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Introducing INSIDE STORY

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What a start to the year! February 2023 marked the four-year anniversary of News Inside. I hope you enjoyed reading our previous 12 issues as much as we enjoyed producing them.

Another huge piece of news is that The Marshall Project recently opened a newsroom in Cleveland, Ohio. Our team there focuses on local reporting. Two pieces in this issue explore their legal system. The first, "How Children End Up in Cleveland's Adult Courts: A Bindover Explainer," details a legal maneuver that allows the justice system to treat children accused of crimes as adults. We follow up with "The High Cost of a Conversation From Cuyahoga County Jail" — a look at how the phone rates differ between the state and county systems.

Nationally, we hit big with *Inside Story*, our video series in collaboration with VICE News. I hope everyone reading this magazine has seen our show because it was made specifically for you. If you haven't, ask your prison administrators to reach out to us, and we will try to get it into your facility.

To promote the series, my co-creator, Donald Washington, Jr., and I visited Kyle Correctional Center, a reentry facility in Texas. There, we met men who have been imprisoned for a few weeks to over 30 years. All of them were set to be released within a six-month window. I saw hunger in their eyes — hunger for information that could help them make it when they got out. I remember that hunger well.

The men presented us with a huge painting by Seth Campbell. On the sign, you see the neat cursive words "Our Stories Are" followed by the official logo for *Inside Story*. At the bottom is a hand with one finger up to signify unity, despite race, color, affiliation, or job title. According to the symbol's creator, Chas, both incarcerated people and prison staff believe this.



TAMIR KALIFA FOR THE MARSHALL PROJECT

I know Texas has a ways to go, but I can't help but notice the steps they are taking. Check out "'Pig Slop' No More? Texas Prisons Detail Plan to Improve Food" and you'll see what I mean.

There is a lot more heat within. Read our news stories and enjoy our regular features, including the crossword puzzle, The Peeps, Reader to Reader, Thinking Inside the Box, and In The Spotlight.

Until next time, in solidarity with kindness. My guys in Texas, put your ones up.

On the cover:

A still from the opening sequence of *Inside Story*. Courtesy of THE MARSHALL PROJECT and VICE WORLD NEWS



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

North Carolina has recently allowed inmates the use of tablets and this is how I became aware of your organization... Since reading issues of *News Inside*, my thought process has begun to change and it's scary because I've been thinking a certain way my whole life, and now to have thoughts of a completely different nature feels foreign. I'm sure you can relate to what I am saying. I even saw a guy I grew up with on one of your issues (Walter Johnson) and I was shocked to read what he had accomplished, because this is definitely not the same person I grew up with in East New York, Brooklyn - believe me!

Now, I'm not no "model inmate" and have a very extensive prison record but I've come to understand that my instances of violent misconduct or misconduct period is due to the feelings of anger and bitterness I feel because of the knowledge of my innocence and my years of incarceration. It has taken me 30 years to realize this.

— Johnie E., North Carolina

A Letter from the Manager

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.

When you request a subscription, 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.

A "Letter from Lawrence" was the 2022 wrap-up that got more hits than Uncle Murda's 2022 wrap-up. You beat the rumor mill to a bloody pulp. Dudes were waiting on some sort of truth in this joint. The lies that were spread about legislative change all year long did not disappoint. False hopes dragged lazily behind overzealous no-nots. Then came an issue of *News Inside*. The truth can sometimes be harsh when you anticipate good things to happen, only to hear that they will not happen. Hope may have been dashed for the legislative process, but hope in what *News Inside* brought in its current issue keeps people waiting on what hope *News Inside* will bring next time around. Keep up the good work. Fantastic bro. I take pride in saying, I sat with your energy.

— James S., New York

I was recently given the opportunity to read one of your magazines and I was fascinated by the topics. Please add me to your mailing list to receive the *News Inside*. I used the mailing address on my envelope because, starting last December, all Wisconsin prisoner mail has to be mailed to Phoenix, MD to be photocopied and inspected for contraband and sent to us via Federal Express, except magazine subscriptions and legal mail.

— Unknown, Wisconsin

I am very excited to have received my first issue of *News Inside* (Issue #10, April 2022). Your magazine is wonderfully well-written and your editors clearly understand the complex nature of the criminal justice system, and how it affects the entire community - victims, families, neighborhoods, and inmates. Criminal Justice reform includes how judges are elected, how prisons are run, how district attorneys work, etc. Effective reform and progress requires a deep understanding of the whole picture. Keep up the great work!

— Wayne V., Nevada

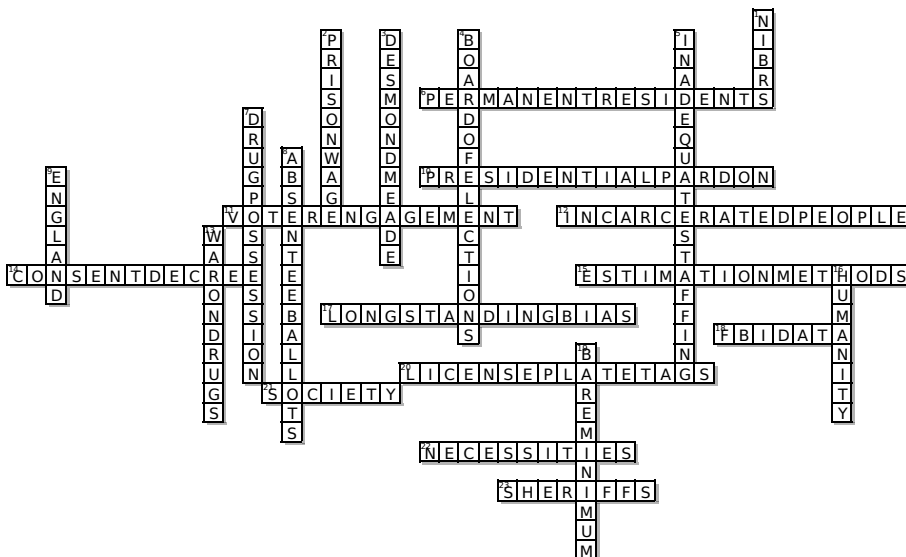
I am a prisoner in Arizona and I read *News Inside* on the tablet through the Edovo app. I want to thank you for giving us a voice.

—George B., Arizona

I was just given *News Inside* Issue 11 two days ago. I immediately was taken back to March of 2020 and realized now how close to death I really was. I can never forget the entire stay at USP Thomson.

— Oyango T., Texas

Answers from Issue 12 Crossword (for this issue's crossword, go to page 26)



The Marshall Project Partners with VICE World News to Launch New Criminal Justice TV Series

02.02.2023

Inside Story brings news, interviews, and profiles into U.S. prisons and jails.

By THE MARSHALL PROJECT



About The Marshall Project
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. The Marshall Project engages the millions of people whose lives have been affected by the criminal justice system. We partner with local and national media outlets to reach diverse audiences, from people who want to learn more about criminal justice to experts who turn to us for fresh, accurate information.

About VICE World News
VICE World News is VICE Media Group's international news network, producing hundreds of hours of television, digital and audio news programming for a global audience. VICE World News redefines what it means to be a global news organization for the next generation by focusing on groundbreaking content and plugging into key outlets where youth are receiving their news. VICE World News has received countless accolades, including Emmys, Peabodys, GLAAD Media Awards, Overseas Press Club Awards, and SOPA Awards for content spanning everything from international sports docuseries to TikTok coverage of the war in Ukraine that surpassed hundreds of millions of views.

Illustration by
THE MARSHALL PROJECT;
image by GETTY IMAGES

The Marshall Project and VICE World News announced the launch of *Inside Story*, a weekly video series designed to inform people both inside and outside of prison walls.

The partnership delivers the best of both worlds to reach incarcerated people: The Marshall Project's award-winning investigative criminal justice journalism and VICE News' Emmy-winning newsroom and approach to storytelling.

Inside Story — which premiered Feb. 2 — is co-created by The Marshall Project's Lawrence Bartley and Donald Washington, Jr., both of whom served time behind bars. The series features prominent changemakers in policy, entertainment and social justice, including formerly incarcerated people. The first season includes Bryan Stevenson, lawyer and executive director of the Equal Justice Initiative, actors La La Anthony and Gbenga Akinnagbe,

comedians Luenell and Ali Siddiq, writer Piper Kerman, TV chef Fernando Ruiz and many others.

"Prison and jail walls aren't meant just to keep people in, they're also meant to keep information out," said Bartley, publisher of The Marshall Project *Inside* and co-creator of *Inside Story*. After joining The Marshall Project in 2018, he developed a print publication to get news behind bars, but soon discovered incarcerated people needed more ways

to access criminal justice information.

“There’s a large population of people who have literacy issues and can’t read our content. So Donald and I came up with the idea to create a video series. That idea became *Inside Story*,” Bartley said.

Episodes of *Inside Story* will be posted on The Marshall Project’s website and VICE News’ YouTube every Thursday at noon EST. The series will also air on the VICE News FAST channel. People who are incarcerated can also access the series on prison tablets, and it will also be broadcast on correctional facilities’ closed-circuit TVs in certain states. It will be available to nearly 1,200 prisons and jails across 48 states and counting.

“The biggest news desert in America is

the one behind bars,” said Susan Chira, editor-in-chief of The Marshall Project. “With *Inside Story*, we’ll be able to bring The Marshall Project’s prize-winning journalism to a large and very neglected audience.”

“The partnership with The Marshall Project resonates with all of us at VICE World News who are committed to a core mission focused on the democratization of news and information,” said Subrata De, executive vice president of news & global head of programming and documentary for VICE. “It’s been incredibly gratifying to help bring Lawrence and Donald’s vision to life through *Inside Story*.” ■

01.27.2023

Giving Incarcerated People What They Want — Better News Access

The Marshall Project explains its decision to offer free news to incarcerated people on tablets that otherwise charge users.

By LAWRENCE BARTLEY

Predators, profiteers, opportunists — those are a few of the labels critics have applied to companies that supply electronic tablets in America’s prisons. The tablets give an incarcerated audience access to a selection of news outlets, study materials and entertainment, but for a price that can strain the budgets of prisoners and their loved ones.

The Marshall Project distributes a print publication, *News Inside*, in hundreds of prisons, and is launching a video series, *Inside Story*, featuring stories of interest to viewers behind bars. Should we make our work available on the much-criticized tablets? We’ve decided yes — with conditions.

As a teenager, I was involved in a shootout where someone lost their life. It was the worst choice I’ve ever made. Because of it, I was sent to prison for 27 years — right out of high school. I was both remorseful and sad for myself. But no one around me cared. Everyone had their own problems.

While there, I desperately looked for outlets to help me feel like I had value, so I joined a college program.

I quickly learned that I couldn’t have many basic materials to facilitate my education — access to documentaries of my choice, books and periodicals I thought were relevant. Prison administrators feared they could become Trojan horses for contraband. (Their fears were not unreasonable. I’ve seen marijuana smuggled in disguised as chocolate-covered nuts in individually wrapped Almond Joys.)

So I sought and developed hundreds of hacks to get relevant information. For instance, sometimes I would ask teachers to print out internet articles for me. Other times, I would glean the name of a law professor from a news report and ask a family member to track down an address for me to write.

Fast-forward 25 years. Computers, emails, online courses and streaming have become common parts of life in

the free world. Prison tablet companies packaged, adjusted and tailored these technologies, then promised various corrections departments a contraband-free way of delivering educational material, entertainment and modes of communication to incarcerated people.

The catch? The most popular companies charge for emails, movies, games, books and news. In many cases, they charge people behind bars more than what free folks pay for similar products. On average, incarcerated people who have paying jobs in prison max out at 52 cents an hour.

It’s no surprise that many criminal justice reform advocates have railed against these companies.

I understand their reservations. I considered myself lucky that I got paroled months before tablets became common. I wondered if I’d have had the discipline to pursue my college studies rather than spending my money on escapist entertainment.

So, after creating *News Inside* — our print publication that brings relevant news to incarcerated people across the US — we decided not to place it on tablets that charge end users. We didn’t want to add to the allure of devices that took so much from people who couldn’t afford to pay.

But as *News Inside* grew in popularity, thousands of people wrote to tell us how difficult it is to get quality information. I realized I had made a decision to limit their access without asking *them* what they thought about it.

So we sent out questionnaires to determine if incarcerated tablet users and their loved ones thought we should place content on devices run by for-profit companies. Here’s what we asked them:

Incarcerated people

Would you be interested in accessing *News Inside* and *Inside Story* free of charge on telecommunication tablets provided by for-profit companies? Why or why not? Please share your thoughts and concerns.

Loved ones

Would you want your incarcerated loved one to have access to The Marshall Project’s *News Inside* publication and *Inside Story* video series if the delivery was placed on for-profit tablets like the ones offered by JPay or GTL? We would ensure that there

would be no surcharge for our content.

96% of our incarcerated readers and 90% of their loved ones responded yes.

Although we aren't advocates, we at The Marshall Project have a mission. In part, it's to have an impact on the system through journalism, rendering it more fair, effective, transparent and humane.

To be successful, we believe it's important to report *for* people living in that system, a population that is largely overlooked. In doing so, we've established a trusting relationship with many. To maintain it, we must listen to and not

decide for them.

Danny Young from Florida wrote: "I think, I speak for the majority, that we will be thankful to access News Inside and video stories from our communication devices. ... Making it free will allow every inmate the opportunity to stay up with what's going on, especially key topics. And it will give us hope knowing that people out there are fighting for us."

As the popular saying goes, "nothing about us, without us" — we go. This is why we are placing our work on for-profit tablets with the agreement that no incarcerated person can be charged for our content, the companies cannot use our

name in their marketing without our permission, and our journalism won't be censored by said companies. In this way, we can provide relevant information to as many people in the system as possible.

"I would much like to receive [News Inside and *Inside Story*] over this type of media," wrote Bryan Singleton from Ohio. "People need to know what's going on. So much of what guys in here consume is fluff and the mainstream media nonsense that has nothing to do with their personal lives."

We hear you, Bryan. ■

What's in a Name?

01.27.2020

Manager's note: Please note that this article is three years old. Statistics referenced in the article may have changed since the original time of publication. For more current updates on this issue, please follow the Transgender Legal Defense & Education Fund at <http://transgenderlegal.org>

New lawsuits by transgender people challenge bans on name changes for those convicted of crimes.

By BETH SCHWARTZAPFEL

Alexandra Carson thought the interview had gone well. Her experience managing a restaurant more than qualified her for the server position at a buffet chain near her rural Texas home, she said, and the friendly conversation made her feel like the job was secure. But the hiring manager's demeanor changed when it was time to fill out some paperwork, and Carson, a transgender woman, had to explain why the legal name on her ID was male.

"She became very closed-off and brusque," Carson recalled of the manager. "Suddenly, it was, 'We have other people we have to talk to.'" A friend of Carson's who worked at the restaurant later told her the manager admitted she did not hire Carson because she is transgender. "She would never have known," said Carson, if not for the name on her identification.

Carson, 32, wants to change her name legally, but Texas bars people with a felony conviction from doing so until two years after they complete their sentence—including probation or parole. Carson, who is on parole, won't be eligible until 2025. She is one of three transgender women with past convictions who sued Texas officials in 2019, arguing that it's unconstitutional to force them to go by a legal name that doesn't

match their gender.

Transgender people filed four such lawsuits that year that challenge bans on those with certain types of convictions from changing their name. In addition to the suit in Texas, there are federal suits pending in Wisconsin and Illinois, and a state suit in Pennsylvania, where the first court hearing is next month.

The lawsuits detail stories that range from frustrating to chilling. Transgender people in prison in these states must use their birth name—sometimes referred to as a deadname in the transgender community—on official mail and on the prison phone system. In federal prison, this means that every five minutes during a call the phone system plays a recorded message with their former name. Several plaintiffs say they limit contact with family and friends to avoid this humiliation. Encounters with police once released can become fraught. During a traffic stop, police once accused one of the Texas women of stealing her own car because of the male name on her driver's license and registration.

At least 17 states automatically ban people with some criminal convictions from changing their name, whether permanently or temporarily, according to a Marshall Project analysis of state laws. The laws are in flux: Lawmakers

in California in 2017 made it easier for transgender people to change their names while incarcerated. By contrast, Indiana last year began prohibiting name changes for anyone with convictions for certain violent or sex crimes. With pushback from a group of formerly-incarcerated advocates, Indiana lawmakers created exemptions for marriage, divorce, adoption, and religion—but not for gender transition.

The bans on name changes do not target transgender people specifically. Rather, lawmakers who back the rules generally say they aim to protect the public by preventing fraud and ensuring people's criminal records are accurate.

"There's a danger that someone will change their name and try to misrepresent themselves," said Ed Clere, the Indiana state representative who sponsored the ban there. "For example, someone who committed a crime against children, finding a way to get a job around children by hiding their past."

A new name indeed makes it harder for someone's past to surface on, say, an internet search. But advocates for transgender people say there is little chance it would allow someone to hide from law enforcement or employers running background checks. Many states require anyone seeking a name change to first

submit their request to state police or other officials. Social Security numbers and dates of birth—which employers often use for background checks—remain the same, as do prison ID numbers, DNA and fingerprints.

“I’m not out to fool anybody. I’m out to be who I am. And they don’t get to decide that,” said Karen Krebs, the sole plaintiff in the Wisconsin suit, who was convicted in 1993 of sexual assault of a child.

No one has ever done a comprehensive count of how many transgender people are incarcerated—the periodic federal survey of people in prisons and jails only allows for “male” and “female” gender categories. But 1,097 people self-report as transgender among Texas’ 141,500 prisoners—the largest prison population of any state—according to the state corrections department. The federal Bureau of Prisons says 998 of its 175,000 prisoners are classified as transgender. Though those numbers are relatively small, experts agree transgender people are disproportionately caught up in the criminal justice system. Discrimination by potential employers and landlords and rejection by family force many transgender people into the

underground economy. Bias among police leads to arrests for prostitution when they are simply walking down the street—“walking while trans” is a rallying cry among activists in the transgender community. In a 2015 survey, 2% of transgender people interviewed said they had been arrested in the previous year.

Transgender people whose legal names don’t match their identity say every job interview, traffic stop, and visit to a bank or a doctor puts them in a position “where I had to tell somebody about something that is none of her business: what genitalia I was born with,” said Carson, the Texas plaintiff. “It does leave me having to say things to people that nobody in that position would normally have to talk about.”

Carson declined to discuss her criminal conviction, saying it was more than a decade ago and does not reflect who she is now.

Several of the name change lawsuits argue that the First Amendment protects against compelled speech: being forced to identify yourself with a name that doesn’t match your identity. The Texas suit also argues that preventing a transgender person from changing their

name is cruel and unusual punishment, because it can increase the risk of violence and psychological suffering and also adds barriers to jobs and housing beyond those already common for people with criminal records.

“If the name that everyone is calling you consistently mis-genders you, that’s tantamount to torture,” said Moira Meltzer-Cohen, one of the attorneys for the Texas plaintiffs. “And it signals an institutional disrespect that exposes trans people to violence and disrespect and harassment from both staff and other prisoners.”

Texas Governor Greg Abbott and Attorney General Ken Paxton, the defendants in the suit, have not replied in court and did not respond to requests for comment. In legal filings, officials in Wisconsin said Krebs was barred from bringing her suit by the 11th Amendment, which prohibits some lawsuits against states. In court papers in Illinois, State’s Attorney Kim Foxx, one of the defendants, argues that it’s not her job to enforce the name change law.

The first round of arguments will come next month, in the Pennsylvania case. State authorities there argue that an official ID is government speech, not private speech, and that the law banning name changes is “rationally related to the legitimate state interest of protecting public safety.” They say legislators passed the law to protect seniors and children.

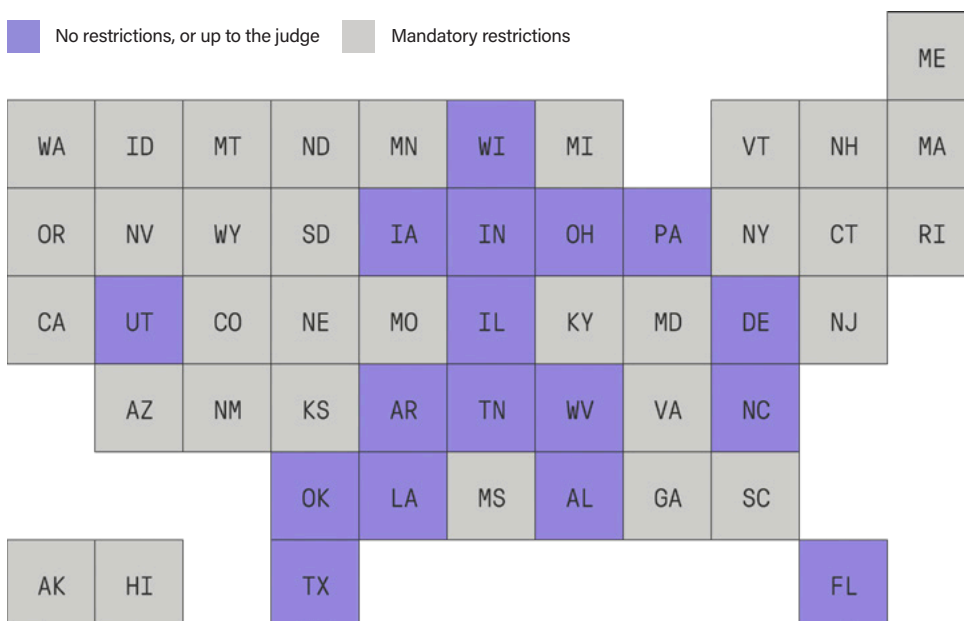
The suit in Wisconsin specifically challenges the name change ban for anyone on the sex offender registry. In depositions, a state official conceded that not listing the name transgender people use in their daily life actually makes the registry less accurate, said Adele Nicholas, one of the attorneys in that suit.

The women also said the laws compromise public safety—theirs and that of other transgender people. Eisha Love, a plaintiff in the Illinois suit, is barred from changing her name because of a 2015 aggravated battery conviction. She said she has stopped going out with friends at night, because of all the times bouncers at dance clubs have looked at her ID and whispered, “I think that’s a man.”

“You’re always at risk,” Love said. “It makes you feel unsafe.” ■

Toughest states for changing your name after a conviction

Seventeen states automatically ban name changes after criminal convictions, ranging from any felony in some to only sex crimes in others. Some have lifetime bans, others up to a decade after the end of sentence.



Source: The Marshall Project analysis of state laws compiled by the Transformative Justice Law Project, the National Center for Transgender Equality, TransLife Care Program at Chicago House and the Law Office of Moira Meltzer-Cohen. Map by ANDREW RODRIGUEZ CALDERÓN

The High Cost of a Conversation From Cuyahoga County Jail

Phone calls from this Ohio county jail cost eight times as much as calls from any Ohio state prison.

By CID STANDIFER

When Kevin Lott was locked up in the Cuyahoga County Jail in 2021, phone calls were a lifeline. But it was a lifeline with a price tag.

Lott said that phone calls were a necessity for arranging bond, but his top priority after he was sentenced to five years for robbery and associated charges was keeping in touch with his children and their mother. Over the phone, Lott, 35, could try to coordinate gifts for birthdays and holidays and keep track of their progress in school. Sometimes, as he talked to his older children, their attention would be pulled away by tablets or smartphones.

“Listen, little baby, this call costs money,” he’d remind them. “Daddy’s gotta pay to talk to you.”

Calls from the Cuyahoga County Jail cost 16 cents per minute, which is eight times as much as calls from an Ohio state prison. People locked up in the jail say the price of calls has made it a struggle to keep their families together, help care for their children and maintain their mental health. Some studies say regular phone calls also play a role in keeping people from ending up back in jail or prison later on and strengthen incarcerated parents’ bonds with their kids.

Last month, the Prison Policy Initiative, a nonprofit that researches criminal justice, took a deep dive into the price of phone calls from jails across the country, and how they stack up against the price of calls from state prisons.

They reported that in Ohio, the average

phone call from a county jail costs 20 cents per minute, which is 10 times as much per minute as a call from an Ohio prison. That disparity was eclipsed only by Illinois, where a minute of phone time from a jail costs 20 times that for prisons.

Most prisons and jails contract with private companies to provide phone services for people who are locked up. A call from the Cuyahoga County Jail, placed through a company called Securus, costs 16 cents per minute, according to the Prison Policy Initiative. Securus has contracts with the Cuyahoga County Juvenile Detention Center and Euclid City Jail for the same rate.

The county’s contract with Securus initially said the company could charge 35 cents per minute, and the jail would receive a commission of 70%. After the Federal Communications Commission set a maximum rate of 16 cents per minute for out-of-state calls for jails of Cuyahoga’s size, the company agreed to an addendum, setting the price of both in-state and out-of-state calls at 16 cents per minute. Two cents per minute go to the jail as commission.

Between December 2021 and November 2022, the Cuyahoga County Jail received almost \$300,000 in phone call commissions, according to data provided by the county. County spokesperson Tyler Sinclair said the commission goes into the jail’s general fund for administrative costs. He added that the county agreed to extend the contract until 2027, in exchange for

upgrades to communication technology in the jail. That includes tablets for prisoners and video call equipment.

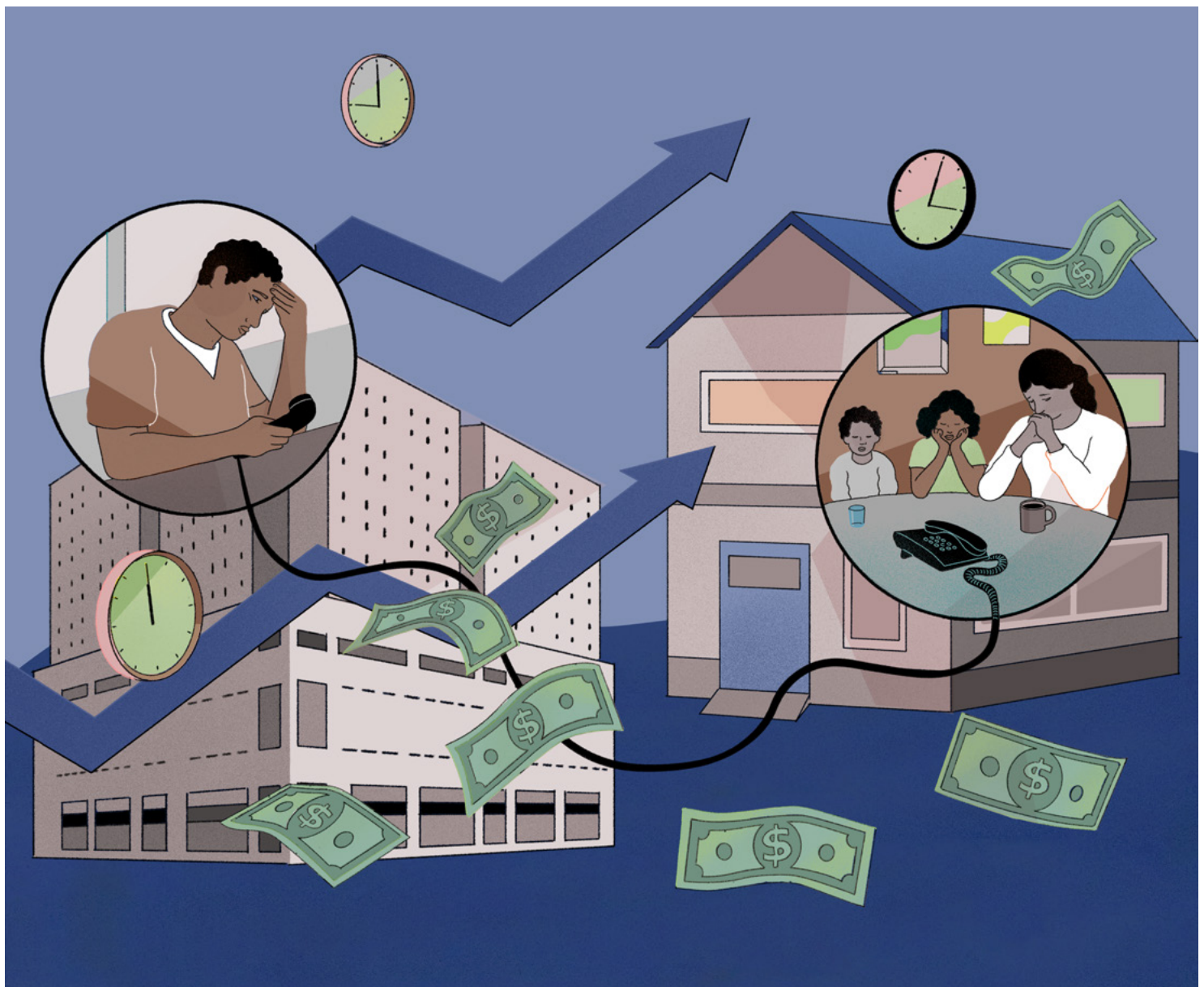
Congress passed a law in December letting the FCC set a limit for in-state calls as well. Wanda Bertram with the Prison Policy Initiative said the in-state maximum rate will likely be the same as out-of-state calls, which would mean call prices from the Cuyahoga County Jail won’t change.

Lott said that he would typically burn through a \$20 phone card in two days with seven or eight phone calls. That added up to a few hundred dollars each month, which he would rely on loved ones outside jail to pay.

“It’s stressful for them, because they feel like it’s their responsibility,” he said. “If you’ve got a girlfriend, she’ll feel let down if she can’t (pay). It’ll go to her pride, (if) she can’t help you ‘cause she’s got bills.”

Charles Trowbridge, who is currently incarcerated at Allen Correctional Institution, said that during his last six-week stay at the county jail, he spent \$5,000. That included several phone calls a day, many to his 3-year-old son, who would sometimes read to him over the phone.

He said the calls seemed like a survival necessity as he struggled with mental illness, which was exacerbated by the amount of time prisoners spend locked down in their cells. At his lowest, he would stop calling anyone, taking their failure to share the financial burden as



ANA GALVAÑ FOR THE MARSHALL PROJECT

a sign that he was unloved. Trowbridge said he made multiple suicide attempts while in the jail.

“It messes with me a lot, because it’s like if the system is not getting paid, or it’s not making money, then they really don’t care if you talk to your family,” Trowbridge said. “They really don’t care if you spend quality time ... with your children that are supposed to be growing up to learn that they’re loved.”

Trowbridge said he had planned to use his savings to start a carpentry business or buy a house. He spent nearly all of it on his legal defense and phone calls. Now, when he’s released, he says he’ll have to start from nothing.

Companies like Securus and ViaPath don’t charge the same rate for every facility. The companies negotiate contracts with county governments to set

prices prisoners pay for phone calls, plus other services like video calls and email, and often include payments from the company to the county.

Securus has captured 42% of the market for jail and prison phone services, making it the biggest company in the sector. PPI reports that Securus also handles calls from three facilities in Dallas County, Texas, for just one cent per minute — the cheapest price in the nation, excluding counties where price data was not available, or the county jail footed the bill for calls.

Meanwhile, a call from an Ohio prison through the company ViaPath costs just two cents per minute. The state prison system’s two-cent rate went into effect in 2021, according to the Ohio Department of Rehabilitation and Corrections’ website.

“Family engagement and communication between incarcerated individuals and their loved ones helps to significantly increase the rate of future success and significantly decrease the rate of recidivism,” Annette Chambers-Smith, director of the Ohio Department of Rehabilitation and Correction, said in a press release that year. “And that is why we decided to lower the costs shouldered by families and friends.”

Lott remembers when the change went into effect. Now he says he talks on the phone at Ross Correctional Institution, where he’s serving his sentence, “all day, every day.”

“You can be there more for your family because you can be on the phone more,” he said. “Some kids need to hear that. They need to hear their father’s voice.” ■

How Children End Up in Cleveland's Adult Courts: A Bindover Explainer

12.12.2022

By ABBEY MARSHALL, STEPHANIE CASANOVA, HELEN MAYNARD, RACHEL DISSELL and CID STANDIFER

Illustration by JOHN G
Explainer design by BO-WON KEUM

Community members packed the pews at Olivet Institutional Baptist Church on Dec. 6 as part of a Greater Cleveland Congregations action to draw attention to the high number of Black children from Cuyahoga County being transferred to adult courts and serving time in adult prisons.

The coalition of more than 30 congregations and organizations assembled just a block west of the towering Cuyahoga County Juvenile Court to learn about a process — called a “bindover” — that allows children accused of crimes to be treated as adults.

Cuyahoga County transfers more children to adult court than any other county in the state. In the past decade, 94% were Black, according to state records.

The question buzzing in the sanctuary: Why?

About 300 attendees learned about the role of state laws that make bindovers mandatory in some cases. In many cases, the choice to send a child to adult court is up to a county judge. The county prosecutor makes the argument that children can no longer be rehabilitated in the juvenile justice system.

“When children are placed in adult facilities, they usually face very brutal conditions,” Leah Winsberg, an attorney with the Children’s Law Center, told the crowd. Winsberg said research shows that children who serve time in adult prison are far more likely to be sexually assaulted,

more likely to die by suicide, and 34 times more likely to end up charged with additional crimes.

Katherine Sato, who works with the Ohio Public Defender’s youth division, called for a moratorium on bindovers so the racial disparities can be examined. Winsberg said short of a moratorium, the county could stop transferring children as young as 14 or 15 to adult court, as well as children with developmental delays.

Other panelists called for the county government, including County Executive Chris Ronayne, who was in attendance, to examine how the county’s budget prioritizes spending that will decrease the structural racism at play.

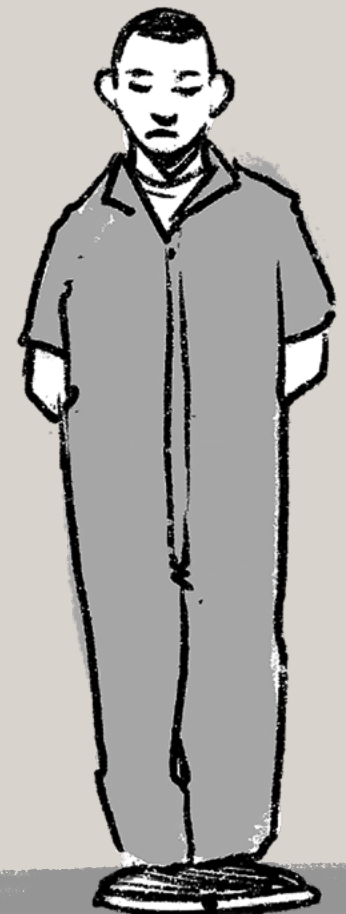
“The juvenile justice system is failing Black youth,” said TaKasha Smith, executive director and policy director of the Juvenile Justice Coalition, an Ohio-based group looking to create alternatives to youth incarceration.

“Money is not everything,” Smith said. “But how we spend our money absolutely shows where our priorities are.”

Learn more on the next page about the bindover process and how often the system treats Black children from Cuyahoga County as adults. ■

Why are we looking at Cuyahoga County?

Cuyahoga County’s juvenile court was created 120 years ago, the second in the country. Cuyahoga County’s experience reflects challenges elsewhere because its laws and policies result in a high number of Black children being treated as adults, which has happened in similar places across the country.



What is a Bindover?

A bindover is when a case involving a person under 18 is transferred from a juvenile court to an adult court.

When can children be “bound over,” or transferred to adult court?

Some transfers are required under Ohio law when a case meets certain requirements related to a child’s age and the severity of the charge. Other times, a judge reviews a case that meets certain requirements and then decides whether the juvenile system still has a chance of rehabilitating the child. The bindover decision doesn’t determine guilt or innocence, though judges do decide whether there is basic evidence — called probable cause — that the child was involved in the crime.

Since 2017, prosecutors in Cuyahoga have filed an average of 94 mandatory and 159 discretionary transfers per year. Once a child is convicted in a bindover case, that person will be treated as an adult going forward. Children are not eligible for the death penalty, regardless of the charge.

What are the types of bindovers?

Mandatory bindovers

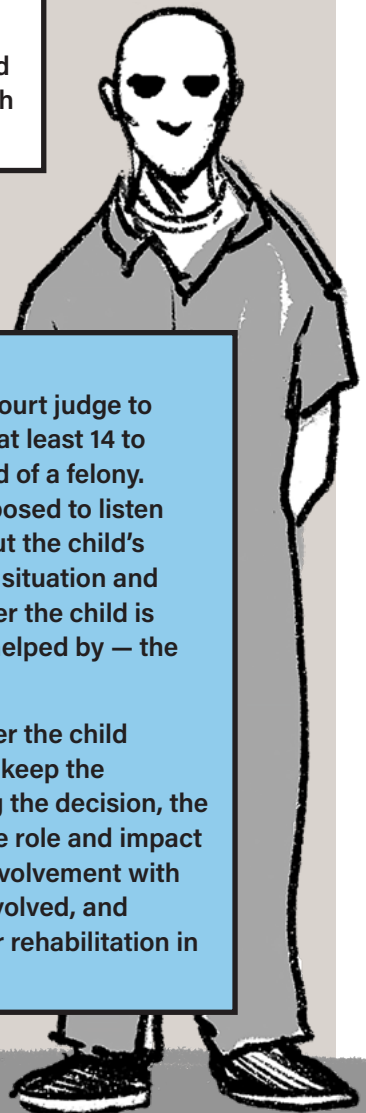
Under the law, the most serious charges, such as murder, are mandatory bindovers. Bindovers can also be mandatory if the court has previously found the child to be delinquent — the juvenile court version of guilty — of a serious charge and sent him or her to a state youth prison facility. Mandatory bindovers also apply to children accused of crimes such as rape or aggravated robbery or using a gun while committing a crime.

Ohio law requires that juvenile judges transfer certain children to adult court based on their age and the charge they face. This includes children as young as 14.

Discretionary bindovers

Prosecutors can ask a juvenile court judge to consider sending a child who is at least 14 to adult court if the child is accused of a felony. In those cases, the judge is supposed to listen to evidence and arguments about the child’s mental health, education, family situation and social history and decide whether the child is “amenable” to — or can still be helped by — the juvenile system.

The judge also considers whether the child should be in the adult system to keep the community safe. When weighing the decision, the law says judges can consider the role and impact of any crime victims, previous involvement with the court, whether a gun was involved, and whether there is enough time for rehabilitation in the juvenile court system.



Can a bindover be reversed?

Yes, in some cases! When a case is transferred to adult court but a child is convicted of a less serious offense — one not eligible for the original bindover — the case goes back to juvenile court. The record in adult court should be sealed. If the original bindover was mandatory but the final charge would have allowed only a discretionary transfer, the child will be treated as a **Serious Youthful Offender** and can receive a “blended” sentence. The prosecutor can object and request that the child serve the adult sentence. In that case, the court would hold a hearing to decide if the child can be rehabilitated in the juvenile court system or not.

What other options do courts have?

Serious Youthful Offenders (SYO)

Ohio law allows children as young as 10 who are found responsible for a felony-level crime to be given a “blended” sentence that includes a juvenile court consequence — called a disposition — and an adult sentence that can include the possibility of adult prison time. While the child is completing the juvenile-court part of the sentence, often in a state youth prison, the adult part of the sentence is “stayed,” or paused. A prosecutor can request that a judge impose the adult portion of the sentence if the child is accused of misconduct or a new crime while serving the juvenile disposition. Reasons for such a request could include accusations of a new crime or posing a threat to safety in a juvenile facility. SYO cases can also be mandatory or discretionary.

Children charged as SYOs have additional legal rights, including:

- Bail set
- A grand jury review of their charges
- A jury trial
- A speedy trial

Sources: Ohio Supreme Court, Children’s Law Center, Cuyahoga County Juvenile Court, Ohio Department of Youth Services.

Created by Signal Cleveland reporters Abbey Marshall and Stephanie Casanova and editors Helen Maynard and Rachel Dissell, with data analysis by Cid Standifer of The Marshall Project—Cleveland.



'Pig Slop' No More? Texas Prisons Detail Plan To Improve Food

The move follows our investigation revealing meals of raw potatoes, moldy bread.

By KERI BLAKINGER

PICTURED FROM TOP TO BOTTOM A peanut butter sandwich; a hotdog with a tortilla, a cup of mush and a raw potato.



The Texas prison system has a new goal: Serving slightly more edible food. As part of a long-term strategic plan, the corrections agency aims to do away with the worst of prison fare — the meager and sometimes moldy brown-bag meals served during lockdowns, which occur regularly and can last for weeks.

Though lockdown meals have generated complaints for years, the public didn't get a look at how awful they really were until 2020, when The Marshall Project and Hearst Newspapers published images of them captured with contraband phones. Afterward, the food improved in some prisons — but only for a short time, prisoners reported.

Now, though, the agency is making plans for more permanent improvements by starting a new culinary training program, in hopes of doing away with cold meals altogether.

"One of Texas Department of Criminal Justice's goals for 2030 is to replace sack meals with nutritious, shelf-stable meals," said Amanda Hernandez, the prison system spokesperson. To do that, Hernandez said, the agency will partner with the prison system's in-house school district to "develop new Career and Technical Education courses in culinary arts that teach students about creating and distributing these types of meals."

That effort will start with a pilot

program to provide warm lockdown meals this spring at the Wallace and Ware units in West Texas, and at Stringfellow near Houston. Hernandez said it's not clear when the program will expand across the state.

Advocates were cautiously optimistic about the plan.

"I'm really happy that TDCJ is actually looking into this and making an effort to move forward on a different path," said Maggie Luna, policy analyst at the Texas Center for Justice & Equity, a nonprofit advocacy organization. Before going into policy work, Luna served time in Texas prisons, sometimes living on the cold bagged meals for weeks at a time.

“The food is so disgusting, I don’t know how much improvement they can make,” she said. “But I’d like to just see.”

A History of Bad Fare

Texas prison food has been poor since at least 2011, when officials dealt with a budget shortfall by chopping \$2.8 million out of the money set aside for feeding prisoners. That meant replacing hot dog and hamburger buns with white bread, switching from liquid to powdered milk, and feeding people only twice a day on the weekends at some facilities.

As the regular mess hall fare got worse, so did the lockdown meals. Whenever a Texas prison goes on lockdown — whether it’s because of an escape, a contraband search or a pandemic — the mess halls close and prisoners are confined to their bunks and cells. Bagged lunches known as “johnny sacks” replace cafeteria meals.

In theory, the johnnies include a bland breakfast — something like boiled eggs, dry cereal and raisins — while lunch and dinner are usually two sandwiches each, sometimes with a side of prunes or corn bread. But what actually arrives in the cell door is not always identifiable and sometimes includes odd combinations, such as a single hot dog with no bun, a tortilla, a cup of mush and a raw potato. Prisoners report that there’s rarely a fresh vegetable in sight, the peanut butter is sometimes watered down with cooking oil, and the portions are paltry.

When COVID-19 hit, dozens of prisons locked down for months — and their

residents began contacting the media with proof of the worsening conditions.

Meager Improvements

Weeks after The Marshall Project and Hearst Newspapers published their joint investigation in May 2020, the prison system’s deputy director for food responded by ordering kitchen staff to do better.

“If it isn’t something you would want to eat for 90 days, then don’t serve it to your unit,” Douglas Sparkman admonished kitchen managers in emails obtained by The Marshall Project. “When you make peanut butter sandwiches, don’t just put a blob of peanut butter and jelly in the middle of the bread and slap another one on top. Spread the peanut butter and jelly over the whole slice of bread.”

A few days later, Sparkman emailed again to share pictures of a moldy sandwich one worker found being served at a unit, something he described as a “common complaint.” “If there is mold on the bread, don’t make a sandwich with it,” he wrote.

At first, prisoners reported minor improvements: One man sent photos of broccoli, and another snapped a picture of his first fresh banana in recent memory.

But eventually, the lockdown fare returned to the normal slop. Though advocates urged the legislature to boost food funding for the prison system last session, that did not happen. In fact, after adjusting for inflation, Texas prisons still

spend less on food per prisoner than they did before the 2011 budget cuts.

The new plan could help ameliorate that. The agency’s proposed budget, now in front of the state legislature — which officially gavelled in on Tuesday — includes only a slight increase in food funding, from \$95.3 million in the current fiscal year to \$98.8 million for next year.

But creating a vocational program will shift some of the new costs to the prison’s school system. Prisoners will take courses through the prison system’s Windham School District, where they will learn to flash freeze and seal food. The meals can be warmed and served later — hopefully while still hot and identifiable. Though the agency will pay for the food, storage and distribution, the school district will cover the educational and equipment costs.

But such a program will not make up for the legislature’s failure to increase the food budget to cover inflation going back a decade, said Scott Henson, a prison policy expert and former director of the nonprofit advocacy organization Just Liberty.

“The idea that by 2030 we might feed prisoners better food than pig slop is a wonderful thought,” he said. “But the reality is that TDCJ’s good intentions do not matter in the least.” ■

The Inside Story of a Legendary Prison Debate Team

06.07.2018

Our victories over college students weren’t just for us—they were for incarcerated people everywhere.

By DANIEL S. THROOP

Daniel S. Throop, 46, was incarcerated at the Massachusetts Treatment Center, where he was serving an 18-to-20-year sentence for charges, including aggravated rape, stemming from a 2004 armed robbery. He was transferred out of the Massachusetts Correctional Institution at Norfolk in 2017. He was released from prison on June 14, 2022. Upon his release, he founded the National Prison Debate League (NPDL), which

aims to provide new and interactive postsecondary educational opportunities for incarcerated men and women.

“I can’t believe they lost!” I blurted out to confused looks from my five cellies while reading a recent edition of *The New Yorker*. Thinking my outburst was likely baseball-related, one of the



Ronald Leftwich arguing for the Norfolk Prison Debating Society during a debate with the Massachusetts Institute of Technology in 2017. Daniel Throop, center, looks on. Photo by NATASHA HAVERTY

guys asked me, “Did your Pirates drop another one, Throop?”

“No,” I replied. “Norfolk lost to Harvard.”

With all due respect to the Crimson, I was stunned to learn that the Norfolk Prison Debating Society had been edged in a recent debate on the topic of eliminating the Electoral College. That’s because I’m the prisoner who rebuilt and trained the team after years of inactivity, and I knew first-hand how talented they were.

Back in the day, the Norfolk debate society was the stuff of legend, with a pedigree that included the great Malcolm X as a member. It was such a dominant force in debate that from 1933 to 1966 it compiled a win-loss record of 144-8 against some of the best college teams across the Northeast.

Unfortunately, those memories turned to myths after a half-century of dust settled over the Norfolk prison stage.

It felt strange reading about my former teammates, now that I reside in a different prison. But I was happy with Jill Lepore’s accounting of our team’s historical travails. What the article didn’t capture, though, was that our official relaunch in 2016 was itself years in the making, and spanned two Massachusetts prisons.

“See you at the club tonight,” my close friend J.P. said as we made our way inside from the yard at Old Colony Correctional

Center in Bridgewater, Massachusetts. The year was 2006 and “the club” was our New Horizons Toastmasters Club.

With a tile floor and a chalkboard running along one wall, our classroom had a few other distinguishing features: a small bank of gym-style lockers on the back wall, a single wooden lectern, a few battered folding tables and a stack of blue plastic chairs. It wasn’t much, but it was where we’d meet and hone our communication skills every Friday night from 6:00 to 8:00 p.m.

With no access to college programming at the prison, the Toastmasters club served as a hub of intellectual activity. The debates, speech contests, and training sessions were epic, and created such a buzz that soon everyone wanted in on the action.

By 2008, the line to get into our club was growing longer every week. Lamar, our powerfully built sergeant-at-arms, had to play the role of bouncer at the door just to ensure core members could get in. Some nights we had to turn away more people than we let in.

As club president, I eventually submitted a proposal to prison officials requesting use of the gym for our debates. They approved, and that spring we held a club-level debate on the issue of immunity for illegal immigrants.

The following spring we hosted Bridgewater State College in the first collegiate-level debate in our prison's history. "Represent" was the common refrain from our peers as men from the cell blocks poured into the gym and wished us well. "We got you," was the self-confident reply from my teammate Clarence, who we called "Big C."

This time, the wooden bleachers filled so quickly that rows of plastic chairs had to be set up on the basketball court to accommodate all our guests.

To demonstrate our range, I had accepted the pro-incarceration side of the issue to be debated. So when the professor, in the role of moderator, announced that the BSC team would be arguing that restorative justice was the best method of dealing with cases of domestic violence, we found ourselves, quite paradoxically, arguing *against* the progressive resolution in front of a large prison audience.

With both anecdotal and statistical evidence delivered in waves by our team—Big C, Rich, Cinco, J.P., and myself—our opponents never saw what hit them. We made their plan of holding restorative justice "stakeholder meetings" between victims and their abusers sound downright criminal by the time we were done.

The judges agreed, and the gym thundered with applause as we were declared the winners. We shook hands with the college students and agreed to a rematch.

Our second debate against BSC saw the college students supporting the premise that 5 million dollars of federal stimulus money would be most effective at reducing crime in Massachusetts if invested in preventative community programs.

We, of course, disagreed, and argued the money would be better spent on prison programs like education and job training, which have been proven to reduce recidivism and, therefore, crime.

It wasn't even close.

The third debate featured a new wrinkle — the teams were mixed, both prisoners and college students.

Karter Reed, a gifted member of our club, was elected captain of the "pro" team, whose task was to affirm that "The lack of pardons and commutations in Massachusetts sends the message that people aren't redeemable." He was sharp, and I knew he'd be hungry, because an untimely trip to solitary had cost him a chance to be in our last debate.

On first rebuttal for the "con" team, I began with a direct shot: "To be absolutely clear, my teammates and I agree that more pardons and commutations should be granted. In fact, we should begin right now by pardoning Mr. Reed for his entire opening argument!"

Big C and J.P. did their thing, too, but it was our transplanted BSC teammate Priscilla who really stole the show. She spoke with gusto, asserting that, "The simple fact that recidivism rates are not 100% proves that people are obviously redeemable."

Before leaving, Priscilla said, "You should go to college when you get the chance." She saw me, in other words, as redeemable now too.

I left the debate team in the capable hands of J.P. and Big C as I requested and received a transfer to MCI-Norfolk later that year.

Arriving at Norfolk in 2010 was a major upgrade in facilities. Founded as a "community prison," the place was designed around a central quad flanked by a large school on one end and

a program building on the other.

Norfolk offers college degree courses through the Boston University Prison Education Program, an auditorium for events, and a representative prisoner government called the Norfolk Inmate Council. This allowed me to evaluate and recruit new talent as I set about rebuilding the Norfolk Prison Debating Society in 2011.

The crew I assembled was like the Ocean's 11 of wordplay, with a strategist, an orator, an emcee, a researcher, a specialist, and two guys whose strength was timing. We trained hard, drafting arguments in our cells and testing them against each other while walking laps around the yard. "Self-defeat is the worst way to lose" was our mantra.

In December 2016, the debate team finally reclaimed its stage thanks to Boston College's Fulton Debating Society. Journalists from NPR and WBUR joined a packed auditorium to cover the historic second act, as the moderator announced: "Resolved: that the United States should impose a carbon tax on greenhouse gas emissions."

Debating an elite opponent on a complex subject like environmental policy, without internet access, may seem like an unrealistic challenge. But feeling like you have one hand tied behind your back isn't that bad when you're accustomed to having both of them there.

We made an ecological case, arguing in favor of the tax, while our opponents went with a counter based on economics. They were strong, so I added some theatrics to my rebuttal.

I donned a white surgical mask that I'd borrowed from the maintenance department, as I stepped to the lectern and declared: "After listening to our opponent's first two arguments, we may have to check the carbon dioxide levels in the auditorium today. Allow me to clear the air for you..."

The audience responded with a chorus of laughter as I won points for my team — and for incarcerated people everywhere.

We all invested a lot of time, energy, and faith into the debating club's rebuilding process, especially during those really lean years when it looked like we might never get a chance. At one point, a prison official denied my proposal to reorganize the team with a terse, "Debate is not an academic program."

If Boston College's team knew how many debates I had to win off-stage just to get onto it, they probably wouldn't have agreed to the match.

But when asked about the experience, college debater Kelvin Lin said it best: "Whatever their crimes, they are people in the end." Hearing such a sentiment voiced openly, as far as I'm concerned, was the real win for our team — which is now 145-10 and counting. ■

I Write About Bad Prison Conditions. That Doesn't Mean I Hate All Cops.

As a kid in Pakistan, police treated Tariq MaQbool like a nephew. As an adult in solitary confinement, the kindness of one New Jersey corrections officer made him feel human.

By TARIQ MAQBOOL

Tariq MaQbool is a contributing writer at the Prison Journalism Project. He maintains Captive Voices, a blog where he shares his poetry and essays and the writings of other incarcerated people. He also created the Captive Voices Writing Program, which is currently training a cohort of 10 writers and mentors at New Jersey State Prison. As a tutor certified by Learning Volunteers of America, he worked with students who have learning disabilities or are learning English. MaQbool was convicted of double homicide in 2005 and is serving 150 years at the New Jersey State Prison.

Illustration by TARA ANAND

One winter day, sitting in the Big Yard of New Jersey State Prison, a close friend asked me a complicated question: “Do you hate cops more than anything?” I get questions like this a lot, not only because I write about the state of affairs at my facility, but because police officers testified against me during my trial almost two decades ago.

“No, I don’t,” I replied, drawing a skeptical look from my friend. He’d just read one of my pieces about a police union holiday gathering that might have been a COVID-19 super-spreader event. “Trust me,” he said, “even if you don’t hate all cops, they all definitely think you do. And they hate you back.”

I smiled, looking up at a bright blue sky filled with golden sunshine. “Like I said: I don’t hate cops. I actually can’t. Let me tell you a story.”

When I was a child, around 6 or 7, I lived in Mirpur, in Pakistan-administered Kashmir. My father worked for the national airlines, and we lived in a large bungalow with a vast lawn. I had free rein over the hillside our house overlooked, which included the headquarters of a special intelligence branch of a Pakistan military group. It was a large brick villa with iron doors encrusted with a red and black insignia.

I probably shouldn’t have been playing around this highly sensitive area, but my father was friends with Amaan-Ullah Khan, the superintendent of police who ran that paramilitary compound. A hulk of a man with a crew cut and a permanent scowl, Khan cut an imposing figure. But to me, he was just Uncle Amaan. The compound was my playpen, and the guards, who met visitors with stern faces and machine guns, gave me candies when I scampered by.

Besides practicing my “driving” in the top-down police Jeeps, my favorite hobby was fishing in the big pond in the middle of

the courtyard. I would tie a string to the end of a stick, dip it in the water and wait for a fish to bite. But, of course, there were no fish in the pond, only thirsty birds that stared at my follies.

One day, as I fished, I watched Amaan Uncle usher a cuffed and shackled man out of a van. The man muttered something I couldn’t hear, and another officer, Arif, hit him with the butt of his machine gun, knocking him to his knees. My heart thumped in my chest.

As another officer went to pull the prisoner to his feet, my uncle stepped in front of Arif and shouted: “He is arrested, and now under my supervision!” Arif took a step back as Amaan roared, “Regardless of what he has done, he is now under my protection. It’s a matter of honor. Is that understood?”

“Sir, yes, sir,” Arif and the others responded.

Shaken, I tried to focus on my fishing. A few moments later, Amaan Uncle cupped the side of my face. “What are you doing, Tariq?” he asked in the softer voice he reserved for me.

“I’m fishing,” I replied, almost in a whisper.

“There are no fishes in here, baba,” Arif said. He’d appeared behind my uncle smiling at me, all traces of their fight gone.

“If Tariq wants to fish, then he shall have fish,” Amaan Uncle pronounced, then placed a light kiss on my head and walked away.

The next day, I found the pond full of small silver fish.

Smiling from ear to ear, I rushed to tie my string to my stick.

“You better hurry up, Tariq, before the crows grab all your fishes!” Arif shouted as the other officers chuckled.

I’ve never forgotten that gesture — that sweetness from the stern lawmen of my childhood.

In the ‘90s, my parents moved to the United States to join the rest of our family. In 2002, due to some unlikely circumstances, I found myself in Hudson County Correctional Facility, arrested for murder. At that time, 9/11 was still raw for people, and the so-called War on Terror was raging. As a Pakistani Muslim American, my pleas of innocence went unheard. My ethnicity, my religion, and my very existence were abhorrent to society. It didn’t matter that the evidence against me was circumstantial, and that I had no prior run-ins with the law. The fact that someone had blamed me to save their skin was enough. The criminal justice process seemed a formality — judgment immediate and permanent.

While I awaited trial in the Hudson County Jail, inmates and corrections officers alike looked at me with suspicion. When I angrily told an officer to call me by my proper name instead of “Pakistan,” the whole tier got quiet. Later on, a fellow inmate said, “Man, I thought you were about to go crazy.”



“Why would you think that?” I asked.

“Man, you know what y’all known for! I thought you was about to get Allah-Akbar and blow his ass up!”

I stood, aghast, as the other inmates around us laughed and nodded.

Suffice it to say that my time in the county jail felt like living on a whole different planet. It was a daily reminder that, to many people, I was an alien.

Almost a year into my stay in the county jail, I got myself into some trouble and landed in lockup. Most inmates were kept in

solitary for 30 days. I was there for almost two years.

I was confined in a cold cell for 31 hours at a time, with only an hour of indoor recreation afforded. I couldn’t even go to the outside yard. In that one recreation hour, I had to shower, clean my cell, make a 15-minute phone call, and boil water to make coffee or a soup. Since I wasn’t allowed an electric socket in my cell, this was my only opportunity to prepare a hot meal or beverage.

I never really knew when I would get my rec time. Sometimes it was at 9 p.m.; other times it was at 4 a.m. I was often sleep-de-

prived, as was my family, who woke up at odd hours just to hear my voice. As if this wasn't enough, the administration started searching my cell every shift.

First, second and third shift, a sergeant and two officers would search my cell thoroughly. They tossed my limited belongings all over the floor. Sometimes, I was too exhausted to clean everything up, and during the next search officers would step all over my spoons and bowls. They'd leave dirty footprints all over my single towel and my legal papers. At times, I cried; at other times, I felt nothing.

In reality, I was at a dangerous precipice. I was a man with nothing to lose. What kept me going was my faith — Islam — and the kindness of one man I'll call "Officer A."

When I first arrived at the isolation unit, Officer A seemed indifferent and cold. I noticed him because his demeanor reminded me of Officer Arif's from Mirpur — rough and rigid, but full of pride in his profession. Like Arif, he softened toward me, mostly because of the way the other officers treated me. He even began standing up for me, telling the sergeant that he had already searched my cell to save me the aggravation. "Don't get personally involved with the inmates," the sergeant warned him once. Officer A replied, gruffly: "I'm a cop. I treat everyone the same. That kid is not being treated like others."

I could understand why Arif and Amaan had liked me — I was a child, after all. But it was hard to believe that Officer A would stand up for the adult me, in jail on murder charges.

As the days went by, he kept showing up, even after the spring of 2005, when I lost my trial and all hell broke loose. I was convicted of a double homicide, for a robbery in which two people lost their lives. And I was being tried for the death penalty.

After almost four grueling months in the courtroom, I was found guilty. I wasn't surprised. As early as jury selection, it became evident that as a Muslim Pakistani American, it would be virtually impossible for me to receive a fair trial in Hudson County. Many potential jurors spoke about their inability to judge me fairly due to my religion and ethnic background. To this day, I still don't know what was worse: the trial where I was declared a monster, or the jury selection where I learned that no matter how American I felt, my fellow Americans didn't accept me.

As there was no physical nor forensic evidence such as DNA or fingerprints that tied me to the crime, the prosecution relied on the testimony of two witnesses. One was the guy who police originally sought out for questioning. The other was a cop who testified that I had given him a false alibi. It was a fabricated statement, an account that he probably wrote days after my arrest.

I couldn't fathom why it was allowed in a court of law, and that an officer would be so devoid of honor.

After convicting me, the same jury had to decide whether I would spend the rest of life in prison or be executed. Lockup immediately got worse. The authorities posted a special sentry to watch me, essentially to make sure I didn't kill myself. From then on, an officer was posted in front of my 8x9x10 cell, watching me eat, sleep and use the bathroom.

It was an intrusive circus, and it caused a lot of ruckus within the lockup. Even my fellow inmates started to complain about how I was treated. No one seemed more appalled than Officer A. Often, he would tell the sentry to take a hike, and he'd hang out with me during his shift, talking about sports and travel.

Some days, he'd do extra overtime to make sure I was OK.

Officer A made me feel human. He'd give me privacy for basic things, like using the bathroom, and he would share his bagels with cream cheese. To keep up the guard/prisoner pretense, he'd eat half of the bagel and, with a smile, "order" me to take care of his "garbage." And his kindness didn't end there.

When it came time for my sentencing, Officer A was appalled that I was facing the death penalty. One day, while I was cleaning my cell, he asked what my lawyers were doing to fight for my life. I told him that they planned on bringing in family and friends to speak to my character and seek leniency due to my age, education, work history and lack of a criminal history.

"OK, well, tell your attorneys if they want they can call me to testify on your behalf," Officer A said.

"Are you sure?" I asked, stunned.

"Kid, I've been here for a while, and I know motherfuckers who should be executed. Trust me, you are not one of them," he replied. "Now, I don't know whether you did it or not. People are saying you're innocent, but I don't know. What I *do* know is that I have watched you very closely, and you are not someone who should get the death penalty."

When the officer came by later, he said his partner, Officer B, was also willing to testify on my behalf. I fought hard to control the rising lump in my throat. Officer A smiled that tight smile of his and gruffly knocked my shoulder. "You'll be all right, kid," he said.

In the end, the state didn't have enough evidence to secure the death penalty. I've always wondered if my attorneys and the prosecution struck a silent deal thanks to the officers' willingness to testify. Either way, I credit Officers A and B with sparing me execution.

A few months later, as I was leaving for the state penitentiary, Officer A came and shook my hand. "I truly hope that if you're not guilty, you get a reversal and go back to your family," he said. "But if you did it, I hope you stay in prison. That's the best I can do!"

"I'll take that," I said, tears in my eyes.

It's been over 20 years since I was arrested, and 17 years since I last saw Officer A. But not a day goes by that I don't think of that man. Although his actions might seem inappropriate to some — the official law enforcement term is "undue familiarity" — to me, he was simply honorable. ■

A spokesperson from the executive office of the Hudson County Department of Corrections and Rehabilitation did not respond to specific questions about MaQbool's stay in solitary confinement, writing, "The Hudson County Corrections and Rehabilitation Center follows the State of NJ's code as promulgated by the NJ State Department of Corrections. Any claims of treatment that varied from that code we would reject as false."

The Unofficial Rules of Prison

Everyone who has been incarcerated experienced their first day. On that first day, one may have felt a lot of competing and conflicting emotions while trying to understand where to fit into the structure and routines of a facility. In our last Reader to Reader callout, we asked our incarcerated readers around the country to share the unofficial or unspoken rules of being incarcerated — rules that had to be learned on the first day or in the days after. Here is a selection of the 1580 responses that we received.

On Getting Settled

"The only constant is no consistency. Take everything with stride and one day at a time." [a reader in OK](#)

"Make sure you do your time and not someone else's." [a reader in MT](#)

"When it comes to the canteen, get hygiene products and shower shoes first. Then stack up your soups because anything can happen."

[a reader in NC](#)

"Learn your ID number and be prepared to recite it on demand. I have a language barrier, so this was not easy but very important."

[a reader in CA](#)

"Not so much rules as much as routine and loss of all I had. As an indigent man, it takes months to build up the basic necessities of life behind the walls." [a reader in GA](#)

"Try not to dwell on the outside world. Time goes faster when you live in the moment." [a reader in PA](#)

"Buy ear plugs. They will be one of the best things to have. It is loud in prison." [a reader in TX](#)

On Hygiene

73 responses mentioned hygiene and cleanliness

"Always keep you and your area clean." [a reader in AR](#)

"If there are two toilets in the block, one is for peeing and the other is for pooping." [a reader in NC](#)

"When you brush your teeth, do not spit in the sink. You are not at home and other people use the sink also. Spit in the toilet and wipe it down even if you didn't get any on the seat, just so others will see that you are doing your part to keep it clean." [a reader in NC](#)

"Don't bang your razor on the sink when shaving." [a reader in ME](#)

"Never leave hair in the sink." [a reader in CA](#)

"Use a courtesy flush." [a reader in PA](#)

"Knee while you pee. Always wear boxer shorts while showering." [a reader in PA](#)

"Be sure to clean your cell everyday and take a shower, this place is nasty. We have to try our best to stay clean. Flush the toilet while you pee, drop one flush one. Pray and stay close to God, that's what's important. God bless." [a reader in TX](#)

During Meals

"Don't reach over someone's plate or tray." [a reader in AR](#)

"Names might not be on the seats, but those seats are definitely assigned to those who came before you. Wait to see which seat is free. Seniority is a real thing." [a reader in MT](#)

"Always keep both legs on one side of the stool seats in the chow hall. A leg on each side will keep you able to defend yourself if attacked." [a reader in NC](#)

On The Yard

"Don't ask how much time people have to do. Don't complain, a lifer doesn't want to hear how bad someone has it that's doing a small sentence." [a reader in WY](#)

"All a prisoner has in prison is his word. Keep your word, above all else. It will always prevail over every other factor." [a reader in MT](#)

"If you don't like conflicts, you should stay away from stealing, basketball courts & politics." [a reader in NC](#)

On Being Observant and Prepared

"Every place is different, but I'd say the best way to start off is to just sit back and observe for a bit." [a reader in MT](#)

"Watch everyone and don't trust anyone so fast. Watching body language is your best tool. Don't let your guard down so fast." [a reader in AR](#)

"I watched and listened a lot. In doing so, I gradually came to understand the jail's culture. Then it became second nature to flow with it." [a reader in MN](#)

"Don't let no one give you a gift when you first arrive, watch how everyone moves before making friends. Stay to yourself the first couple days to see who's who. Mind your business, don't let no one mess with you. Keep your head up and stay alert." [a reader in NC](#)

"Every C.O. has different rules and different ways they run things!" [a reader in PA](#)

"Don't just jump off into things, first sit back and observe. Check out the order of things and how things operate." [a reader in MI](#)

"Observe, maintain your own space, be respectful of others and your surroundings. Stay neutral." [a reader in OR](#)

"See and don't see, hear and don't hear! That's easy when you witness drugs or money transactions... not so easy when you witness abuse or physical violence. Sometimes I just can't stand by and let it go." [a reader in FL](#)

"Keep your shoes or boots on at all times when you are not in your cell or private area! Being prepared for problems sometimes is the best way to avoid problems!" [a reader in TX](#)

"Figure out who the best officers are that you can talk to. Don't talk to correction officers by yourself." [a reader in AR](#)

On Cellmates

"Your cellmate is your main ally so learn to watch out for him and vice versa. Make sure you find someone you can live with comfortably." [a reader in CA](#)

"I make sure I ask my cellmates how they like the cell to be clean." [a reader in CA](#)

"Everyone is not your friend and everyone is not your enemy." [a reader in NC](#)

On Respect

"Always knock on a person's door. Never go into someone's personal space. Most importantly out of all this, stay solid and never fold. Fight back and keep your head up. Remember you do the time, the time isn't doing you." [a reader in CA](#)

"Don't look into someone else's house unless you know them. Respect other people's privacy because what little we get is important to us." [a reader in MT](#)

"Be respectful of personal space." [a reader in OK](#)

"Don't split people walking down the hallway. Don't walk through a circle or group of people." [a reader in MI](#)

"Respect will save your neck. Ask for pardon when walking close to others' space, or attempting to gain one's attention. Keep your eyes straight ahead and refrain from looking into someone else's cell, knock and obtain permission before looking into and/or entering said cell." [a reader in VA](#)

"Don't walk around like you are the biggest and baddest in the building because there is someone who will test that theory. God gave you two eyes and one mouth for a reason." [a reader in SD](#)

"Don't interrupt two people talking with each other. Don't walk from behind to the front of someone." [a reader in NV](#)

"Don't bother anyone who is asleep." [a reader in PA](#)

On Phones

51 responses mentioned phones

"There is a line for everything. Always check before you use the phone, even if no one is on it. Just ask, 'Is anyone in line? Is this phone open?'" [a reader in NC](#)

"Don't slam the phone." [a reader in CA](#)

"Don't double click on the phone." [a reader in NC](#)

On Routine & Staying Busy

"The law library is key, no one is going to assist, defend or represent you better or more fiercely than YOURSELF. Do legal research and effectively assist and DIRECT YOUR LAWYER." [a reader in SD](#)

"Find a book and start a routine from the time you wake up 'til you go to sleep. Have your day planned." [a reader in AR](#)

"Always make your bed and clean up before you even think about stepping foot on the yard. Make sure you shower after rec, shower as many times a day as you can and work out whenever and however you can." [a reader in AZ](#)

On Debt

"Stay away from gangs gambling and borrowing." [a reader in FL](#)

"Don't borrow anything. Don't lend anything. Keep it moving. If you keep it moving you won't notice time. If you don't lend, no one owes you anything. If you don't borrow you are less likely to be in trouble with others." [a reader in MI](#)

"Don't accept any food left on your bed." [a reader in NC](#)

... but the #1 rule is: MIND YOUR BUSINESS!

307 out of 1580 people responses mentioned some version of minding one's own business

"There is a saying called "staying in your own lane", which in layman's or simplified terms means: Only worry about what applies to you. It's what I was taught by guys who had been doing it much longer than me. You have to learn that you're in a subculture and each prison has its own." [a reader in MI](#)

"Believe nothing you hear and only half of what you see." [a reader in AR](#)

"Say what you mean and mean what you say." [a reader in AZ](#)

"If someone is talking to you, or even if they are just standing near you and your skin wants to crawl off of you and flush itself down the toilet, get away from them!! Listen to your instincts. They will keep you safe, whole, and alive." [a reader in NC](#)

Our next Reader to Reader is about ...

Sports Behind Bars



Do you have a sports team at your facility? Pictured above is the Sing Sing Black Sheep playing against the Williamsbridge Holy Names in 1930. COURTESY OF MOVING IMAGE RESEARCH COLLECTIONS, FOX NEWS OUTTAKE 23-295, COPYRIGHT UNIVERSITY OF SOUTH CAROLINA.

Star Athlete from the Inside! Pictured on the left is Alabama Pitts, who was a phenomenal athlete and served as the Black Sheep quarterback from 1931 to his early release in 1935. That year, Pitts went on to sign a contract with the Philadelphia Eagles to play running back. COURTESY OF THE BIRMINGHAM NEWS, 1935.



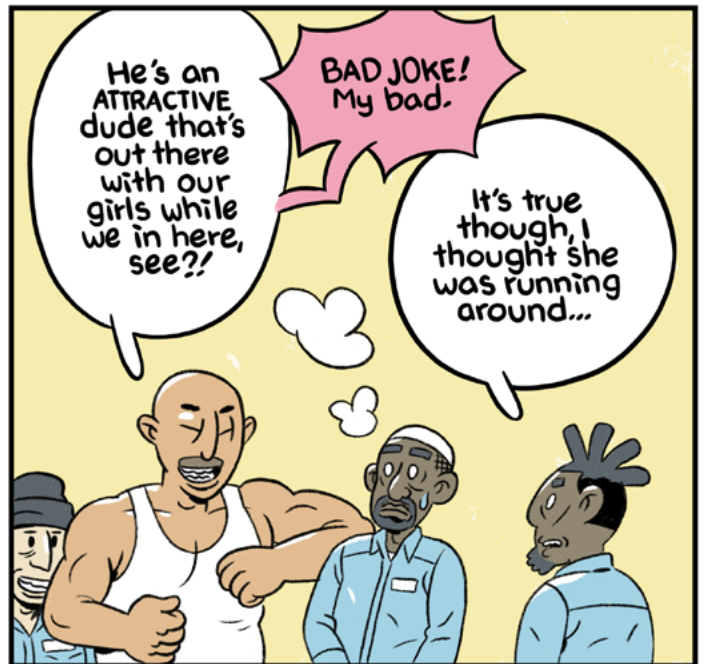
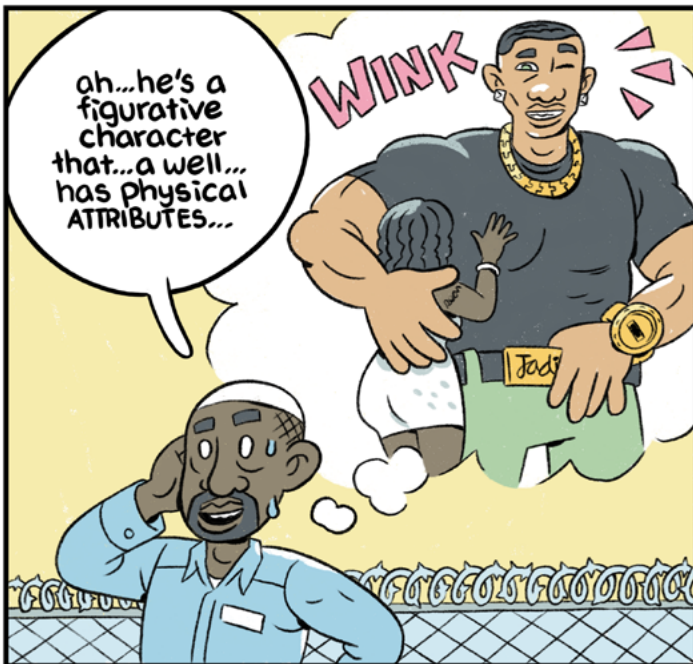
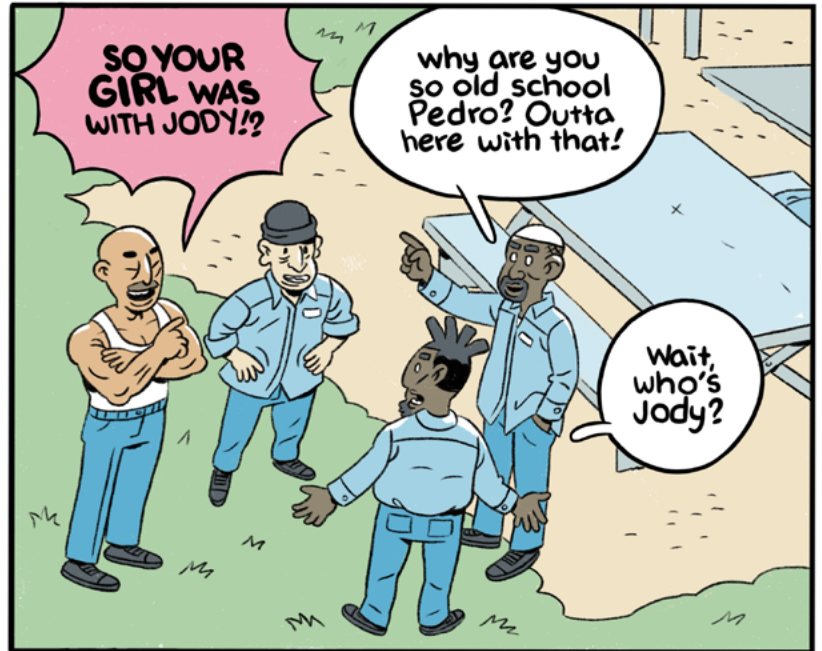
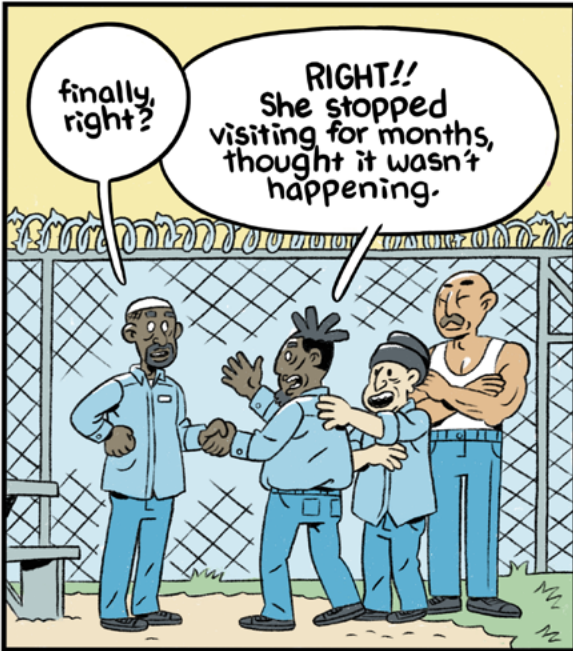
On the outside, major events like the Super Bowl and March Madness carry fans into the spring. Sports have historically had a presence in prisons too – the Sing Sing football team Black Sheep rose to fame and had a player good enough to sign with the Philadelphia Eagles in 1935. *

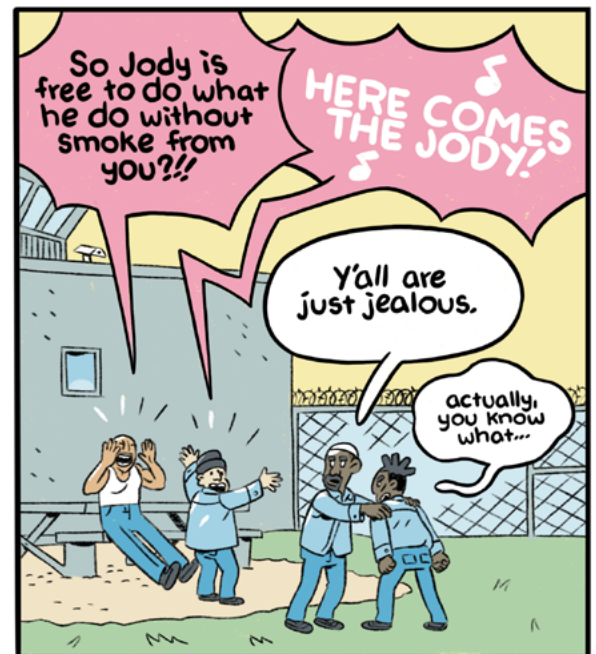
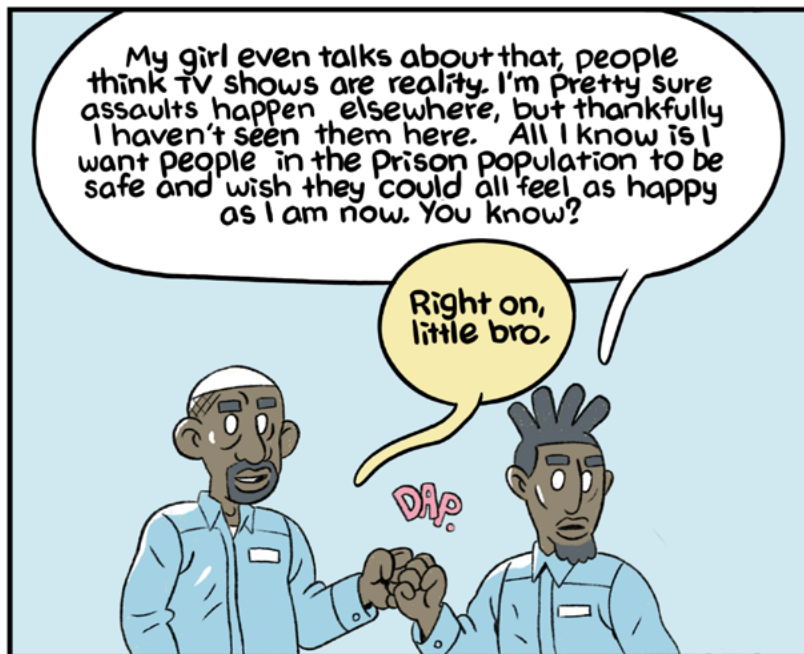
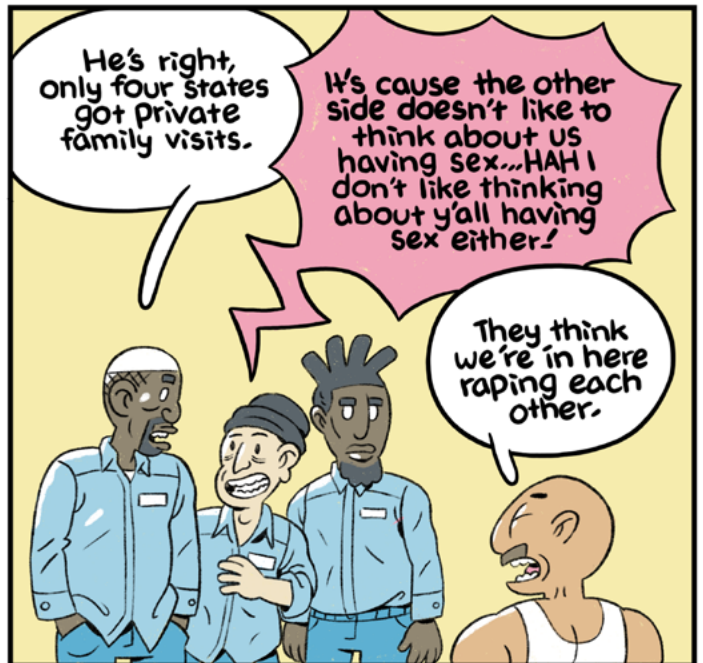
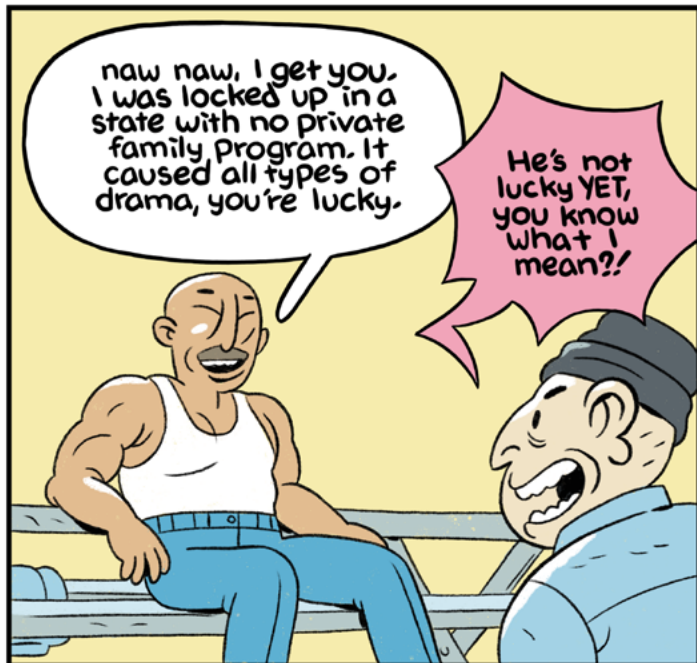


We want to know how you keep up with your favorite teams and players while you're inside, or whether you play sports and how that impacts your time in prison. What sports excite you? Which teams do you follow closely, and how do you stay connected as a fan? Do you have friends on the inside who follow your team or its rivals? What's a big game day like in prison? Share a memory of a big win or loss from your favorite team!

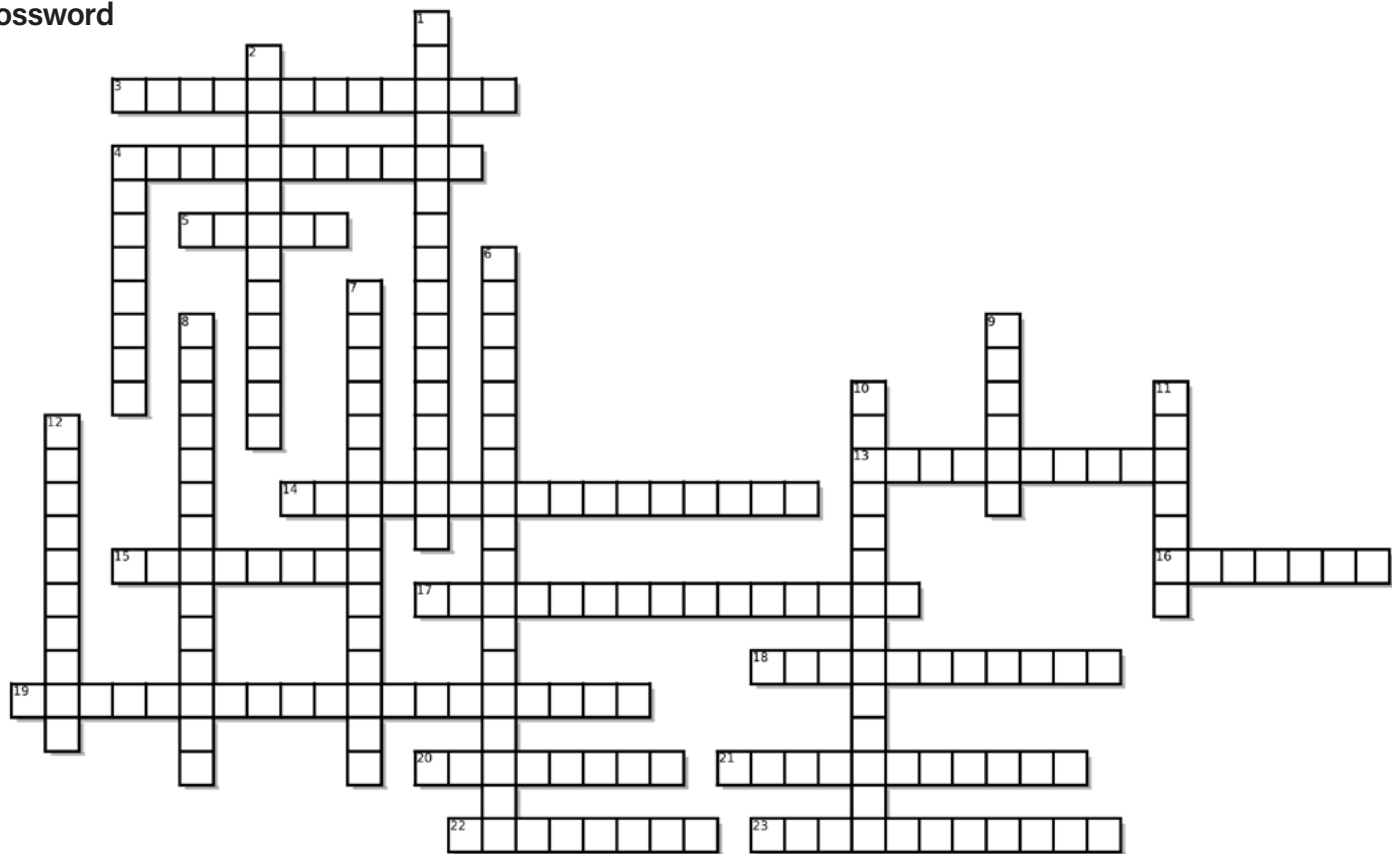


Curious to hear more? You can read about this in Joshua Finell's essay, "The First Famous Football Team Behind Bars", which uses material from JSTOR's public archive of American Prison Newspapers 1880-2020. This archive can be accessed through this url: <https://daily.jstor.org/series/american-prison-newspapers/>





Crossword



ACROSS

- 3** "_____ companies packaged, adjusted, and tailored these technologies, then promised various corrections departments a contraband-free way of delivering educational material, entertainment, and modes of communication to incarcerated people." (2 words)
- 4** "_____ people filed four such lawsuits in 2019 that challenge bans on those with certain types of convictions from changing their name." (1 word)
- 5** "Officer A made me feel _____. He'd give me privacy for basic things, like using the bathroom..." (1 word)
- 13** "The Texas prison system has a new goal: Serving slightly more _____." (2 words)
- 14** A law enforcement term describing actions by a correctional officer towards an incarcerated person that may indicate a willingness by the officer to operate outside of standard departmental protocols. (2 words)
- 15** Term commonly used in the transgender community to refer to their birth name, one they no longer self-identify with." (1 word)
- 16** Officer A and B were willing to do this on behalf of Tariq at his sentencing court date. (1 word)
- 17** Massachusetts Correctional Institution at Norfolk offers free college degree courses through the Boston University _____ Program. (2 words)
- 18** "Bagged lunches known as _____ replace cafeteria meals [when the mess hall closes during lockdowns]." (2 words)

- 19** "At least 17 states automatically ban people with some _____ from changing their name, whether permanently or temporarily, according to a Marshall Project analysis of state laws." (2 words)
- 20** The legal process that allows for children to be transferred to adult courts for prosecution based on their age and whether they are accused of certain crimes. (1 word)
- 21** "Prison and jail walls aren't meant just to keep people in, they're also meant to keep _____ out," said Bartley, publisher of The Marshall Project Inside and co-creator of Inside Story. (1 word)
- 22** Phone calls from jail are a lifeline with a _____. (2 words)
- 23** "Prisoners will take courses through the prison system's Windham School District, where they will learn to _____ and seal food." (2 words)

DOWN

- 1** The Toastmasters club hosted the Bridgewater State College team in the first _____-_____ debate in the prison's history. (2 words; hyphenated)
- 2** This club served as a hub of intellectual activity, such as having training sessions for debates and speech contests. (1 word)
- 4** Following the FCC's ruling setting a cap for all calls, the Cuyahoga County Jail set the price of both in-state and out-of-state calls

- at 16 cents per minute, which is 8 times more than any other Ohio state prison. (2 words)
- 6** Lawrence Bartley's co-creator of Inside Story (2 words, 1 suffix; no period or comma)
- 7** A sentence that includes a juvenile court consequence — called a disposition — and one that can include the possibility of adult prison time. (2 words)
- 8** "_____ transfers more children to adult court than any other county in the state." (2 words)
- 9** "_____ engagement and communication between incarcerated individuals and their loved ones helps to significantly increase the rate of future success and significantly decrease the rate of recidivism," [said] Annette Chambers-Smith, director of the ODRC. (1 word)
- 10** The method used by The Marshall Project to gauge incarcerated people's interest in receiving their products through for-profit tablets. (1 word)
- 11** "The tablets give an incarcerated audience access to a selection of news outlets, study materials, and entertainment, but for a price that can strain the _____ of prisoners and their loved ones." (1 word)
- 12** "'The biggest _____ in America is the one behind bars,' said Susan Chira, editor-in-chief of The Marshall Project." (2 words)

In The Spotlight



I was released from prison in May 2015. While The Marshall Project existed at the time, News Inside did not. In 2017, I founded The Ladies of Hope Ministries (The LOHM) with an EPIC vision to End Poverty and InCarceration of women and girls globally. I joined the board of directors for The Marshall Project in October 2018, coinciding with the preparation of the launch of News Inside. In that capacity, I get to see the impact that News Inside is having on incarcerated people in helping to bridge the informational gap between society and the forgotten world behind those walls. As a previously incarcerated woman, I know firsthand the importance of getting access to current and relevant information. My ability to gain access was necessary for a successful reentry, and I want that for all of my brothers and sisters.

Dr. Topeka K. Sam is the founder and CEO of The LOHM and president of EPIC Financial, TKS Ventures LLC, and Faces & Voices Inc. She also serves on the board of directors for The Marshall Project, Pure Legatee, Operation Restoration, and United Justice Coalition. Most recently, Dr. Sam was appointed as the UN Ambassador for social justice and incarceration for the Global Creative Economy, named the first Social Impact Award recipient from Google at the Variety/Lifetime Power of the Woman Summit, received a full and unconditional Presidential Pardon and her Honorary Doctorate in Divinity from NYTS. She has worked and continues to work selflessly and relentlessly in her fight for the dignity, decriminalization, and decarceration of women and girls.

All Social Media Handles: [@TopekaKSAM](#)

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 Black and Latinx people make up 52% of the New York City population but about 90% of jail admissions. **TRUE** **2** In at least six states — Alabama, Arkansas, Georgia, Mississippi, South Carolina, and Texas — most prisoners aren't paid at all for their labor. **TRUE** **3** People in New York City jails who are there pre-trial, haven't yet been convicted of a felony, or are serving jail time for misdemeanors are still eligible to vote. **TRUE** **4** The FBI included in its 2021 crime report: The number of violent victims who are Asian, Native Hawaiian, or other Pacific Islander. **FALSE** **5** For those eligible, the pardon will restore civic rights lost due to 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. **TRUE** **6** 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. **TRUE** **7** 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. **TRUE**

? 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: *Inside Story* is a weekly video series designed to inform people both inside and outside of prison walls.

2 T or F: We are placing our work on for-profit tablets with the agreement that no incarcerated person can be charged for our content, the companies cannot use our name in their marketing without our permission, and our journalism won't be censored by said companies.

3 T or F: Texas bars people with a felony conviction from legally changing their name until two years after they complete their sentence—including probation or parole.

4 T or F: Since 2016, the number of children that Cuyahoga County has transferred to adult court has decreased.

5 T or F: The Texas prison system is making plans for more permanent improvements by starting a new culinary training program, in hopes of doing away with cold meals altogether.

6 T or F: The third debate featured a new wrinkle — the teams were not mixed, both prisoners and college students.

7 T or F: Securus has captured 42% of the market for jail and prison phone services, making it the biggest predatory for-profit company in the prison telecom sector.

8 T or F: Tariq MaQbool is a contributing writer at the Prison Journalism Project. He also created the Captive Voices Writing Program, which trains a cohort of writers and mentors at New Jersey State Prison.

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.

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