antonio have announced they won’t enforce new abortion bans.

Our survey was completed in late 2021, and now, each month it seems a sheriff weighs in on a subject we did not think to ask them about. But some of our findings do shed light on why sheriffs feel so emboldened to enter national policy debates. It’s not just that they are aligning themselves for or against presidents. Increasingly, many see themselves as more powerful, within their own counties, than whoever is occupying the White House.

Methodology
Marshall Project reporter Maurice Chammah obtained a directory from the National Sheriffs’ Association with the email addresses of 1,770 members. Political scientists Mirya Holman and Emily Farris used state sheriff association directories and internet searches to augment the directory with new records and more accurate information, resulting in 3,005 email addresses in total. (Most estimates of sheriffs place the total number around 3,000, in line with the approximately 3,200 counties in the U.S.)

Holman and Farris emailed these sheriffs in November 2021, with four follow-up email reminders over three weeks, and used internet searches to identify alternative contact information in cases where emails bounced back as undeliverable. According to the platform used to conduct the research, 832 sheriffs offices opened the link to the survey, 576 answered at least one question on the survey and 439 saw every question in the survey.

We calculated percentages based on the number of sheriffs who clicked at least one option for a given question. These percentages do not account for sheriffs who declined to answer, or, in cases with multiple options, did not select any of the given options. Questions have a different number of respondents who selected at least one option, varying from 303 to 534, with a median of 397 respondents.

Following institutional review board approval at Texas Christian University and Tulane University, sheriffs were promised anonymity but given the option of agreeing to a follow-up interview, and in those cases the sheriffs allowed their responses to the survey to be on-the-record.

The responding sheriffs hail from places that broadly reflect the demographics of the average American county. The average population of counties represented by the survey is 57,261, compared with 61,474 nationally, according to the U.S. Census. The average percentage of each racial group, for survey counties, was 82% White, 8% Latino and 7% Black, while for U.S. counties overall they are 79% White, 8% Latino and 9% Black. According to 464 responding sheriffs, their average age is 54.8 years old. (The U.S. Census considers Latino or Hispanic “ethnicity” separate from race; “Latino” here refers to people of any race with Latino or Hispanic ethnicity.)

To compare the political views of responding sheriffs and the counties they serve to the U.S. as a whole, Farris and Holman used data from the MIT Election Data + Science Lab. In the counties represented by those sheriffs, 38% of voters, on average, voted for Joe Biden for president in 2020, compared with 36% in U.S. counties overall, according to the MIT Election Archive.

County populations mentioned in the story were taken from the U.S. Census Population Estimates, July 1, 2021.

Because of number rounding, some percentages in charts do not add up to precisely 100%.

TOP RIGHT: At a White House event in 2018, President Donald Trump posed for a photo with Vice President Mike Pence and Bristol County Sheriff Thomas Hodgson (at right). SUSAN WALSH/ASSOCIATED PRESS
People in prison get “three hots and a cot,” right? So, what do they need money for?
A lot, it turns out.

Prisons typically provide the bare minimum when it comes to food, clothes, shoes and hygiene supplies. Some states provide items such as toothpaste, soap and limited amounts of letter-writing supplies only to the “indigent,” or those who have little to no money. Other goods that many would consider necessities — deodorant, shampoo, sneakers, thermal clothes for winter — are often only available to people who can afford them.

But earning enough from a prison job is nearly impossible: The average prison wage maxes out at 52 cents per hour, according to a new ACLU analysis, and many people make pennies per hour. That means that basics, like a $3 tube of toothpaste, can take days of work to afford. If you get paid, that is. In at least six states — Alabama, Arkansas, Georgia, Mississippi, South Carolina and Texas — most prisoners aren’t paid at all for their labor.

To make up for their paltry wages, people in prison often take part in a thriving underground economy of side hustles, bartering stamps or commissary items for everything from hand-drawn greeting cards to makeshift home cooking to legal help.

In recent months, The Marshall Project has corresponded with dozens of incarcerated people about the money they make, the money they spend and the lengths to which they go to secure basic needs and comforts. We asked several people to log their transactions for us; they also sent receipts and monthly account statements for commissary purchases. Along with that information, we gathered commissary catalogs and conducted email and phone interviews about their official prison jobs and side hustles. Most are serving long sentences for serious crimes; some have spent decades behind bars.

Read their stories to learn how they navigate and survive, often through sheer determination and ingenuity, the harsh reality of prison economics.
Ricardo Ferrell, 64

JOB: Prisoner observation aide, helping to monitor incarcerated men under suicide watch. Also a reading and writing tutor.
LOCATION: Gus Harrison Correctional Facility, Adrian, Michigan
MONTHLY INCOME: $250-$350

I was carefully selected to be a POA, which means prisoner observation aide, after applying for it. There was rigorous screening and training. Prior to the prisoners doing this job, correctional officers had to do it. We’re getting paid $3.34 per four-hour session. So we’re saving them money. Also, a prisoner on suicide watch would be more apt to speak with a fellow prisoner than a CO or a mental health professional. As soon as we’re at the door, they’re revealing what’s going on.

If I work two sessions, that’s $6.68 per day. Almost nothing else in the Department of Corrections pays like this. Plus, during Covid, they gave us hazard pay — $2 extra per day. Last July, I made $334. The two primary things I spend on are: my phone credit account and commissary store purchases. The food at the chow hall is terrible and of poor quality — it’s not fit for a dog, seriously.

Recently, the commissary prices have been significantly raised. For example, an 8-ounce bag of Maxwell House coffee increased from $8.45 to $10.01. A jar of mayonnaise almost doubled in price, from $3.61 to $6.12. The same crunch being felt by ordinary folks in society is magnified for those inside because of the low wages paid for prison labor.

But if you save like I do, then you can have a nice little nest egg when you get out of here. I have $3,100 in my account. To do my job, I got up at 5:00 yesterday morning. Washed up. Did my other work assignment real quick. When you take this job, it still allows you to have a dual assignment. I also tutor guys on the unit with their reading and writing.

Then, at 6:30, I went over to segregation. They strip-search us before we go over there. They give us these pink shirts with “POA” on them. I’m relieving somebody that’s already been there. He’ll bring me up to speed, and I pick up where the guy left off.

When I first sit down, I do a silent prayer for the individual in the cell. And every 15 minutes I document what the person is doing. I might say, ‘He got up and used the toilet, and then he laid back down.’ I try to engage them in conversation if they want to talk. The vast majority of guys on suicide watch like to talk.

I get them to laugh. I try to talk to them about what’s going on. Most of these guys are going to get out of here in no time. They’ve got paroles. They’re going home in less than a year. I tell those guys, ‘Look, here’s my situation. My mother got murdered while I was in here. I’ve been here 41 years. I got a bunch of buddies that never made it out. They died before they could make it out.’ What I’m trying to tell them is, ‘You’ve got everything in the world going for you, man, why harm yourself?’

I find the job to be therapeutic. I had a close friend that came real close to killing themselves. Not only do I help these individuals, by doing this, I’m helping myself. I’m in here for taking someone else’s life. Now I’m saving people’s lives. That’s how I look at it.

Louis Dixon, 27

JOB: Unemployed grass cutter
LOCATION: El Dorado Correctional Facility, El Dorado, Kansas
MONTHLY INCOME: $0

For years, when I first got locked up, my mother was the only person I had to take care of me. She was barely able to, but she sent me $20 whenever she could. Then in 2017, she was killed.

At one point, I was on the line work crew; I cut the grass for the facility. I was getting $15 every month. They would take a dollar from you — they say that’s rent for us living in prison — so it would go down to $14. Every single thing in here, you’ve got to pay for. If you don’t have the money, you’re going to go without. Soap, deodorant, toothpaste — all your hygiene. Sweatpants, sweaters. If you don’t buy your own shoes, you’ve got to be in the rain or snow with hospital crocs.

I got in a fight, and they locked me down in the hole. I’ve been in this hole for more than two years now. You lose your job when you’re here. You sit in the room 24 hours a day. The only time they let us out is to go to the shower. We don’t go outside. If you don’t have money to buy your own TV or radio, you’re just sitting in a cell looking at the wall all day. I have nothing. That’s what drives people crazy.

I miss the juvenile jail that I was at before I was here. There, you didn’t have to pay for anything. They give you all your hygiene. They give you sweatpants and a sweater. In the adult facility, they’re supposed to give you a state toothpaste and an itty bitty toothbrush the size of your pinkie finger. They’re either always out of it or they don’t bring it. When we shower, if you don’t have your own soap, they give you an itty bitty paper cup — like little med cups that you put pills in — and they fill it up with hand soap. And they expect you to be able to wash your hair and your body with it. It’s really barely enough to wash your hands with.

The money I did have, from my job and from before my mom died, they let the people come garnish my account because of court fines. On those stimulus checks, they sent me the $1,200 and the $600. They took all of that.

My account balance says $0. If I spend money I don’t have, that is listed under my balance in red. If I go to the doctor, I will owe the facility $2. I do not go, because I don’t have the $2, and I don’t want my account in red. I have...
lower back issues, and it causes swelling around my bones in my lower back. The pain goes down to my buttocks and the back part of my legs. It will get sometimes to the point I can barely walk. You’re going to go to the doctor, they’ll take $2 from you, and they’ll give you a generic pain pill that doesn’t work and send you back to your cell. It’s pointless. You’re better off just staying in your cell.

They charge you fines for everything. They’ve got a little ID they make us wear. If you break it or lose it, $5. If your shirt’s not tucked in, $20. You spit on the sidewalk, $20. You walk on the grass, $20. That’s how they do it in here: They give you money and figure out how to take it back from you. It would have helped me a lot to be able to save up some money. Now I’m just going to get out and go to a homeless shelter.

“Fugee*,” 26

JOB: Bookie and Department of Transportation data entry worker
LOCATION: Florida Department of Corrections
MONTHLY INCOME: $24.30 from his prison job; $173.25 worth of commissary items from his side hustle as a sports bookie; and $100 from his parents to cover phone calls home.

I sit in a dark room typing license plate tags into a computer all day long for the Florida Department of Transportation. You know how fines and bills are sent to people who unlawfully pass through tollbooths without first paying for this passage? Little known fact: In the state of Florida, it’s actually inmates who identify and verify these tags — including me. Isn’t that bizarre? Killers,
What can you buy with prison wages?

Calculate how much each person would need to work in order to earn specific items.

Richard
Richard makes $15 a month as a building sanitation worker.

Question 3:
How many months does Richard need to work in order to afford any of the following items?

Your answer:
A. Word processor: ____________
B. Medical visit: ____________

David
As a GED tutor, David earned 3.6 cents an hour after deductions.

Question 4:
How many hours does David need to work in order to afford any of the following items?

Your answer:
A. Pen: _________________________
B. Envelope + stamps: ______________

Answer key
3A: 1 to 25 months (or 1 to 2 years) 3B: 0.33 months (a little more than 1 week)
3C: 1 to 25 months (or 1 to 2 years) 4A: 10 hours 4B: More than 17 hours

Robbers and dope dealers ratting on people who speed through tollbooths. Just know that if you’re ever in Florida and you speed through a tollbooth, I truly apologize for the ticket that you’ll be receiving in the mail.

You’re expected to work 10 hours a day, seven days a week, all for a whopping 20 cents an hour. On top of this, there’s an hourly quota of license plate tags that you’re expected to reach. If you can do this adequately enough on a consistent basis, then you’ll be eligible for a raise every six months. The raise is (drumroll, please) ... a nickel. You can get a nickel raise every six months up until you reach the maximum threshold of 55 cents per hour. Breaking it down, you have to work for them for a minimum of three and a half years before you can reach this Class A pay-grade. I’d like to point out that a single ramen noodle soup costs 65 cents on the canteen, and the price is steadily rising. You can work all day and barely have enough to put together a decent meal.

For my part, I “live off the land.” That’s what you call it when you’re able to hustle up a living without ever needing to hit the canteen window. I take pride in being able to take care of myself in this constricted, limited environment. I refuse to be a burden and ask for any help from the outside.

I’m a prison bookie. Like a personal Las Vegas for people willing to try the odds. I call my mom up, and she looks up the spreads for each game on VegasInsider.com. I follow Las Vegas numbers and stick by them faithfully. Vegas isn’t in business for soups and chips. They do it to pay the bills and send their kids to college and leave behind a will and all that. So their numbers absolutely have to be on point.

Each week I make a master sheet, which I post in the dayroom. It has all the games being played that week, and a list of things people can bet on — like, if the total score in a particular game will go over a certain score or under a certain score. So people are betting if they say, “I like the score to go over 47,” or “I like it to go under 43.” Or if one team beats the other team by a certain number of points — like, Atlanta to beat Buffalo by 14 points — or which will be the first team to score.

You have to choose at least four — that’s called a “four-pick” — and if you’re right about all four, it’s 10-to-1.
odds. So if someone put a tuna up on a four-pick, a tuna is worth $3, they get $30 worth of commissary back. If any one of those loses, it kills the whole thing. It doesn’t matter if the other three came through, you still get compensated nothing. A five-pick is 15-to-1 odds, a six-pick is 25-to-1 odds, and so on.

Certain items, like cookies and chips, we call that “pretty money.” They’re more desirable. So they’re worth more on one of my tickets.

The odds are always in the house’s favor. So each week I am left with a lot of commissary. I save some for myself. The rest, I sell.

For that, people pay me through a Cash App account. I have my mother manage my funds. I’ll ask her, “I’m expecting this, has this come through?” For canteen bags, it’s times one-and-a-half. If they send me $50, I’m going to give them $75 worth of canteen. They go through me and get a better value.

This season, I’ve sent home about $800. Technically, it’s against DOC policy. We’re not supposed to be gambling, bartering canteen items. But as long as nobody is getting stabbed over unpaid debts, they’ll turn a blind eye.

You could say, “oh, yeah, put them in a cell and lock them down, they deserve that.” At the end of the day, we’re going to find whatever little freedom there is, use our human ingenuity to get what we need. If we’re going to be living in hell, we might as well make ourselves comfortable.

“We’re using Fugee’s nickname because the hustle he describes is against the rules and could result in punishment or loss of privileges.”

**Courtney Sargent, 37**

**JOB:** Cook, cleaner  
**LOCATION:** Ramsey Unit, Rosharon, Texas  
**MONTHLY INCOME:** $0

Mostly I have worked as a cook in my 15 years in Texas prisons. Since I have a culinary art degree and a lot of experience in the restaurant industry, the administration loves putting me in the officers’ dining room. But because I always put on weight, I made them take me out. Now I just clean everything — whenever they need me, wherever they need me. I’m the go-to guy now.

Texas doesn’t allow inmates to make any money, even though they make plenty of money from our slavery. Just because we’re in here doesn’t mean the bills or our responsibilities stop. When I send money to the outside world, it’s for charity and my children and to help my mother. I make money by cooking for people. I charge $10 for cakes, $5 for an enchilada plate, $20 for fiesta platters and $15 for Cajun platters.

There are a lot of small hustlers in here. They wash clothes for about 25 cents an item. People make soap bars out of little bars of hotel soap. The soap is 50 cents a bar. File legal papers. That’s anywhere from $20 to $200. To beat someone up costs between $50 and $100. Sex is also $50 to $100. You can also pay anywhere from $15 to $100 for a political service. This could be a person who needs a case thrown out, a move of housing, or some other favor. You have to pay somebody who has juice — pull — with the laws who watch us.

My family and friends send me money and food packages. If not for that, I’d starve. They don’t feed us very well. For example, today’s breakfast was a boiled egg and a peanut butter sandwich. Lunch was one small bean burrito, beans and corn. Dinner was a baloney sandwich, applesauce, overcooked vegetables. For a grown working man, this is not enough. On weekends, there are only two meals a day: breakfast and dinner. For people who have no family or friends, it is heartbreaking.

Money buys food. Money buys books and magazines. Money buys friends in prison. Money also buys protection from rape, assault and shit detail.

Imagine being hungry, watching people around you eating commissary food items because somebody loved them enough to send them support, while nobody loved you enough to send you anything.

Then imagine you’re big and strong, broke and hungry. And here’s this little guy, with family who loves him, who gets lots of food and mail. What happens? One becomes prey, the other a predator.

**Valerie Stanton, 47**

**JOB:** Stylist and party planner  
**LOCATION:** Julia Tutwiler Prison for Women, Wetumpka, Alabama  
**MONTHLY INCOME:** Officially, $0. Unofficially, $50-60 worth of commissary items and food.

I am the lead stylist/trainer/inventory support specialist in our prison’s salon, which is called “Badd ‘n Boojee.” Although I do not charge people for appointments, several of my regulars tend to bless me with commissary items as a tip in appreciation for not being put on the six-to-eight-week waiting list. I try to show my appreciation by sliding them into the salon when I can. I sometimes do hair on the weekend in the dorm, for special occasions and visits only, in which I charge from $3 to $6 worth of commissary items, depending on the style or cut. Doing hair is also how I pay for my laundry to be done twice per week. I am also very creative and make unique gift bags/boxes for people as well as greeting cards, banners, photo albums, and birthday/special occasion decorations.

There are only two paid jobs at Tutwiler: One is the Alabama Correctional Industries Clothing Factory aka “the honorary slave camp.” When I worked there for almost four years, the starting pay was only 15 cents per hour. You can earn up to a whopping 10 cents per hour yearly raise, depending upon how much butt you kiss or how much slave labor you provide the company. The other is the ADOC Commissary, where you either
Richard Spillane, 61

JOB: Building sanitation worker
LOCATION: East Jersey State Prison, Woodbridge, New Jersey
MONTHLY INCOME: $15

My official job is essentially a sinecure. The prison doesn’t have enough jobs to go around, so many inmates, like me, are assigned to “building sanitation.” I clean my cell and rarely, on occasion, am called to clean something up in the unit. I haven’t pressed for a more substantial job — which would pay me more — because I need the free time to do my legal work on my case, go to the law library, and go to the yard to exercise for my health. I am paid about $27 a month, but from that, I have to repay my loans from the prison for legal photocopying and mail.

The prison charges me 10 cents a page for photocopying my legal work, and I am also charged for postage. Considering the large number of pages of my legal briefs and appendices, and the large number of copies the courts require me to serve and file, these costs really add up. And if I don’t have the money in my account to pay for photocopying and postage, the prison loans me the money. Over the last number of years, the prison has loaned me $1,165.86 for legal photocopying, and $455.85 for postage. I currently still owe $269.27 for legal photocopying, and $450.93 for postage.

Each month, I am left with $15 for “discretionary spending.” Unfortunately, items of commissary termed “discretionary” include items like toothpaste, sneakers and boots, and other items that are actually “necessities” because the prison doesn’t provide them to us otherwise.

The prison also charges me $5 for each time I bring a medical problem to their attention, and $1 for each new prescription. It makes me think twice about asking for medical treatment.

I buy typewriter ribbons for my legal work by mail from a store. Because the ribbons for my word-processing typewriter are not standard ribbons, they charge an arm and a leg. Single use ribbons cost about $9 each. My brother bought me some ribbons about a year ago, but has indicated he will not buy me more. Plus, my typewriter is all screwed up. I don’t know what I will do if the ribbons run out before my legal appeals are over.

David DeLena, 45

JOB: Welder, GED tutor, Bible copier
LOCATION: California Institution for Men, Chino, California
MONTHLY INCOME: About $5

Every inmate is supposed to have a certain amount of state-issued clothing, and they are supposed to keep their clothing clean and decent, but the laundry system does not work here. Men who work in laundry sell laundry clothes, and I cannot get my full state issue. If a person has a job in the kitchen, they will sell the food, but this creates a problem for other inmates. We do not always get our full state issue.

Our menu is enough to keep us alive, I suppose, but never enough to supply and satisfy the appetites of grown men. How then do the incarcerated manage to provide for their need to eat, to be healthy, and to have energy for each day?

I don’t want to complain about prison. I have been in prison for 10 years, and I’ve learned to be grateful for what I do have. I don’t deserve it. I thank God for every spoon of food I have and every container of water and every night of sleep. These things are so good to me.

Did you know that it is against the rules of CDCR (California Department of Corrections and Rehabilitation) to give other inmates any type of gift, food,
clothing, hygiene or otherwise? I can’t even show my humanity in giving a soda to a friend or helping an indigent inmate. You can get written up for it, and a write-up can keep you in prison.

I had a job as a GED clerk. I taught the incarcerated students different subjects: math, social studies, science and writing. I graded all the assignments of almost 60 students for 8 cents an hour. I would get paid $9.60 for a month. The state took 50% for restitution and a 5% administrative fee, so I ended up with $4.32 a month.

After about two months, I was let go because they assigned me to a vocational welding class and the schedules conflicted. As a voc student, we don’t get paid. This was a good change for me, because I had just been accepted into a college program, and the $4.32 I was making was not sufficient to provide for all of my needs. When I had a job, I was no longer eligible to receive state-issued “indigent envelopes” and other supplies like paper and stamps.

I have taught the Bible for many years, and I am a college coordinator (not officially) but the inmates call me one because I will teach them and help them get into college. My friends always give me food and supplies. My friend Elroy gave me $30 a month for preaching. This lasted at least two years. Now I found a ministry that will pay me $1 for every chapter I write of the Bible. This is a way I can earn money without breaking any rules. The only way I’ve found so far. It takes an hour or more for a single chapter. Each chapter takes two or three hours to copy by hand, and in the end I can earn about $1,200.

My brother and sister try to send me packages when they can. A full package can run close to $200. In a package, I can buy soap, toothpaste, shampoo, and conditioner and deodorants. These usually will last about three or four months, but I will need that next quarterly package for more supplies. When I receive a package, it always builds up my morale. I feel like I went shopping at the mall. I believe packages are needful in two aspects: emotionally and physically. Physically, I need hygiene. I need body soap, shampoo and conditioner, laundry soap, a toothbrush and toothpaste, deodorant, etc. I need clothing. I need shorts and shirts for the summer. I need sweats and thermals for the winter. Emotionally, these things help me to feel good about myself. I can get food, too. It feels good to have some good food once in a while.

Aundra Jiles, 50

**JOB:** Unemployed  
**LOCATION:** Larned Correctional Mental Health Facility, Larned, Kansas  
**MONTHLY INCOME:** $0; Family sends about $100 a month; 10% goes into a mandatory savings account.

I do not currently have a job. The last job I had was cleaning the cellhouse at $15 a month. But I had to go to protective custody because some people just don’t want to leave me alone. As a trans woman in prison, we are often exploited for sex. I used to get money that way, but don’t anymore. I grew up, and I don’t want any diseases. But they think you’re just there to serve their needs. Some of them were so aggressive. You say no, they get mad. One person in particular was steady harassing me because I didn’t want to be his roommate. So no, I don’t have a job right now.

I am grateful to have some support from family and friends. This money is essential and a blessing. I absolutely could not make it without it.

Everything they sell us here is designed to fail. A TV, you may have it for six months, and then it just goes out, and then you have to buy it again. I’m like, no. If it goes out, I’m not buying another TV. They have TVs in the dayroom, and that will have to do. I don’t want to keep spending money in prison. I need that money when I get out.

My most expensive item I bought lately would be a Garnier re-plumping serum to improve my skin. This cost $16.97 for a 2-ounce bottle. I buy my makeup, skin and hair items through Walmart. The only reason I get to purchase things through Walmart is because I am currently going through a gender transition.

I am glad because of course I get better products than they have at the women’s commissary, and even things they don’t get. These things had to be specially approved through a board in Topeka, Kansas, along with the warden of this facility. I had to advocate for them, and it took me 10 years. They kept saying no, but after finally getting my gender dysphoria diagnosis, everything fell into place.

I mostly buy moisturizers and scrubs, maybe a little lip gloss. Just things to make me feel good in my own skin, for my mental health. I have to see myself for who I am. And those things help. Not having money like Laverne Cox, you don’t get plastic surgeries or other things for your transition. I’m just trying to take care of myself, so I can be my best self when I get out.

Interviews and letters have been condensed and edited for length and clarity.
The Genius Speech That Changed My Life

Words like “junkie,” “destitute” and “criminal” have applied to me at some point in my life. Hearing the formerly incarcerated voting rights activist Desmond Meade speak at my prison reminded me that my sky is full of stars, my heart is full of hope and my future is full of promise.

By RYAN M. MOSER

As an emerging journalist serving time at Everglades Correctional Institution in Miami, I spend most of my days following leads, conducting interviews and writing down details from the inside that most on the outside can’t — or don’t want to — understand.

I’ve reported for outside publications, like this Open Campus story about a Florida residency law that blocks incarcerated college students from in-state tuition. But I also write for The Endeavor, our institution newsletter. Last October, when I covered the Fourth Annual Gang Prevention Summit for the newsletter, I expected to come out with a basic story. Instead, I left with something much more meaningful.

Themed “Homecoming,” the four-day event focused on the tools people in prison need to be successful when they go home. Wayne Rawlins, project manager of Miami-Dade County’s Anti-Violence Initiative, arranged the summit. Positive Peer Leadership, the program he sponsors here at the prison, hosted it.

The guests were diverse. Before the event began, I walked through the prison visitation park, mingling with county commissioners and fellow prisoners in blue as R&B played over the loudspeaker. I saw gang detectives speaking to retired Crips and community organizers laughing with the wardens. Inside, a crowd of about 100 was packed with professors and prisoners, everyone working toward the same goals: preventing youth violence and supporting children of incarcerated people.

I immediately recognized the name of the first speaker: It was Desmond Meade, the formerly incarcerated lawyer, voting rights activist and author. As executive director of the Florida Rights Restoration Coalition, he led the successful Amendment 4 campaign to return voting rights to 1.4 million Floridians with prior felonies. When he spoke to us in October, he’d just received the 2021 MacArthur Foundation “genius grant,” one of the biggest honors in the world.

Standing at our podium — in front of a wall with the quote, “It’s never too late to become who you might have been” painted on it — was this man who left prison, earned his law degree, successfully fought for clemency in order to take the bar exam and was a certified genius. He had flown in that morning from Orlando just to see us, the men who stood where he once did.

“Let me begin by saying that you all have value and I love you brothers,” he said before landing on the topic of his testimony — a commitment to something so strong that you’re willing to sacrifice your life for it.

“In the ’90s, I was willing to die to get high,” Mr. Meade said.

“I was committed to destroying myself.” His turning point came in 2005 as he stood on some railroad tracks in Miami waiting for an incoming train to end his life. The train was delayed, and Mr. Meade, who had been incarcerated four times, went to a homeless shelter instead. My quickly scribbled notes outlined what came next: “Treatment center.” “Miami Dade College, law school.” “Recognition and respect.” “Family.”

“That train didn’t come for a reason,” Mr. Meade continued.

“Now I’m committed to something greater than myself. Everything I have is because I was willing to lay my life on the line to do God’s work and help others.”

At some point, tears filled my eyes. I was amazed that this brilliant man was a recovering addict who had been to prison multiple times, just like me. When he confessed to standing on those railroad tracks, I remembered the time I stood on the Main Street Bridge in Jacksonville, staring down at the cobalt abyss and picturing my pill addiction ending once and for all.

Meade held nothing back. By talking directly to us and exposing his most vulnerable moments, he spoke to my healing chi. He spoke to the soul of this broken addict who had also felt suicidal. Suddenly, all of the days and nights that I’d spent writing and fighting to get more bylines seemed more worthwhile, because I’d seen what a higher purpose looked like.

When I caught Mr. Meade by the refreshments after his speech, I stuck out my hand, shared my admiration and asked if he’d consider an interview. “Of course,” he said with a smile. The interview was very short; he was quickly whisked away to catch a plane. Still, his last words reverberated through my consciousness: “Make society better than how you found it.”

Walking back from the event, I looked up at the chain link fence topped with sharp concertina wire. I got harassed by a guard who didn’t see my humanity, headed past a chapel that didn’t accept my philosophies and arrived at the cell that holds me captive. But instead of seeing those things as oppressive, I looked at them as mere obstacles. I can get around obstacles.

I know that next year, when I get out of prison, I will be one of the millions of formerly incarcerated people who can still do great things. Words like “junkie,” “destitute” and “criminal” have applied to me at some point in my life. But seeing Desmond Meade — a living example of redemption — reminded me that my sky is full of stars, my heart is full of hope, and my future is full of promise. When I approach every rising sun as an opportunity for a new beginning — even while living in a violent system — I can still find the humanity in others.

Ryan M. Moser is in recovery from drug addiction and is serving a 10-year sentence in Florida for nonviolent property crimes. His work has been published in dozens of literary journals and news outlets. Ryan received an honorable mention in nonfiction essays from PEN America in 2020. He is a Philadelphia native and father of two.
ACROSS
5 “Another challenge to voter engagement in jails is that people in custody have very limited access to information.” (2 words)
10 “Other goods that many would consider — deodorant, shampoo, sneakers, thermal clothes for winter — are often only available to people who can afford them.” (1 word)
11 “(Local enforcement of marijuana laws is handled by federal prosecutors in the nation’s capital, and thus subject to _________________.)” (2 words)
12 “To make up for the data holes, the Justice Department created new ________________ that use data from agencies that did submit to the FBI to fill in the blanks for the rest of the country.” (2 words)
13 “Make ______ better than how you found it.” (1 word)
14 According to the survey, sheriffs believe that protests against law enforcement are motivated in large part by this. (2 words)
16 “The United States inherited the office of sheriff from ______, where kings appointed them to enforce orders and collect taxes.” (1 word)
19 “A more surprising obstacle to registering people in New York City jails is that someone has to make sure their signed forms are properly transported to the state Board of Elections.” (3 words)
20 “_____________ on living units meant the people we were incarcerating were denied basics like showers, recreation, visitation and commissary.” (2 words)
22 “Our unofficial march toward mass incarceration began in the 1970s with President Richard Nixon’s cynical ___ ___ ___.” (3 words)
23 “Outside of interstate travel and specific places under federal control — namely the U.S. border — _______ is a matter for local law enforcement.” (2 words)

DOWN
1 “Inside, a crowd of about 100 was packed with professors and prisoners, everyone working toward the same goals: preventing youth violence and supporting children of _______.” (2 words)
2 “Comprehensive ____ ___ depends on law enforcement agencies’ (there are about 18,000 in the U.S.) voluntary submissions. (1 acronym, 1 word)
3 The National Incident-Based Reporting System — the FBI’s newer system that phased out a nearly century-old data-collection platform. (1 acronym)
4 “I sit in a dark room typing _______ ______ into a computer all day long for the Florida Department of Transportation.” (3 words)
6 “The average _______ maxes out at 52 cents per hour, according to a new ACLU analysis, and many people make pennies per hour.” (2 words)
7 “Biden’s pardon only applies to citizens and lawful ____________, a move that deeply frustrated many immigrants’ rights advocates.” (2 words)
8 Formerly incarcerated lawyer, author, voting rights activist and executive director of the Florida Rights Restoration Coalition (an organization committed to ending the disenfranchisement and discrimination against people with convictions.) (2 words)
9 “In 2015, the city entered into a _______ ______ sought in Nuñez v. City of NY, a class-action lawsuit filed by prisoners [that] accused the NYC DOC of using excessive force, failing to adequately protect incarcerated people from violence, and inappropriately placing adolescents in solitary confinement.” (2 words)
15 “Prisons typically provide the ______ when it comes to food, clothes, shoes and hygiene supplies.” (2 words)
16 “They are frequently open to some changes championed by the criminal justice reform movement, including a federal government system to track officers accused of misconduct and police trainings in nonviolent alternatives to deadly force.” (1 word)
17 “When I approach every rising sun as an opportunity for a new beginning — even while living in a violent system — I can still find the ______ in others.” (1 word)
OUTSIDE

Men, lucky evil turns is different.

After being 20 pixels, the family decide that a summer house party. They come inside all seven kids into the house.

Don’t eat anything in the crowded room. I barely know these kids.

I’m glad to be out in the park. I want to hear the echoes.

But don’t feel uncomfortable using the entire box.

And don’t get me started on theanches. I won’t pull my feet on a skinny fina cap go in “Bucky blues.”
Transfers between correctional facilities can generate a number of complex and even conflicting feelings. There are often unexpected and uncomfortable parts of the process, and it can vary based on what state you’re in, what type of facility you are going to, and a number of other factors.

We know transfers can be challenging for incarcerated people, even if they are something you’ve been hoping for for a long time. In our last Reader to Reader callout we asked our incarcerated audience around the country to share their personal experiences with transfers, and any advice they might have for others as they go through the process.

**When I left my parent unit and went to another lower security unit, it reminded me that I’m gonna go home someday. What surprised me was that I was depressed leaving the people that became my family over the last 4 years. The advice I would give would be to pack light and prepare for the worst case scenario. AR**

**The shackles were one of the worst parts. The plane ride was the best. Just try to relax and do what’s said. OK**

**It’s all mixed emotions. MT**

**I hate transfers because they are used mostly as punishment. AR**

**I honestly have panic attacks until the transfer is over. MA**

**The scariest part is the rumors, you hear from other people about a facility but haven’t personally witnessed it. The best way to mentally prepare is to expect nothing but the worst. The best advice is to have a daily routine and stick to it. CA**

**The most difficult part was toting all my property to a new unit. I had a lot of art supplies. Unfortunately, then when I got to my new unit, they confiscated it all because my hobbycraft privileges didn’t transfer. It took me over a year to get them back. I was surprised that this new unit had shower curtains! Nice perk! I would advise someone who’s transferring to just roll with it, because it can’t be as bad as the first time you walked into prison! AR**

**I was transferred to a private prison in Montana. I am transgender, and have only recently accepted who I am and who I am becoming. The most difficult part of my transfer was wearing a transparent orange throw-away uniform. The most exciting part was that I was going to see a therapist, to start my hormone therapy! You can’t prepare as you never know when/if they are going to roll you up. My advice is, be yourself. CA**

**Never been transferred, but I am trying to get closer to family. I’m doing a life sentence in Maine but I have no family or friends left in this state. It is hard, when we have visits and I have to do video visits. ME**

**The most difficult part was the long bus ride. Being able to see all the sights on the way, and a change of scenery and location was the only exciting part. I prepared myself by staying positive and focused on my release. Stay strong, positive, uplifted and focused on freedom and keep your mind on your own business in a positive way and pray, for the best is yet to come. WA**

**Leaving the jail that I haven’t left in six and a half years and getting on that bus, I felt embarrassed. CA**

**The most difficult part of being transferred is not knowing when it will be. Every day before you’re trying to get that last good phone call and video visit. Waiting on transfers can affect the way you shop and spend the money on your books. You’ll want to save up for shower shoes at your new facility. The most exciting thing about it is seeing new people, a new commissary, a new library and new units. First timers I would just be prepared to squat, spread and cough, it’s part of the process. Just look and observe your surroundings. AR**

**Just to keep your head up because every day is a new day in here. MI**

**My advice to someone going through the process for the first time would be to mentally prepare for and not be afraid of the unknown. MI**

**Go in with a goal set. Accomplish that goal and make it home, if you can. You don’t need to make a lot of friends. Don’t get too comfortable and always keep your eyes open. MI**

**My transfer process was unbelievable. The most difficult part was realizing how long I would be away from my family. My most exciting part was seeing childhood friends I had not seen in years. What surprised me was seeing guys that I’d known as gangsters had changed. I just take it day by day, things change everyday and you’re never fully prepared. My advice is to keep God first and to pray, pray, and pray. AR**
I was sent out on an emergency transfer to a maximum security facility for an assault. I was placed on the highest security level threat in the Michigan Department of Corrections. I was very concerned for my own safety, actually scared as hell. Also knowing I was probably going to the upper peninsula of Michigan. I did over 2 years in maximum solitary confinement. Which is downright inhumane and cruel. The transfer was the most horrifying part. The way the guards talked to me. Not knowing if my property was going with me or not. MI

I spent 2 years being ferried between court and my county jail, so when I transferred from jail to DOC intake I didn’t experience a lot of anxiety, just a lot of unknowns. I’m in a maximum security unit now, I’m waiting for a transfer to medium security. I’ve walked my security level down by remaining disciplinary free and completing programs so I know God will work out the details for me to live somewhere safer. AR

I’ve personally only been transferred from one jail to another. The difficult part was staying in an observation cell until morning until they could transport me. It was cold and I had to sleep on the uncomfortable floor. The exciting part was going back to a jail I was used to doing time at, behind actual bars. The different kinds of people surprised me when I got here. I just went with the flow, the unknown doesn’t really bother me at this point. Jail is full of unknown events. Coming in and out of jail, you need to be able to adjust to whatever situation comes your way. CA

The difficult part about transfer is not knowing where you’re going and wearing the uncomfortable ankle shackles and cuffs. But despite all that, getting out and seeing the world is exciting. That’s the best part about transferring to a new prison and that’s how I cope with the moving, by looking on the bright side, literally. The advice I’d give somebody is to think that they might go to a prison better than the one they’re in now. MI

Stay positive and mind your own business. Do your time, don’t let the time do you. MA

Nothing is more difficult than eating peanut butter and jelly that you have to make, and I mean tear open the packets and squeeze them onto bread while in waist restraints and shackles. Especially while being screamed at by guards, bouncing around a prison bus packed with as many people as possible. CA

I was in Maine and so used to county jail that when I went to prison it was difficult because I didn’t know anyone. Sometimes people don’t like to adjust. ME

Don’t eat or drink before transferring. Wait, if you can, until you get to your destiny (designated prison). Each time I’ve had to transfer, I’ve had to hold my bodily fluids beyond the point of control. There are no facilities on the bus. You are expected to urinate into a container while shackled, and with a person next to you. For Number 2, there is an open hole that you can use if absolutely necessary, but I’ve never seen anyone use them. Depending on whether you love sight seeing or not, I’d stay up all night, then sleep throughout the entire ride. MI

The exciting part is the radio during the trip. New music for a few hours. CA

When I was transferred back to my hometown I was able to visit with my sister. Just keep a low profile, don’t get yourself into any trouble. MT

My first transport was from one module to another almost blindfolded. I did not know what was really happening. At my old module, I didn’t know anyone. But in the new module I knew everybody. Trust in God. CA

I’m still waiting to go to federal prison for the first time. People keep saying it’s better than state prison and way better than sitting in county jail. For the most part I just wanted to get my time going and look forward to better times. Someone told me to expect a lot of violence. I just keep my head up and don’t even sweat what the future holds, and live it up everyday. WA

I was actually just transferred this week for the 2nd time in the last 6 months. The worst part is that I should be going to a lower security level facility and instead I’ve done a tour of all the max facilities in my state. My buddy got moved with me, both times, and the first time we joked we got sent to the moon, this time we got sent to mars. The hardest part about it is that I get regular visits and pretty much anywhere downstate is within 4 hours of a drive for my family. Up here it is closer to 14-15 and now the visits are only 2 hours max because of covid. With limited time slots available. Not much is exciting about transfers, at least not for me. I don’t like change or meeting new people. What surprised me the most was that you always run into people you know. For guys going through their first transfer I would tell them to just relax. MI

Hope for the best, but expect the worst. OK
Our next Reader to Reader is about

Unofficial Rules

No matter how long you’ve been incarcerated, there was a time when you had your first day. You were still figuring out the routines, expectations for sharing space and phones, and who you could trust. If you had to show someone around who was just starting their sentence, what should they know that they couldn’t learn from anyone outside? Think back to the time you were first introduced to prison — what unspoken rules did you have to learn to get by?

Please limit your responses to one to three sentences.
I am thrilled to be featured in the News Inside Spotlight! While News Inside was not available when I was incarcerated, I had the privilege to support their work as it was launching. I run an organization, Hudson Link for Higher Education in Prison, that runs college programs, reentry services and supportive housing for currently and formerly incarcerated people. We were built by incarcerated people, for incarcerated people, and nearly 25 years later, our staff still consists of 70% formerly incarcerated team members. When News Inside was getting started by our alumni who had returned home, I could feel the ripple effect of what we began inside Sing Sing many years ago. Having a dedicated news source for people inside, influencing what is heard, has literally changed the conversations on both sides of the wall about what is valued and listened to. It truly feels full circle. I could not be prouder of having been just a tiny part of the history of this publication; keep up the great work!

Sean Pica is one of Hudson Link for Higher Education in Prison’s founding members and an alumnus of the Class of 2001. After serving a 16-year sentence, Sean was released from prison, and in 2007, he became Hudson Link’s executive director. He serves on the New York State Council on Community Re-Entry and Reintegration, is a founding member and board chair for the National Alliance for Higher Education in Prison, is a founding member of the New York State Consortium for Higher Education in Prison, and serves on the Board of Directors for Sing Sing Prison Museum and New Beginnings. www.hudsonlink.org

If you have a story you want to share of how News Inside inspired, informed, sparked an idea or was useful to you, please tell us about it. We want to hear from you.

**Last Issue's Answers**

1. New York parole’s “deprecation” clause means that the seriousness of the offense should be ignored at parole hearings. **FALSE**
2. The Special Management Unit at the U.S. penitentiary in Thomson, Illinois, is an incentivized housing unit exclusively designed to house incarcerated people with a history of good disciplinary behavior. **FALSE**
3. Program budget cuts and tough-on-crime politics have eliminated most moments of intimacy that were allowed during conjugal visits and extended family time. **TRUE**
4. Citing the harm the practice can cause, the federal government has banned the use of solitary confinement at its juvenile facilities, and at least 24 states have placed strict limits on its use. **TRUE**
5. Angola operates an annual prison rodeo, in which incarcerated men with no prior training compete for the entertainment of thousands of visitors. **TRUE**
6. After prison, Keri wrote an article that convinced corrections staff to provide incarcerated people with more access to dentures. **TRUE**
7. “Jim Crow juries” is the term that people used to refer to juries that received unanimous decisions. **FALSE**

**Thinking Inside the Box**

Give these questions a try after you’ve read the stories in this issue. We’ll include the answers in the next issue.

1. **T or F:** Black and Latinx people make up 52% of the New York City population but about 90% of jail admissions.

2. **T or F:** In at least six states — Alabama, Arkansas, Georgia, Mississippi, South Carolina and Texas — most prisoners aren't paid at all for their labor.

3. **T or F:** People in New York City jails who are there pretrial, haven't yet been convicted of a felony or are serving jail time for misdemeanors are still eligible to vote.

4. **T or F:** The FBI included in its 2021 crime report: The number of violent victims who are Asian, Native Hawaiian or other Pacific Islander.

5. **T or F:** For those eligible, the pardon will restore civic rights lost because of the felony conviction (like voting, or serving on juries), but only if the marijuana charge was the only felony on their record. Pardons do not erase convictions from a person’s record, only expungement can do that.

6. **T or F:** Sheriffs are frequently open to some changes championed by the criminal justice reform movement, including a federal government system to track officers accused of misconduct and police trainings in nonviolent alternatives to deadly force.

7. **T or F:** The Florida Rights Restoration Coalition’s Amendment 4 campaign, led by Desmond Meade, successfully returned voting rights to 1.4 million Floridians with prior felonies.
The Marshall Project is a nonpartisan, nonprofit news organization that seeks to create and sustain a sense of national urgency about the U.S. criminal justice system. We achieve this through award-winning journalism, partnerships with other news outlets and public forums. In all of our work we strive to educate and enlarge the audience of people who care about the state of criminal justice.

SUSAN CHIRA Editor-in-Chief
CARROLL BOGERT President

Editorial
GERALDINE SEALEY Managing Editor
MARLON A. WALKER Managing Editor, Local
RUTH BALDWIN Editorial Director
ANDREW COHEN Senior Editor
DAVID EADS Data Editor
LESLIE EATON Senior Editor
CELINA FANG Senior Multimedia Editor
GHAZALA IRSHAD Copy Chief
GABE ISMAN Director of Technology
ELAN KIDERMAN ULLENDORF Director of Product
NICOLE LEWIS Engagement Editor
TOM MEAGHER Senior Editor
AKIBA SOLOMON Senior Editor
MANUEL TORRES Regional Editor
RAGHURAM VADERU Senior Editor, Storytelling
ALEXANDRA ARRIAGA Engagement Reporter
CARY ASPINWALL Staff Writer
KIER BLAKINGER Staff Writer
ANDREW R. CALDERÓN Computational Journalist
CARLA CANNING Tow Fellow
MAURICE CHAMMAH Staff Writer
LAKEIDRA CHAVIS Staff Writer
WILBERT L. COOPER Staff Writer
MARA CORBETT Production Coordinator
DAPHNE DURET Staff Writer
ASHLEY DYE Audience Engagement Manager
ANNA FLAGG Senior Data Reporter
GEOFF HING Data Reporter
BO-WON KEUM Designer
RACHEL KINCAID Newsletter Manager
JAMILES LARTEY Staff Writer
WEIHUA LI Data Reporter
ILICA MAHAJAN Computational Journalist
ANA GRACIELA MÉNDEZ Product Manager
RYAN MURPHY Developer
JOSEPH NEFF Staff Writer
KATIE PARK Developer
MARCI SUELA Multimedia Editor
ALYSIA SANTO Staff Writer
BETH SCHWARTZAPFEL Staff Writer
CHRISTIE THOMPSON Staff Writer
TERRI TRONCALE Partnership Manager
ABBIE VANSICKLE Staff Writer
ANASTASIA VALEEEVA Data Fellow
LISET CRUZ Data Research Reporter

Cleveland
JIM CRUTCHFIELD Editor-in-Chief, Cleveland
RACHEL DISSELL Contributing Editor
STAN DONALDSON, JR. Staff Writer
LOUIS FIELDS Outreach Manager
MARK PUENTE Staff Writer
CID STANDIFER Staff Writer

Business
EBONY REED Chief Strategy Officer
ELIZABETH SEULING Chief Development Officer
LAWRENCE BARTLEY Publisher of The Marshall Project Inside
DACRIO BROOKS Senior Director of Strategic Communications
CRYSTAL HAYES Chief Administrative Officer/Director of Human Resources
ELI STERN Chief Financial Officer
ARLENE BRODIE Controller
EMMA CAREW GROVUM Director of Careers and Culture
CHAVON CAROLL Deputy Director of Development for Local Fundraising
TAMMY GALARZA Associate, The Marshall Project Inside
MARTIN GARCIA News Inside Manager
AJ PFLANZER Senior Development Manager
BELAL RAFIQ Human Resources Manager
NICOLE FUNARO Communications Associate
ROBIN WALKER Office and Events Manager
DONALD WASHINGTON, JR. Inside Story Director/Producer
CHRIS WILSON Development Advisor

Contributing Editors
WESLEY LOWRY
ANNALIESE GRIFFIN

Contributing Writers
DEMETRIUS BUCKLEY Baraga Correctional Facility, Baraga, Mich.
JOHN J. LENNON Sullivan Correctional Facility, Fallsburg, N.Y.
ARTHUR LONGWORTH Monroe Correctional Complex. Monroe, Wash.
JERRY METCALF Thumb Correctional Facility, Lapeer, Mich.
JULIA PRESTON
TOM ROBBINS
ANAT RUBIN
RAHSAAN THOMAS San Quentin State Prison, San Quentin, Calif.
GEORGE T. WILKERSON Central Prison, Raleigh, N.C.

Partners for these stories:
VICE
USA TODAY