Dear Readers,

I’d like to share my experience visiting Turbeville Correctional Institution in Clarendon County, South Carolina, this past June. The U.S. Department of Justice invited me to this medium-security facility to observe the Community Opportunity Restoration Enhancement (CORE) mentorship program based there. CORE’s incarcerated mentors work with younger prisoners to curb violence, promote a culture of dignity and encourage success after prison.

The trip was arduous: After driving an hour and a half from Connecticut to New York, and flying two hours from New York to Columbia, South Carolina, I had to take an hour-and-a-half-long Lyft ride to my hotel. Getting to the prison the next morning was its own challenge. Rideshare services like Uber and Lyft do not operate near the facility, so I had to rely on the kindness of the front desk clerk who convinced a friend to give me a ride.

Once inside, I was struck by the positive environment. Mentors, who are over 25 years old, led our group of journalists and criminal justice advocates on a tour of their cellblock and explained how they support their 18-to-25-year-old mentees through life-skills classes and open communication. The cellblock itself is unique, with affirming words residents painted outside their cells. I was particularly inspired by two young men planning to open their own barbershops upon release.

My trip reminded me of why I created News Inside — to connect those inside with resources and bring light to those living and working in prisons and jails. Issue 14 reflects this intention. Our article “Don’t ‘Punish Them More.’ Effort Grows to Ease Job Barriers After Prison Release” highlights challenges that formerly incarcerated people have with obtaining licenses in fields like barbering.

“Rebuilding Family after Foster Care” is our second photo essay about the Bakhit brothers. The first, which The Marshall Project ran in 2017, documented how their unequal access to foster care resources affected their lives. This one revisits them seven years later.

“Coulda Been a Contender” tells the story of Kassan “One Round” Messiah, a New Jersey man who learned how to box in a youth jail, fought professionally when he got out and continued his passion when he became incarcerated as an adult.

And of course, Issue 14 has our exclusive features like the “Outside” comic, our “Reader to Reader” advice column, our crossword puzzle, “In The Spotlight” and our news quiz, “Thinking Inside the Box.”

While my trip to Turbeville marked my second time in a southern correctional facility, I have visited many others across the country. Soon after being released from prison, I found visits like these triggering. Now they fill me with a sense of purpose. I hope News Inside is a valuable resource for information, understanding and coping during your incarceration.

Thank you for your continued readership and support!

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

I received my copy of News Inside Issue #11 today. Your articles and those of your colleagues were excellent! Issue #11 contained some of the best reporting I have read in recent years, especially Beth Schwartzapfel’s articles. I have always had a tremendous respect for [Beth’s] writing skills. In addition, the article “A Tupperware of Heroin, or How I Ended Up in Prison” by Keri Blakinger was particularly insightful and very well written. Please convey my thanks and appreciation to all the folks at The Marshall Project.

— William R., Ohio

Words matter. Some words we hear a lot are “staff” and “shortage.” This includes two of News Inside Issue 11’s articles: “How the Newest Federal Prison Became One of the Deadliest” and “Solitary Confinement Harms Teens. Louisiana Lawmakers Take a Step to Limit It.” Staff shortages have become cliche and are used to excuse a lot of things behind the wall that should not be excused. Pro-prisoner and anti-prison agendas would be better served by replacing the words “understaffed” with “overpopulated.” The implication is very different, and the narrative changes as a result.

— James D., South Carolina

I am writing this letter in reference to two articles in Issue 11. First, the article on page 18 by Keri Blakinger (“A Tupperware of Heroin, Or How I Ended Up in Prison”). I absolutely love it. It is full of raw truth and emotion. She is a great writer! Secondly, the article on page 20 by Carol Shapiro and Beth Schwartzapfel (“I Joined the Parole Board to Make a Difference. Now I Call It ‘Conveyor Belt Justice.’”). This article is something that our governor and all of our legislators need to read. The cold truth is upsetting, and I can see why Ms. Shapiro would go into the bathroom and cry. I wish that everyone would/could have compassion for people like she does. The world would be a better place! Aside from that, thank you for your continued service to all of us. I look forward to News Inside and am happy to be getting it for a few years now.

— William M., New York

As an incarcerated individual actively fighting injustice within the legal system, all free published information on criminal justice issues is welcome. Combining The Marshall Project’s “News Inside” subscription with my present MI-CURE news subscription (where I obtained your contact information) just may provide a change of tactics of presentation. Sincerely, I’m grateful for your generosity in providing free criminal justice information to the inquiring incarcerated population.

— Roger L., Michigan

We appreciate your letters, so keep them coming! Please note that we will edit what you write to us for length and clarity.

Manager’s Note

The Marshall Project provides News Inside 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 been where you are now, and we understand the struggle. But we are a small team with limited capacity.

When you request a subscription, please follow the format below 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.
When the price of a can of Maxwell House coffee increased 34 cents from a year ago at the commissary in New Jersey State Prison, Shakeil Price and many others in his unit had to cut back. At SCI Coal Township in Pennsylvania, Richard Mercaldo said the staple items he usually buys to hold him over between the prison's scheduled meals, such as packages of ramen noodles and cookies, are getting smaller and more expensive. And at Logan Correctional Center in Illinois, Erika Ray said the $150 she budgets each month for food and hygiene items no longer covers her basic needs. “I cannot afford to purchase deodorant for $7,” she said.

Manager’s note: Please note that this article is more than three months old. Statistics referenced in the article may have changed since the original time of publication.

When the price of a can of Maxwell House coffee increased 34 cents from a year ago at the commissary in New Jersey State Prison, Shakeil Price and many others in his unit had to cut back. At SCI Coal Township in Pennsylvania, Richard Mercaldo said the staple items he usually buys to hold him over between the prison’s scheduled meals, such as packages of ramen noodles and cookies, are getting smaller and more expensive. And at Logan Correctional Center in Illinois, Erika Ray said the $150 she budgets each month for food and hygiene items no longer covers her basic needs. “I cannot afford to purchase deodorant for $7,” she said.

The rising cost of groceries and other goods because of historic inflation has jolted shoppers across the country. Grocery prices increased by 8.4% in the last year, according to the U.S. Bureau of Labor Statistics. In many state prisons, incarcerated people saw even steeper price hikes.

The Marshall Project requested commissary prices from all 50 state departments of correction to understand the scope of inflation behind bars. Twenty-six departments responded. Because the states contract with different suppliers, the price lists and increases vary from state to state. Still, incarcerated people across the country are paying more now for staple items such as peanut butter, soap, coffee and toothpaste than they did a year ago, The Marshall Project found. Price increases for some items are higher in prison than on the outside.

A jar of peanut butter, for example, now costs between 25% and 35% more across the state prisons. In the Wisconsin Department of Corrections, the price of peanut butter increased 61 cents, even though the portion size decreased by two ounces. Soap is more expensive, too.

Incarcerated people could be paying between 4% and 80% more per bar, depending on where they’re imprisoned. In Illinois state prisons, the cost of a pack of instant ramen now costs 32 cents — a 68% increase from the year before.

Prices have soared across entire prison systems, too. In Pennsylvania, commissary prices increased by nearly 27%, according to an analysis by the Pennsylvania Prison Society, an advocacy organization supporting people incarcerated in the state.

These increases are especially burdensome for people behind bars. Prison wages are notoriously low. And incarcerated people often rely on items purchased from commissaries when the state-issued meals and personal hygiene items fall short. People behind bars also pay an additional “tax” on these items, experts said, in the form of unregulated markups that tack on as much as 66% of the price.

Anyone who has been following the news, it’s a constant discussion point: inflation, inflation,” said Noah Barth, who helped author the Pennsylvania report. “We can see that for people in prison, who were being grossly overcharged in the first place, their rate of increase is two, three, four times higher.”

Inedible or mysterious food, small portions and hunger are common in prison. Price, who is incarcerated at New Jersey State Prison, said he gets hungry again most evenings because dinner is served at 4:30 p.m. He’s learned to supplement his dinners with items he can buy from the commissary. His go-to meal is called a “hook up” — ramen or rice topped with canned sausage or mackerel, beans or corn, and melted cheese when he can get it. But the prices of the ingredients for a “hook up” are higher than they were last year.

Price has kept close track of the increases. A 10-ounce pouch of beans, for example, which used to cost $1.21 in September 2021, now costs $1.51.

These are the types of meals put together to compensate for the poor meal plans that the DOC offers,” Price wrote The Marshall Project via email on a prison tablet. “Under these unfortunate circumstances it is imperative for prisoners to purchase the food and snacks that are sold on commissary at unreasonable prices.”
Rising food costs strain even the most well-planned budgets, since incarcerated people make meager wages if they are paid at all. Two out of three people behind bars work while incarcerated, an ACLU analysis found. The average hourly wages max out at 52 cents an hour. Most prison jobs involve maintaining prison operations such as working in the kitchen, libraries, laundry rooms and commissaries. These are often low-paid or unpaid positions.

Before Corey Campbell returned home last year after nearly two years at SCI Mahanoy in Pennsylvania, he worked for 19 cents an hour sweeping, mopping and sanitizing his cellblock. He said the money he earned wasn’t enough to consistently buy packaged foods like chili and soup. Campbell was lucky to get money from his mother, JoAnn Wyjadka, to afford these basics. Still, she said, he came home “skinny and anemic.”

Commissary costs vary by geography. Each state has a different system for determining commissary prices and contracts, but many contract with several major companies such as Keefe Group and Aramark. In states like North Carolina, retail decisions are left up to each facility. Other states such as Florida and Virginia use statewide contracts.

Depending on the contract, the vendors have different levels of authority to adjust prices. One contract between Keefe Group and the Florida Department of Corrections, for example, gives Keefe permission to request price increases for individual products once a year. The company must provide 90 days’ notice before the contract anniversary and include a justification for the increase. One-year increases are capped at 10%.

Some price increases are because of opportunistic corporations more than rising costs, said Nick Shepack, Nevada state deputy director for the Fines and Fees Justice Center. As inflation soared in 2021, major food companies such as Colgate, PepsiCo, Maruchan and Velveeta sent letters to Keefe Group citing the high cost of raw materials, packaging, freight transport, supply chain issues and labor shortages as causes for price increases. Researchers at Fines and Fees Justice Center, an advocacy organization working to eliminate fees in the criminal justice system, have been collecting these notices over the last two years through public records requests. In a letter to the department, Keefe explained that it could not absorb the higher costs, and passed these increases off onto the incarcerated.

Once it started happening, it became an industry norm,” Shepack said. “Everybody did it to keep up.”

It is not the first time companies raised prices during a period of economic disruption, said Bianca Tylek, founder of Worth Rises, which examines private sector influence in the criminal justice system. During the pandemic and amid fears of supply chain issues, some commissaries in jails increased all their prices, too.

“Not every single product was impacted by supply chain issues, that’s unreasonable and not how things work,” Tylek said. “There’s no doubt that it’s an easy narrative for the corporations that operate in this space to use to try to justify exacerbating their predatory practices.”

Despite the economic upheaval, prison suppliers have had record profits. Aramark reported $16 billion in revenue in 2022, a 35% increase from 2021 and the highest income ever recorded by the company. Keefe is a billion-dollar company. Because it is privately held, it does not publicly report its revenue. Aramark and Keefe Group did not respond to requests for comment.

Departments of Corrections also profit by marking up commissary items. And at least one department — the Georgia Department of Corrections — raised prices, even though its own cost stayed the same, according to a Marshall Project review of the price lists that included the contract and retail price. The department did not respond to requests for comment. The markups are as high as 66% in states like California and Nevada.

Revenue generated by the markups is supposed to be used to benefit people who are incarcerated. But too often, experts said, these funds go toward general operating expenses such as covering maintenance costs, paying staff and operating the commissaries. In Nevada, for example, a 66% markup on commissary goods goes into a welfare fund that the Department of Corrections is supposed to spend on programs that benefit incarcerated people. Some of the money is spent on things like a law library and exercise equipment, but the fund had a $14 million surplus at the end of last year.

This article was published in partnership with USA Today.
Most New Yorkers Don’t Get the Trump Treatment at Arraignment

The 31,000 people arraigned for felonies in New York each year have very different experiences in court than the former president.

By THE MARSHALL PROJECT

The arrest and arraignment of former President Donald J. Trump may have been an unprecedented moment in American history, with seismic implications for the political process. But as a legal process, it was more routine: On April 4, 2023, he became just another one of the roughly 31,000 people arraigned for felonies in dreary courtrooms across New York State each year.

Constitutionally, those people are entitled to equal treatment — but practically, we all know that’s not true. Usually there are handcuffs and mug shots, two indignities Trump himself avoided. (Law enforcement officials told The New York Times he wasn’t considered a flight risk.) But he couldn’t get around the fingerprinting.

There’s also no evidence that Trump spent time in an overcrowded holding cell, an experience that seems to cut through the haze of memory for many defendants, who described moldy sandwiches or pee-filled plastic cups.

By contrast, Trump was allowed to self-surrender and arrived in a motorcade, escorted by the Secret Service officers routinely assigned to a former president.

We asked people what the experience is like when you’re not a high-profile White defendant, arrested for a white-collar crime, with access to top-flight lawyers, campaign donors, crowds of well-wishers and thousands of supporters. Some were indicted before their arrest, some after. The picture they give — as mostly defendants of color, mostly arrested for violent crimes — is of disorientation and hopelessness.

And usually the world is not paying attention.

Naquasia Pollard
I was incarcerated in 2002 at the age of 19. I was pregnant, but I didn’t know I was pregnant. I had to turn myself in with a paid lawyer, because I had a high-profile case. I was a kid, I was confused. People in my family had been incarcerated before, but I hadn’t experienced that.

The detectives were all White. They were not kind to me; they prejudged me based on my crime. [Police] treat you like you’re automatically guilty as soon as you step foot in that precinct, until somebody says otherwise. But that could be months down the line. They don’t care what you do, what you say. They treat you like you are a criminal. Like you’re just another Black person to them.

My mother and cousin came and got me from the Port Authority [bus terminal], because I was out of town. They took me to the lawyer’s office in Queens. From Queens, all of us drove to the 61st Precinct [in Brooklyn], and the police questioned me in front of the lawyer. They only questioned me for 15 minutes, because they already had my co-defendant. He had given them a statement. I was held at the precinct for over 24 hours, until I was picked out of a lineup. I wasn’t given anything to eat in that time. After the lineup, they handcuffed me, and I was taken on a bus to central booking in downtown Brooklyn. There, I was held in the cell alone, given moldy, stale sandwiches that I didn’t eat and slept on the floor. The next day I went in front of the judge, and then I went on a bus to Rikers Island. I was at Rikers for 16 months.

Naquasia Pollard is the founder and executive director of PureLegacee, an alternative to incarceration program for young women. She served 15 years in New York state prison for robbery.

Deshanna Graham
I only knew I was under investigation when [the detectives] arrested me for fraud. I was at T.J. Maxx, coming up the escalator, and there were two detectives standing there. I was trying to leave the store when they stopped me and said, “You’re Deshanna Graham. You are under arrest. We will tell you everything that is going on when your arresting officer gets into work.”

They cuffed me behind my back, read me my rights, took me down to the 24th Precinct [in Manhattan], and put me in a holding cell. I was just sitting there by myself all day trying to figure out what was going on. I called my mom and she came and brought me a sandwich and something to drink.

Once he got to work, the arresting officer took me out of the holding cell and took me into a room where he showed me all these surveillance pictures. Of course, it’s me in the pictures. He also showed me another stack of surveillance pictures of other people and asked me if I knew them, to try and help make a case against other people.

I got arrested in the afternoon. I left the precinct around 10 p.m. that night. They cuffed me again and placed me in the back of a police car to take me down to [New York County Criminal Court] at 100 Centre St. That was the pits. I was with a bunch of women in a holding cell overnight. It was unsanitary and full of homeless women. It was disgusting.

After the judge set bail, I went to Rikers Island.

Deshanna Graham was charged with criminal possession of a forged instrument in 2015, and served two years in prison.
Khalil Cumberbatch
In October of 2002, me and three of my friends committed a robbery in Manhattan. We get into a car chase, and we end up going down Park Avenue and getting into an accident with another car. We all get out and run separate ways. I was apprehended at the scene. They [the police] roughed me up. If you look at my mugshot, I have a bruise on my cheek. I get brought into the precinct. They handcuffed me in the back as tight as they could, fingerprinted me. I did not get a phone call. The only time I got a phone call was when I finally ended up at the courthouse. I didn't have a lawyer [with me]. They separated me and my co-defendant. We could see each other, but we couldn't talk.

They do that kind of time deprivation thing, where you lose track of time. I would assume I was there for 12 to 18 hours. You’re in a holding cell that holds maybe three or four people. They keep you in there until they’re ready to question you. For some portion of that time they also had me in a room isolated by myself, for maybe three or four hours. In these rooms there’s no windows, nothing to identify anything about what’s going on or how much time has passed. The lights are on.

Eventually, I get brought to the courthouse where I’m going to have my arraignment. They put us in a vehicle and brought us to the courthouse. They ask you your name, date of birth. Then they brought us upstairs in front of a judge, who gave us both bail: $10,000 each. It was my first time, it was my co-defendant’s first time.

Then they brought us to The Tombs [the jail in lower Manhattan]. It takes a while for your family to post bail and for it to go through. They could have moved me to Rikers if my family had taken too long. Sometimes you have people who post bail and it takes days for it to clear. We both made our bail and were released a few hours later.

Khalil Cumberbatch is the director of strategic partnerships at the Council on Criminal Justice. He served nearly seven years in New York state prison for robbery.

Shemaah Waldropt
I turned myself in after a detective repeatedly showed up at my fiancée’s house looking for me on a weapons charge. I didn’t know anything about any indictment or grand jury — I just knew they were looking for me, and I wanted to be a law-abiding citizen, so I went to the station.

I was arrested and handcuffed behind my back. The holding cell in the precinct was almost as small as a phone booth, and there were three of us being held. There was no bench, and we were standing for the whole four hours I was in there. There was no toilet — I tried to call the officer over to let me go to the bathroom, but he didn’t hear me. Eventually, I had to go so badly, I just went in a plastic cup.

After I bailed out, my case was adjourned over and over again for about a year. Eventually, I was offered a plea deal, and I took it on the advice of my lawyer.

Shemaah Waldropt was arraigned in 2021 and is serving a seven-year prison sentence for criminal possession of a weapon.

Greg Mingo
I was arrested in 1981 in connection with a double homicide. Police knocked on the door of my mother’s Harlem home, came in and said, “Which one of you is Greg Mingo?” That was the first I’d heard about any of it, no one reached out to me before they showed up to let me know I was a suspect or that I’d been indicted. They read me my rights on the way out and took me from Manhattan to Queens. I was handcuffed behind my back, and they took my picture and fingerprints at the station.

I was denied bail and spent two years on Rikers Island fighting my case. For months, my court appearances kept getting adjourned; each time I had a court-appointed lawyer filling in who didn’t know anything about my case.

Eventually, my family sent a lawyer to represent me. At the first appearance with the new lawyer, the judge said the trial would begin the following day. I hadn’t had a chance to meet with my lawyer yet, and no one had come to Rikers yet to speak to me. The judge denied our request to have a week to prepare.

The first trial ended in a mistrial after the jury deadlocked. The second time, I was convicted and sentenced to 50 years to life. I served more than 40 before being released.

Greg Mingo was released from prison in 2021 when he was granted clemency by former Gov. Andrew Cuomo. He served more than four decades after being convicted of second-degree murder.

Makeda Davis
The holding cell was completely filthy. There were a bunch of women in there, maybe nine or 10, and it smelled terrible. I had to strip, and I had to squat and cough. It was just a really awful experience. There were not enough benches for all the women in there. At one point, I was so exhausted that I took my pants off and spread them on the dirty floor so I could lay down and go to sleep.

It’s important to talk about, because one shouldn’t be treated like an animal just because they are believed to have committed a crime. I didn’t deserve the treatment that I experienced throughout my case.

Makeda Davis was initially released from prison in 2008, after her 2006 indictment on assault charges was reversed on appeal. She was reincarcerated three years later when her nine-and-a-half year sentence was restored by a higher court. She was released from prison in 2019.

Freddy Medina
I was in the dark. I didn’t know what a grand jury proceeding was or what an indictment was. The information and that whole proceeding is kept completely separate from people that are already detained. As far as I knew, the charges came from the precinct, and that’s what I was going to court for.

When they bring you in for arraignment, they keep you in the bullpen at the court; it’s literally a holding cell. It has some benches, and in Manhattan, it’s probably built to handle 25-30 people. At any given time, one will probably have more like 50 or 60 people in it. There was one that was so overcrowded that they tried to see if I could fit, and just took me to the next one.

If you use the bathroom, you’re literally using it in front of 50 or 60 people. The bullpen was filthy because think about it: If you have a 24-hour process that is a continuous cycle, when do you have time to clean something like that, and who cleans it? Because the officers aren’t going in there.

Freddy Medina was arraigned in 2001 and served nearly 17 years for manslaughter. He was released in 2022 with earned time-off for educational attainment.
Ariel Beltran has been out on parole in Brooklyn since 2021 after serving 25 years for second-degree murder. He currently works at a homeless shelter in Queens.

**Darrian Bennett**

The first time I saw the judge, I was numb to everything. I felt like it was game over, and there was nothing to say to anybody. I felt like the only time that there’s really any emotion, really, is when you have a feeling of hope, and I didn’t have that. I completely lost track of time in the holding cell, I have no idea how long I was in there.

It’s funny when you hear about people who have more money. You don’t think about them going through these situations the same way we do. I was in this thin paper suit — it felt like it was made out of a dryer sheet — because they took all my clothes, and I was just in that holding cell just freezing for a long time.

Darrian Bennett was arraigned in 2008 for second-degree murder and served over 14 years in prison. He was released early in December 2022, with earned time-off for educational attainment.

**Dominic Dupont**

The arraignment process starts with a judge who has tons of cases, and not a lot of time or information — just reads the charges off real quick. The prosecution does or does not request bail depending on the offense, and the defense attorney — who often doesn’t have a lot of information either — responds. It was just a very convoluted, run-of-the-mill type of thing. Most of the lawyers didn’t speak for more than three minutes per case during the arraignments before they shoved that person along and then moved on to the next case.

It looks very different from what we’re hearing about the indictment of Donald Trump, and it makes me wonder: If I were being arrested would I be scheduling how things go, and having people checking with me to make sure I am comfortable?

That process, as we know, it is not comfortable: being arrested, being fingerprinted. But, you know, people have to be held accountable for their decisions and their actions.

Dominic Dupont was arraigned in 1997 and served roughly 20 years in prison for second-degree murder before being granted clemency by Cuomo in 2018.

**Jose Llaca**

I was in the Dominican Republic because my father was in bad condition, health-wise, when there was an indictment. I was brought in shackles, leg irons, the whole process. My charges originated in the Bronx and in Brooklyn.

I did not know about this new indictment, I had no clue about it. I knew that a group of guys that I was with had been arrested prior, but I didn’t know I was involved until they snatched me up and told me this is the indictment they were going to put you under.

I was actually at the airport because the mother of my children was actually traveling to the Dominican Republic to spend time with me, and the national police basically held me. Since I was waiting by the carousel with my wife, they basically jumped me. It was like five or six of them. I didn’t know what was going on. They were like, “We arrested him. We arrested him,” and they handcuffed me, handcuffed my ankles. How can they expect me to walk? They said, “You’re gonna hop.”

They put me over in this room with double mirrors. They showed me a picture, and actually it wasn’t me. The officer kept asking me my name. I told him, “Jimmy McCullen.” He said, “That’s not your name,” and he smacked me.

From that back office, they brought me to my Jeep. I had my Jeep in the parking lot. They found some stuff. They found a gun. I had some money I had put away. I had a television. They kept everything.

When I got back, the newspaper front page was, “We Got Him.” I was on different news channels, I think Fox, ABC, NY1. They made a big deal out of catching me.

It was a three-day process. I was arrested and detained in the Dominican Republic and held for three days while they processed the paperwork, and then the American authorities went to pick me up.

I went straight from the airport to court, shackled up. I slept in court. We got there at around 9 or 10, and they left me in the bullpen, and the next day was the arraignment.

They’re not gonna put [Trump] in the bullpen, I can guarantee that. He’s gonna be out of there in three minutes. I’ve seen his cronies get opportunities to turn themselves in. Regular guys I know have had their doors knocked down with their children inside their houses.

Jose Llaca was arraigned in 1994 and is serving a prison sentence of 116 years to life for murder and conspiracy.

This article was published in partnership with The City.

These interviews were condensed and edited for clarity. Marshall Project staff members Jamiles Larney, Maurice Chammah, Alexandra Arriaga, Lawrence Bartley, Geoff Hing, Nicole Lewis, Weihua Li and Christie Thompson contributed to this story.
‘Prison Within a Prison’: New Mandate Offers Lifeline for Deaf People in Custody

The new rule, which goes into effect in January 2024, applies to phone companies serving prisons, jails and detention facilities nationwide.

By CHRISTIE THOMPSON

For four years, while incarcerated in Maryland state prison, Alphonso Taylor, 49, said he was the only deaf man in his unit. And he had no way to call or communicate with his loved ones outside of prison, who used sign language.

“I feel really alone,” he told advocates in a September 2020 videophone call from a Baltimore County jail. “I’m constantly holding back a rage from deprivation of information.”

During the pandemic, phone calls became an even more vital lifeline for people in prison. But many deaf incarcerated people were still cut off from meaningful communication, as few had access to the technology needed to sign with family at home.

In a major step in the fight over accommodations for deaf people behind bars, the Federal Communications Commission will soon require all prison phone companies to provide video communication services for deaf and hard of hearing prisoners. The new order, which goes into effect in January 2024, also applies to people in jails, immigration detention, juvenile detention and secure mental health facilities nationwide.

“Incarcerated people who are deaf, hard of hearing, deafblind or who have a speech disability are in a prison within a prison,” wrote Jessica Rosenworcel, chairwoman of the FCC, announcing the new rule last September.

The FCC order covers multiple kinds of communication technology. Point-to-point videophone calls, a specific system for deaf users, allow two signing people to communicate directly. Video relay services allow someone to sign to an interpreter via video, and the interpreter then speaks to a hearing person on the other end of the line. And captioned telephones provide typed captions to a phone call for people who are hard of hearing.

Disability rights groups have remaining concerns about the policy, mainly about the potential cost to users. Calls inside and outside prison are currently free for people with communication disabilities, covered by a federal fund. But the FCC’s new order allows companies to charge prisoners for some calls, such as a point-to-point videophone call between two signing people. And the new requirement only applies in corrections systems that have a broadband internet connection and that detain more than 50 people across all their facilities.

Some prison officials have resisted installing videophones, saying they are hard to monitor, and many departments have been sued over a lack of access. The new rule applies only to phone companies and is not binding to corrections departments. But FCC officials said it “sends a strong signal” that these services should be made available.

A spokesperson for Aventiv Technologies, the parent company of prison phone company Securus, said accessibility was a “proactive priority” for the company, and that they already offer video relay services in prisons.

Supporters of the new rule say phone access in prison is especially important for deaf people, as many are incarcerated without any other signing people. A call using a videophone may be their only chance at conversation. Many are unable to communicate with lawyers or advocates about appeals, abuse they may be experiencing or plans for their return home.

“However long a signing person is incarcerated, they are often completely deprived of any communication with any other human,” said Talila Lewis, co-founder and former executive director of HEARD, a disability rights organization that advocates for abolishing prisons. The group has been pushing for the FCC rule change for over a decade, enlisting national disability rights organizations and others working to lower prices for prison phone calls overall. HEARD gathered hundreds of comments from deaf people in prison and their families to submit to the FCC.

Some prisoners told HEARD that they were so cut off from information, they didn’t know what COVID was until months or a year into the pandemic. “People lose their ability to sign,” Lewis said. “They lose language.”

HEARD estimates there are tens of thousands of deaf and hard of hearing people incarcerated in the U.S. In a 2016 survey by the federal Bureau of Justice Statistics (the most recent report available), roughly 10% of surveyed state prisoners and 6% of federal prisoners reported having a hearing disability.

Many in prison are still made to use teletypewriters (TTY), a system that requires users to type their message. But those whose primary language is American Sign Language may not be comfortable communicating in written English. And TTY connections can be slow and error-prone. Outside of prison, most deaf households stopped using that technology years ago, in favor of videophones.

Some prison officials have said videophones pose unique security problems. In a 2017 federal court filing in North Carolina on behalf of the Federal Bureau of Prisons, the head of the agency’s office of security technology argued someone could use a videophone to depict how to build a bomb or manufacture drugs. The filing also said staff who monitor video calls would have to record and translate everything communicated in ASL. The court ultimately required the BOP to install a videophone at the facility, 11 years after the lawsuit was filed.
Under the Americans with Disabilities Act, deaf prisoners have a right to communication that is as effective as communication for people without disabilities. To ensure access, attorneys have been suing corrections departments across the country over videophones and other accommodations, such as ASL interpreters for disciplinary hearings. Corrections departments in states including Maryland, Kentucky, Illinois, Massachusetts and Vermont have settled such lawsuits and agreed to install videophones and relay systems; a case is ongoing in Tennessee.

Michigan settled a similar lawsuit in 2019, and installed video relay services and videophones in 2019 and 2021 in over a dozen facilities. Public Information Officer Chris Gautz said there had been no security concerns with the phones so far. “When prisoners have these needs, it’s our duty to provide for them, even if it’s a small population,” he said. “We know how important it is to maintain contact with their community.”

Supporters of the new rule stress that “video visitation,” which expanded during the pandemic, is not the same as access to a videophone or video relay system. Video visits, which some prisons have used to replace in-person visits entirely, are even more expensive than traditional phone calls, available intermittently and sometimes require family members to be on-site. They also aren’t built to be used by people who use their hands to communicate, and might require someone to hold a receiver or only show their face.

Advocates continue to object to the potential charges for some calls and are asking for the inclusion of smaller corrections departments. “We’re trying to get free [calls] across the country,” said Cheryl Leanza, policy adviser with the United Church of Christ Media Justice Ministry. “And now the FCC is saying, ‘This was free, but we’re going to go backwards!’” Leanza’s group recently lobbied for legislation that would allow the FCC to regulate all prison phone call prices, including videophones. President Joe Biden signed that bill into law in January.

Taylor, who was incarcerated in Maryland, was able to share his story with FCC commissioners using an internet video conference service in May 2021, while on home confinement with an ankle monitor. He died just a month later. Officials cited his testimony in announcing the new policy.

“Videophones safeguard deaf people’s futures,” Taylor said in 2020, referring to the damage of spending years without access to communication. “They make sure we can understand things clearly.”

This article was published in partnership with Mother Jones.

The 1990s Law That Keeps People in Prison on Technicalities

How the Supreme Court expanded the most important law you’ve never heard of

By KERI BLAKINGER and BETH SCHWARTZAPFEL, with additional reporting by MAURICE CHAMMAH

If you even half-paid attention in high school history class, you might be forgiven for thinking that federal courts are the most powerful courts in the land. After all, they’ve been responsible for landmark rulings about everything from abortion rights to school desegregation — disputes so well-known, the cases are household names: Roe v. Wade. Brown v. Board of Education. Despite those high-profile decisions, when it comes to protecting prisoners’ rights and avoiding executions of innocent people, the top courts in the land are oddly impotent.

In 2022, the Supreme Court told Arizona prisoner Barry Jones that even though four federal judges agreed he might well be innocent of the 1994 murder that sent him to death row, the high court couldn’t overturn his conviction or stop Arizona from executing him. (Jones had argued he was hindered by poor lawyering at multiple stages of his case.)

In a 6-to-3 decision, in a case titled Shinn v. Martinez Ramirez, the conservative justices said they couldn’t do anything about it, because of one wonky law passed by Congress in 1996 and signed by then-President Bill Clinton. Misleadingly called the Antiterrorism and Effective Death Penalty Act, the law was created during the tough-on-crime ’90s, to keep violent prisoners from getting released on what politicians called technicalities. But now, experts say the law actually keeps innocent people in prison on technicalities — and most of the cases it affects have nothing to do with terrorism or capital punishment.

In these cases, the importance of finality outweighs any claims the prisoners might make, the court’s conservative majority said. “Serial relitigation of final convictions undermines the finality that is essential to both the retributive and deterrent functions of criminal law,” Justice Clarence Thomas wrote.

While many judges and prosecutors complain about the length of the appeals process, these days there are few defenders of the 1996 law — other than state attorneys general who prosecute appeals in federal courts. “Lots of people are stuck,” said Christina Mathieson, director of the National Habeas Institute, which...
advocates for prisoners in these cases. “The gates to the federal courts are closed.”

Here are five things you should know about the law known as AEDPA (“ed-puh”):

1. It was created after the Oklahoma City bombing.

The idea that federal courts could provide state prisoners with an added layer of protection from state government overreach dates back to the founding of our country. The framers envisioned federal judges as a safeguard to ensure rogue states weren’t ignoring the U.S. Constitution.

But in the 1990s, with crime rates and death penalty approval ratings both at historic highs, a small but vocal minority of Republicans had had enough of what they saw as prisoners filing endless, frivolous appeals that deprived victims of the finality they deserved. They wanted to set stricter filing deadlines, narrow the claims state prisoners could ask federal judges to review and limit the power of federal judges to overturn state convictions.

When Timothy McVeigh bombed a U.S. federal building in Oklahoma City in 1995, Republicans had recently swept the midterm elections, and Clinton saw an opportunity to work with incoming House Speaker Newt Gingrich on a tough-on-crime initiative. The “Effective Death Penalty Act” — part of Gingrich’s legislative agenda — was rolled into Clinton’s Antiterrorism Act. The newlycreated AEDPA passed both the House and Senate by wide margins, even as then-Senator Joe Biden sought, unsuccessfully, to hold back some of the law’s more onerous provisions, warning that it would keep innocent people in prison — though he ended up voting for it anyway.

2. The law makes it harder for many prisoners to win appeals.

Understanding why this is true requires a bit of background on how appeals work. Most criminal cases — more than 95% — go through state courts. But if someone wants to keep fighting their conviction, they can take the case to federal court.

But the 1996 law made it a lot harder to do that, adding complex technical restrictions for both prisoners and judges — changes that Brian Stull, a senior staff attorney with the ACLU Capital Punishment Project, likened to “chutes and ladders and Byzantine procedures that a prisoner has to navigate.”

As a result, far fewer prisoners were able to get federal courts to consider — much less agree with — their claims of prosecutorial misconduct, inadequate lawyering and other problems with their trials. In 2009, one study found that before the 1996 law, between half and two-thirds of state prisoners sentenced to death had their arguments vindicated in federal court. Afterward, that number fell to 12%.

3. The law was intended to speed up death row appeals, but failed.

Before the 1996 legislation took effect, people in prison didn’t have an exact deadline for how long they could wait to bring their claims to federal court, according to Rob Dunham of the Death Penalty Information Center.

“You just couldn’t unreasonably delay,” he said.

But now, prisoners have just one year to prepare and file their federal appeals. If that sounds like a long time, remember that death penalty cases often require intense investigations to track down witnesses and uncover new evidence. As a result, prisoners regularly lose their one shot at a federal appeal just because the clock has run out.

A Marshall Project investigation in 2014 found that 80 death row prisoners had missed the one-year deadline and their chance at an appeal in federal court — sometimes by just a single day — because of mailing or filing mishaps.

Despite the problems the one-year deadline can cause, it has failed to correct the problem it aimed to solve: The average time between sentencing and execution has doubled since AEDPA passed.

4. It doesn’t just affect terrorism and death penalty cases.

The name “Antiterrorism and Effective Death Penalty Act” is a bit of a misnomer. Although the law affects both terrorism and death penalty cases, it also affects other criminal appeals, including everything from drug crimes to murder. By some estimates, more than 99% of prisoners affected by AEDPA have not been convicted of terrorism or sentenced to death.

In part, the law’s effect is so broad because of the long-standing lack of investment in indigent defense — when poor defendants are provided lawyers. Public defenders are generally “under-qualified, under-compensated, and under-resourced,” says Christina Swarns, executive director of the Innocence Project. This makes it hard for them to put up a vigorous defense at trial or on appeal, which requires tracking down witnesses, gathering documents and consulting experts. This lack of investment, in turn, makes mistakes and oversights more likely.

“There is no fair fight at the front end,” Swarns said. “For this demand for finality to have integrity, we have to make damn sure what we’re doing on the front end is working. And we know it is not.”

5. It makes federal courts less powerful.

AEDPA changed the balance of power in criminal appeals. Federal judges can no longer overturn state court decisions — even those that violate federal law — except in very narrow circumstances.

“If you’re a federal judge, you can’t disagree or overrule an obviously wrong ruling in state court simply because it wasn’t wrong enough,” says George Kendall, a death penalty attorney who has argued before the Supreme Court.

In the case the Supreme Court decided in May of 2022, a second man, David Martinez Ramirez, argued that the state of Arizona violated his constitutional right to an effective lawyer when they assigned him an attorney who failed to look into the developmental delays and egregious abuse he suffered as a child — evidence a competent attorney would have used to persuade the jury that he deserved life in prison instead of death. An appeals court agreed Arizona violated the Sixth Amendment by appointing an attorney who admitted she was not “prepared to handle ‘the representation of someone as mentally disturbed as … Ramirez.’”

Still, the Supreme Court said his death sentence should stand because he didn’t follow the correct procedure in filing his appeals.
Don’t ‘Punish Them More.’ Effort Grows to Ease Job Barriers After Prison Release

Nearly 2,000 formerly incarcerated people return to Cleveland each year with few job prospects. Some lawmakers want to change that.

By STAN DONALDSON JR.

Promise Stewart and Santonio Ford met 18 years ago, on a prison bus headed to a halfway house in Cleveland. They noticed each other’s edge-ups and began a conversation that changed their lives.

Stewart, now 58, had just served two years at the Mansfield Correctional Institution on drug charges. Before he was incarcerated, he operated a barbershop in Cleveland’s Detroit-Shoreway neighborhood.

Ford, now 48, was finishing a three-year sentence at the Richland Correctional Institution, less than a mile away, on a felonious assault charge. He wanted to become a barber as well, and was several credits shy of completing a state certification program at the prison before his release.

During the 90-minute drive to the Harbor Light Complex transitional facility, Stewart and Ford talked about using the barber skills they learned in their teens as a way to support themselves and stay out of trouble for good.

They shared ideas. They shared techniques. A brotherhood formed.

And they were able to beat the odds and land state-issued barber licenses, despite the many legal obstacles because of their convictions.

Ford and Stewart are just two of the nearly 2,000 people who return to Cuyahoga County each year from Ohio prisons and local jails, according to the Ohio Department of Rehabilitation and Correction. When formerly incarcerated people try to reintegrate into society, more than 1,600 laws and regulations often shut them out from employment, housing and educational opportunities.

Some of those limitations may soon change in Ohio and beyond. A bipartisan bill moving through the state Legislature would expand access to public housing and some rental properties for people who have been released. Also this year, President Joe Biden designated April as “Second Chance Month” to recognize formerly incarcerated people and reentry programs. The Biden administration directed the federal Small Business Administration to offer more business start-up loans to applicants with criminal records.

“When you put somebody in jail, you’re punishing them right then and there,” Stewart said. “So, when they do their time, you should not punish them more when they are supposed to be free.”

More than 1,600 potential consequences

An obscure two-word term is one of the greatest obstacles a person with a record will face.

“Collateral consequences” are laws or policies that prevent people with criminal records from obtaining employment, certifications, education and more. The National Inventory of Collateral Consequences of Conviction listed over 1,600 consequences that bar such access because of a previous conviction stemming from 1,250

Photographs by SYLVIA JARRUS FOR THE MARSHALL PROJECT
violations in Ohio on its database.

For instance, a person with a sexual offense on their record would be barred from working at a nursing home or hospital. And a person with any felony would also be ineligible to be a driving instructor or to apply for a license to operate an amusement ride.

Every year, people who have been incarcerated lose more than $55 billion in potential income, according to a 2020 report by the Brennan Center for Justice. The report states that one in 5 Americans have a criminal record, and that people who are imprisoned early in their lives earn about half as much annually as people who do not have criminal records.

Steve Lopez, an associate professor of sociology at the Ohio State University, said that most jobs available for the formerly incarcerated don’t pay a living wage that would support a family — or even the ability to afford reliable transportation if the job was not close to their home. What’s more, a 2022 study Lopez co-authored found that steady employment can keep people from returning to prison.

“I see employment as a necessary, but not a sufficient, condition,” Lopez said. “Employment by itself is not a panacea for helping someone change their life ... they have to figure out why they want to change their life.”

Entrepreneurship might appear to be an easier path, but even that is riddled with obstacles, said Ronald Crosby, an organizer with Building Freedom Ohio, an organization that works to restore rights for formerly incarcerated people.

“Being a barber is an honorable profession, but if you have a felony, it’s hard to get loans from banks or leases from landlords. A lot of people end up having to put the business in someone else’s name,” Crosby said. “Ownership and entrepreneurship move the needle. ... You don’t have to stress and strain about how you can provide for your family.”

Stewart and Ford earned their certifications at different times and worked multiple side jobs — some lasted just a few days — to earn enough money to pay for barbering college. They had to find jobs that didn’t conflict with their post-release requirements and that also allowed them to complete the apprentice hours needed to earn their certifications.

“You have to fully commit,” Ford said. “I had to get a third-shift job so I could go to school from 9 to 5.”

Stewart said he wanted the barbering license because it was important for him to be his own boss. Barbering is a reliable way to earn income and is a service people will always need, Stewart said.

“With barbering, that is a good occupation because ain’t gonna be no computers or robots that can do that,” Stewart said.

Changing the law

In 2012, former Ohio Gov. John Kasich, a Republican, signed a bipartisan law to ease restrictions for earning state licenses and certifications in skilled trades. State corrections officials approve applications by people in prison or those who were previously incarcerated, and judges award work-readiness certificates for them to present to prospective employers.

The program initially issued certificates for jobs that included barbering and cosmetology, real estate, nursing and social work. It has now expanded to include aviation, casino gaming, clinical psychology, medicine, case management and even law enforcement.

Even though 82% of the applications reviewed by Ohio courts over a nine-year period were approved, according to the Ohio Department of Rehabilitation and Correction, few completed the process. In 2021, just 17 certifications out of 22 court hearings were issued in Cuyahoga County, which points to a problem justice reform advocates say needs to be fixed — the certification process remains relatively unknown to many employers and potential applicants.

As for housing, earlier this year, state Rep. Bill Seitz, R-Cincinnati, and Ohio Rep. Latyna Humphrey, D-Columbus, introduced a bill that would expand access to publicly funded housing for people who have criminal records. The bill is before the House Criminal Justice Committee.

Seitz, who serves on the committee, said that although the legislation may not solve every obstacle a formerly incarcerated person may experience, it can help put them on a pathway to earn a steady paycheck, build a credit history and put themselves in a position to advance.

“People can change, and they do change, and having learned their lesson...go out and become role models for other people to do the same thing,” Seitz said.

‘People deserve a second chance’

From 2005 to 2018, Stewart owned Zeke’s Barber Shop on Detroit Avenue. His family ran the business — which also included a nail salon — while he was incarcerated. Ford joined the shop in 2006 after he was released from the halfway house. He eventually became the shop’s manager and lead barber.

Zeke’s was an unofficial community center and resource for people who returned from prison. They could get advice and free haircuts before they saw their loved ones, a fresh shave, and sometimes, gently used professional clothes before a job interview. The shop was also a place where single mothers could bring their sons to get mentorship from other men through daily chess battles or to have conversations about making good choices. It had the feel of a family living room rather than a barbershop.

Stewart said when he was released from the halfway house, he knew that he wanted Ford to be one of his partners.

“When I told Tone I had a barbershop, I don’t think he really believed me at first,” Stewart said. “And I get it. People will tell you all kinds of stories in the joint.”

Ford, Stewart and other barbers in the shop would often go the extra mile to help formerly incarcerated people who entered the shop.

“We all understood the struggle,” said James “BJ” Moore, 48, a former barber at Zeke’s who now works as a delivery driver and part-time barber. “We just tried to do our part, in our own little way, because people deserve second chances.”

Nelson Beckford, 51, a sales executive and former customer at Zeke’s, said Ford and Stewart “rewrote their stories” and have used their experiences to help others.

To be locked into only working for someone else simply “clips wings” for formerly incarcerated people, he said.

Fighting ‘the label’

Stewart closed his Detroit-Shoreway shop in 2018 after a rent increase. Many of the barbers went back to working side jobs or transitioned to other shops in the city. He reopened the shop in 2020 at a new location in Old Brooklyn.

The abrupt closure motivated Ford to accomplish his dream of running his own shop.

He worked as a private barber through the COVID-19 pandemic, and saved
Coulda Been a Contender

I had a shot at being the heavyweight boxing champion of the world. Then I was convicted of murder.

By KASSAN MESSIAH as told to ELI HAGER

Illustration by RONALD WIMBERLY FOR THE MARSHALL PROJECT

I was incarcerated at a young age. I committed a carjacking in Newark, New Jersey, and somebody was murdered. I went to the juvenile court; they tried me as an adult. I think I probably was like 14. It was 1981.

I wound up taking a plea bargain for a max of 30 years. That's how I started.

My younger brother came in maybe a couple years after me. I was in the youth prison at Bordentown, New Jersey. He got put at Yardville. We could each look out the window and see the other facility.

But I wanted to go see him better. And the only way it was possible for us to ever see each other while incarcerated in different facilities would be to participate in some type of sport. New Jersey was big on sports. They had a program where we could travel from one facility to the next to participate or compete with other teams.

The bond Stewart and Ford formed during the bus ride has evolved from friendship, to partnership, to entrepreneurship. Most importantly, it allowed both men to be present in their children's lives. They've been able to watch some of them graduate from college and start their own families. The men, who now both have gray in their beards, are also doting grandfathers — something both men said they thought they would never see.

“I cried. I was discouraged,” Ford said. “But I kept going until I was able to make my own way, and some good people helped me along the way. You have to keep going.”

Local Reentry Assistance Organizations

The below county and nonprofit organizations are a few of the many agencies that provide information, legal services and job opportunities for the formerly incarcerated. For a more expanded list, visit the Cuyahoga County Office of Reentry website.

Cuyahoga County Office of Reentry
The county-run office partners with community agencies throughout Greater Cleveland to coordinate services and educational events for formerly incarcerated people. (216) 881-5554

Building Freedom Ohio
The organization provides and promotes leadership, organizational and strategic planning workshops for formerly incarcerated people. The founders of the organization, and many of the group's members, were once incarcerated in Ohio Department of Rehabilitation and Correction facilities. (216) 417-2743 info@ohorganizing.org

The Legal Aid Society of Cleveland
Provides free legal services for individuals with limited resources. 888-817-3777

Towards Employment
The agency is a workforce development organization that connects people to employment opportunities in Northeast Ohio. (216) 696-5750
They had tryouts. The coaches were other inmates. Everybody signed up, and they'd train us for two weeks. They'd match us up, and then we'd have box-offs. You have to fight your way on the team.

Not only did I get on, I really got good. I was dedicated. I was the first person in the gym and the last one to leave. Guys used to talk about it, because my cell used to smell like the gym. I had a homemade punching bag in there, and I punched that bag all day. I’d do pushups and do sit-ups. I literally woke up thinking, eating and drinking boxing.

My first seven fights were all first-round knockouts. They started calling me “One Round” or “K.O.” Since my first name is Kassan, they also called me “Special K.” I was destined for a stardom beyond prison.

But when I finally did make it over to Yardville to fight, my brother had been moved to another facility. That was the irony of it. It was sad, too, because that was one of my best fights. I knocked the guy out, I think in the second round. And I was like, “Yeah, I prepared myself to come over here to do this for him, and he ain’t even get a chance to see me represent.”

My brother actually never got a chance to see me fight face-to-face, because when I was in jail, he was home, and when I was home, he was in jail.

Still, I just kept going with boxing. I kept on fighting. Suddenly I was 63 and 0.

And that included five professional fights.

I had been moved to the former Rahway State Prison at one point, which was famous for boxing. Peter Heller, a sports producer for ABC News, came out to one of my fights inside the facility, and he talked about me. The former chair of the state boxing board in New Jersey came to see me, and when I got out on parole in 1992, my name was buzzing so much that I had a manager and local businessmen wanted to sponsor me. I was even next to Mike Tyson and Sonny Liston—who both served pads. We don’t have a ring. But I was able to continue my boxing.

In the time I was free, I fought five fights. I can’t remember ever being close to losing. I think I would have died before losing.

I just thought that nobody could beat me. The work that I put in, waking up in the morning, running, doing what I was supposed to do. No smoking, no sex, all of it. The maximum amount of sit-ups, the maximum amount of pushups, dedication. Everything was hardcore. One-track mind. That was me.

It’s Oct. 5, 1994, and I got a fight coming up. I’m using Ocean City, New Jersey, as my camp—nice and quiet, beach is my backyard. I’m living in a rooming house.

I don’t have a car. I don’t have a TV. I don’t have a phone. I’m living like I am still in prison. That’s how dedicated I was to the fight. So, on Oct. 1, I’m five days out, I’m training hard. I come out of my rooming house to go make a phone call. And as I’m in the phone booth, a car comes up on the sidewalk. I thought it was an accident, so I drop the phone and go to see if I can assist. The person jumps out of the car, pulls a gun on me, tells me, “Get down on the ground.”

They say, “Police, police.”

I’m like, “Police, what’s up? What’s the problem?”

They handcuff me, search me. They’re thinking I’m a person that committed a murder in Dobbs Ferry, New York.

I tell them I’ve never been in Dobbs Ferry a day in my life.

But I had let one of the guys I grew up with use the car I had been renting, and the car was later tied to a murder. They saw my record, and I was charged and convicted based on the DA’s claim that I was paid to kill him.*

My passion for the sport has never changed, not even after I went back to prison for life. It’s never wavering. At all. I teach guys all the time, because a lot of people want to learn how to fight.

When I see guys punching the bag, and I see they are doing it wrong, I’ll always go over there and correct them. I say, “Yo, you’d do a little better if you turned your foot this way, and you lean back over this way. Your punch would probably come out a little more accurate.”

I’ve had the opportunity to train people and mentor them at the same time. About life. About relationships. About sacrifices.

About consequences.

Green Haven prison is one of the few facilities in New York that still has a boxing program. We only got a bag and some pads. We don’t have a ring. But I was able to continue my boxing.

I don’t regret being locked up. I was a bad kid. I didn’t commit this crime, but there was so much stuff that I’d done before. I try to say, “This is karma coming back to me.” The only thing I look at as a regret is that I didn’t get the opportunity to do what I wanted for my mother.

My mother passed away about two, three years ago, while I was in here. A Black woman who raised four children, without a father. More than anything else, I wanted to see that she never even thought about money again.

And I was so close to making that happen, but then—prison. And she died.

What do I love most about boxing, besides raising my hand in victory? It’s that I am able to rise above those who are supposed to be comparable to me as far as size, age, weight, height, worth as people.

Believe it or not, some of the guys I’ve knocked out, I really felt sorry for. I hit ’em so hard, I was like, “Damn. That hurt. I know it hurt.”

I mean, I wanna knock you out, don’t get me wrong. I will definitely love to see you unconscious. But if you hurt, I’m not the one that’s gonna stomp you down. That’s not me. □

Kassan Messiah, 57, is incarcerated at Eastern Correctional Facility in Napanoch, New York, where he is serving a sentence of 37 and a half years to life for second-degree murder, robbery and weapons charges. He will become eligible for parole in 2032.

*Editor’s note: Court records show that three eyewitnesses identified Messiah as the perpetrator in his second murder case: one from a photo three days after the murder, one from a photo four days after and one from a lineup two weeks later. Then-Westchester District Attorney Jeanine Pirro, now a Fox News host, argued that Messiah was hired to commit the murder; Messiah claims he is innocent. Messiah’s lawyers argued on appeal that the prosecutor improperly struck seven Black candidates from the largely White jury pool. The appeal was dismissed.
Rebuilding Family

By Brian Rinker
Photographs by Max Whittaker
Terrick Bakhit’s loyalty to his brothers, Matthew and Joseph, is tattooed across his chest: “MTJ,” each letter representing the brothers’ initials.

As kids, they ran away from home together. Their mother was addicted to drugs and their grandmother beat them with a belt. The boys tried to stick together, but instead landed in California’s sprawling foster care system, growing up apart.

While Matthew and Terrick spent time incarcerated, Joseph was able to use extended foster care benefits to go to college. Their story was the focus of a 2014 article in the Chronicle of Social Change (now called The Imprint), which documented how their unequal access to foster care resources affected their lives.

The brothers’ story inspired the creation of a state bill that would have allowed foster youth who entered the juvenile justice system to retain their extended care benefits. Terrick and Joseph even spoke before the California Senate. But the bill never made it through the committee.

Nearly nine years later, The Marshall Project revisited the brothers and found them still trying to find their place in the world — and rebuilding their family in the process.

Bad timing and a stint in juvenile detention prevented Matthew and Terrick from accessing the foster care resources offered to their youngest brother, Joseph.
Joseph excelled after high school, in part, because of his access to housing, financial aid and case management provided by federal law and the state statute that extended foster care from ages 18 to 21. He attended UC Berkeley on a scholarship and received a monthly stipend only available to foster youth. Now 27, Joseph married his high school sweetheart Samantha, who went through foster care herself, and lives with her and their two kids in Folsom. Their 4-year-old son will sometimes video chat with his grandmother, Michele, who now lives in a southern California apartment with Terrick and Matthew, after years of being apart from them. Joseph is considering moving near them to pursue a career in ministry.
Terrick couldn’t take advantage of the extended benefits. His anger issues in foster care from the trauma of abuse eventually got him arrested at 17 for taking his group home van for a joyride. He spent his 18th birthday in juvenile detention, and because he didn’t have a foster care placement at the time, he was severed from the foster care system and the support it provided. Terrick left juvenile detention unemployed and homeless. Today, at 29, he works as a sauté chef at the San Diego Yacht Club and has two children, but does not have custody of them. Terrick still struggles with his anger issues, but said he’s “trying to learn to control it and just not let it get the best of me.”
Matthew, the eldest, who came up with their plan to run away years ago, eventually aged out of the foster system just months before a state law extending benefits until age 21 took effect. Without a safety net of financial and emotional support, he spiraled into drugs, experienced homelessness and spent time in and out of jail. Matthew, 31, had a stroke in 2021, paralyzing his left hand and weakening his legs. He now walks with a cane. Struggling to obtain disability payments, he spends his days at home with the family dog, Eli, watching TV or playing video games with Terrick and other relatives.

“We want to be happy, and we don’t want to be in a negative situation anymore,” Matthew said, speaking of his family. “We’re gonna learn life together.”

[Image of Matthew]
Sports have always brought communities together. Whether it’s only you watching or an entire stadium, passion is what inspires people to cheer for — or debate about — teams and players. This is true within prisons as well. Passion for sports enables folks inside to explore different ways to stay connected with family and friends and build new relationships. In our last Reader to Reader callout, we asked our incarcerated readers around the country to share their connection with sports. Here are some of the responses we received:

**Reader to Reader**

**How do you stay connected as a fan?**

Through phone calls home, newspapers, and TV. From a reader in PA.

Following sports would be great. However, at the facility I’m at, our TV access is limited to the 1 ½ hours a day that we have access to in the dayroom. The TVs are positioned such that less than a third of the block can see them when locked back in. From a reader in NC.

Pittsburgh Steelers, baby! On game day, if the game is on TV, I’ll cook a meal with the other Steelers fans. I also welcome new fans to join. As for myself, I love that weight pile and throwing horseshoes. I’m old fashioned. Plus it’s calm. No drama. Ya feel me? From a reader in NC.

I mostly follow the teams on TV and sometimes the radio. I feel sports help people bond and get along as a whole. It makes life go by faster on the inside. I’ve always liked football, and Minnesota is my go-to team. I have friends that like to talk down my team, playfully. When my team went up and lost a playoff game to the Seahawks, that was crazy to me. All we needed was to make the kick: 20 yards! From a reader in MT.

I really like football. I follow the Seattle Seahawks, and I stay connected by watching them on TV and checking out their scores in the newspaper. I also follow them throughout the season to see how their win/loss ratio is doing. I do have friends on the inside who follow my team and its rivals. From a reader in MT.

I am in a county jail in Oregon. Here, our only access to sports are the dayroom TVs. Football and basketball are big here. The last big game day was Lakers vs. Golden State. It seemed like EVERYONE was crowding the TVs, and it got pretty loud. Only two people were for Golden State in the pod, and the game was a big deal. The deputies even help us out a bit — some have been known to print off sheets for March Madness, or use their computer monitors to display the game when the TVs are down. In jail, watching the games and talking about it to our friends on the outside helps us forget about where we are. From a reader in OR.

**What’s Game Day like?**

I don’t play sports, nor do I watch them, but a big game day in prison is very dominating. Everyone — except me, it feels like — tunes into the games. The excitement is so thick that it’s almost something that can be felt physically. From a reader in PA.

A big game day in prison is real rowdy. Everyone is sitting in front of the TV talking trash all game long. I’m a big Kevin Durant fan, so it was tough last playoffs when he got swept by Boston! I still have to hear everybody talk trash about it, and that was a year ago. From a reader in NC.

Once in my prison, Marcy C.F., we were watching the New York Yankees vs. Oakland A’s on TV. We all pitched in to cook nachos for the whole dorm, and we also pitched in with sodas! From a reader in NY.

A big day inside prison is when we bet on the playoffs in basketball. From a reader in NC.

A big game day in prison goes like this: we order a bunch of canteen and turn on the game and make a bunch of food and watch the game until it’s over and then we celebrate the win and/or talk about the loss. From a reader in MT.

My basketball team is the Boston Celtics. On playoff days we come together and cook a big meal. From a reader in NC.

Basketball and football excites me. My favorite teams are the San Antonio Spurs for basketball and Tampa Bay Buccaneers for football. A game day in prison is a lot of hype on which team is going to win. But I can’t follow my teams the way I want to. Once, I was in solitary confinement and had to listen to the game on the radio as my Bucks won their second championship against the Kansas City Chiefs in 2021. From a reader in NC.
I love football mostly. I reach out to my loved ones for updates on scorers and stuff like that. From a reader in NC

I only watch WWE, but I rarely get to see it. I have to catch updates when I hear them from other inmates. From a reader in NC

I don’t really watch sports, even on the outside. My sport is surfing. I really support that. From a reader in CA

Oddly enough, I don’t follow ANY sports. I’ve found that, like politics and religion, sports can often lead to conflict behind the wire. I spend my time pursuing much more beneficial outlets that will assist me once I’m released rather than yelling for a group of overpaid athletes who don’t even know or care that I exist. Pay teachers what athletes are paid, and watch what happens to crime rates. From a reader in SC

February 2010: The New Orleans Saints win the Super Bowl. The game was projected onto the wall of the gym, and clubs—formal DOC-endorsed but incarcerated-led organizations—were allowed to sell pizza for Haiti earthquake relief.

These images are taken from Chainlink Chronicle, a prison news publication of B. B. Rayburn Correctional Center in Anglè, Louisiana. Issues of Chainlink Chronicle can be found on JSTOR’s collection of American Prison Newspapers from 1800-2020, https://www.jstor.org/site/reveal-digital/american-prison-newspapers/
What are your favorite teams?

- Anything Boston. From a reader in MA
- Los Angeles Rams. From a reader in AZ
- Green Bay Packers. From a reader in AZ
- The Phoenix Suns. From a reader in AZ
- The Pittsburgh Steelers. From a reader in SC
- The Carolina Panthers. From a reader in NC
- My football team is the San Francisco 49ers. From a reader in NC
- The Dallas Cowboys rule. From a reader in TX
- My team is the Golden State Warriors. From a reader in IL

My favorite basketball teams are the Charlotte Hornets and Golden State Warriors. From a reader in NC

I'm not a sports fan, but I'm a UNC Chapel Hill alumn, so I support them. From a reader in NC

I'm not a fan of any particular team or player in this day and time. I just listen to ESPN radio when I don't have any new books to read. I can't watch any sports because of being on high security max control. I'm locked in a cell 24 hours a day. From a reader in NC

What are some favorite sports memories?

Football season is always big here at Montana State Prison. When the playoffs are on the TV, no one is really out on the yard. They are always watching the games in their cells! From a reader in MT

We would always come together and donate money so the winners of tournaments could win a prize. Every year the teams would practice harder, and we would have separate leagues for youngsters. From a reader in AZ

Chicago Bears Bulls and White Sox games are a blast, especially when you got a homie that's rooting for the other team. You know how it's done: Cook food and have drinks everywhere and, for that split second, you forget you're in jail. From a reader in IL

In prison in Alabama we play softball. Each institution has their own leagues and teams. College football is huge in prison, and it really brings everyone together in the camp, no matter your race, religion or gang affiliation. You're either an Alabama or Auburn fan on game day. From a reader in AL

My favorite NFL team is the New Orleans Saints, and seeing them win the 2010 Super Bowl on my birthday was a great gift. From a reader in NC
Although resources that help you transition back into your community tend to be available close to your release date, there may be additional opportunities earlier than that. In fact, preparation for re-entry can begin on the very first day of prison. This could be pursuing your GED or taking college-level classes (if available), learning a trade, or even starting the first debate team in your facility!

Are you thinking about re-entry? If so, do you have any advice about how to approach it? What resources do you think are helpful to share with your fellow incarcerated people? If you have not thought about re-entry, why haven’t you?
Welcome, Will! We’re glad to have you working at Lawson’s Law Group!

Think nothing of it. I won’t hold past mistakes against someone who deserves another chance. You seem sharp — you mentioned being a ‘jailhouse lawyer’? Perfect. Here’s what I need you to do...

Thank you, Mr. Engles. I really appreciate the opportunity, especially given my... background.

GOOD LUCK!

I have no idea how to do any of this technology stuff. It was all invented while I was locked up!
Todd, help! I have to find “LexisNexis,” use logins, “Google Docs,” and I don’t know how or what most of it means. I can’t get fired on my first day!

Relax, man. I’ve been out five years longer so I get it. Remember that website I showed you?

No, silly, I meant YouTube! Search there for answers to your questions. I call it “Professor YouTube.”

Come on, now’s not the time for “that” kind of site!

I was worried I gave you too much at first, but your work is incredible. Your research and summary in Google Docs were done quickly, keep this up and you’ll go far here!

Thanks, Mr. Engles. It was easy. Keep it coming!
ACROSS
2 "Their story was the focus of a 2014 article in the Chronicle of Social Change (now called The Imprint), which documented how their ________ more than rising costs affected their lives." (2 words)
5 Name of 2014 book where Messiah was listed. (3 words)
6 This 1996 law was created to keep violent prisoners from getting released on "technicalities." (1 acronym)
7 The disability rights organization that advocates for abolishing prisons. (1 acronym)
8 Nickname for the cells used to hold people while awaiting court. (1 word)
11 "Some price increases are because of ________ more than rising costs, said Nick Shepack, Nevada state deputy director for the Fines and Fees Justice Center." (2 words)
12 "In a major step in the fight over accommodations for _________ people behind bars, the [FCC] will soon require all prison phone companies to provide video communication services for deaf and hard of hearing prisoners." (1 word)
14 New Jersey state prison famous for boxing where Kassan was incarcerated at one point. (1 word)
15 The government system that separated the Bakhit brothers. (2 words)
16 "When formerly incarcerated people try to reintegrate into society, more than 1,600 laws and regulations often shut them out from ________, housing and educational opportunities." (1 word)
17 Laws or policies that prevent people with criminal records from obtaining "employment, certifications, education, and more." (2 words)
18 The organization that advocates for people incarcerated because of AEDPA is called the National ________ Institute. (1 word)
20 "Nearly ________ formerly incarcerated people return to Cleveland each year with few job prospects!" (1 number)

DOWN
1 Advocacy organization working to eliminate fees in the criminal justice system. (5 words)
3 "Most New Yorkers Don't Get the Trump Treatment at _________." (1 word)
4 People across the nation, including incarcerated people, saw steep price hikes because of this. (1 word)
5 "Serial ________ of final convictions undermines the finality that 'is essential to both the retributive and deterrent functions of criminal law,'" Justice Clarence Thomas wrote. (1 word)
6 "Green Haven prison is one of the few facilities in New York that still has a ________ ." (2 words)
7 "Many in prison are still made to use ________ (TTY), a system that requires users to type their message." (1 word)
8 Terrick Bakhit’s loyalty is illustrated by this tattoo on his chest. (1 acronym)
9 "Departments of Corrections also profit by ________ commissary items." (2 words)
10 Number of people arraigned in New York courtrooms every year. (1 number)
In The Spotlight

Sheron Edwards with his mother, Willene Edwards

As a published author, I know firsthand what the power of words is. Being able to write two autobiographies has not only been empowering, but it also has helped me bring awareness to the injustice of the excessive sentences in my case. I consider my books to be self-help content that can inspire people to overcome alcoholism, depression and childhood trauma. I also see my books as tools to show our youth how to avoid making poor decisions.

Much like my books, News Inside provides self-help content. You may ask yourself, how can news fall into the category of self-help? Because News Inside provides journalism and information relevant to people behind the walls. And because this magazine is produced by formerly incarcerated people, it gives hope to the hopeless. It gives people like me hope that it is possible to have a successful and purpose-filled life when we re-enter society.

Sheron Edwards is an incarcerated activist and author from Starkville, Mississippi. He is the co-owner of Life’s Lenses Group, a platform that represents the different lenses he has used in his life.

Sheron’s story and quotes have been featured on other platforms including USA Today, Hot 97’s “Ebro in The Morning” and The Marshall Project. His latest book, “Life’s Lenses 2: A Crack in The Concrete,” is an inspirational story of love, redemption and systemic racism. It charts his journey from serving 18 years in the feds to being sent to Mississippi’s notorious Parchman plantation to do 20 more years for the same exact crime. How did Sheron survive? See through his lenses at #freesheronedwards.

Twitter: @FreeSheron
Instagram: @freesheronedwards
Website: www.freesheronedwards.com

We want to hear a bit about you and how News Inside has affected you. If you are interested in being featured in In The Spotlight, please mail us your response to the address on the back of the magazine, or send us an electronic message at newsinside@themarshallproject.org. If you are chosen to be featured, we will contact you to request a picture of you and discuss your response if needed.

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: Kassan was on a list of prison boxers – like Sonny Liston and Mike Tyson – in the 2014 book Boxing’s Most Wanted.
2 T or F: The rate of inflation for incarcerated people is often two, three or four times higher than for those on the outside.
3 T or F: Former president Donald Trump became just another one of the roughly 31,000 people arraigned for felonies across New York State each year.
4 T or F: Effective January 2024, in a major step in the fight over accommodations for deaf people behind bars, the Federal Communications Commission will require all prison phone companies to provide video communication services for deaf and hard-of-hearing prisoners.
5 T or F: “Collateral consequences” are laws or policies that prevent people with criminal records from obtaining employment, certifications, education and more.
6 T or F: In the Shinn v. Martinez Ramirez Supreme Court decision, Judge Clarence Thomas stated that serial relitigation of final convictions is encouraged by the Supreme Court.
7 T or F: All three of the Bahkit brothers went to prison following their time in the foster care system.

Last Issue’s Answers

1 Inside Story is a weekly video series designed to inform people both inside and outside of prison walls. TRUE
2 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. TRUE
3 Texas bars people with a felony conviction from legally changing their name until two years after they complete their sentence—including probation or parole. TRUE
4 Since 2016, the number of children that Cuyahoga County has transferred to adult court has decreased. FALSE
5 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. TRUE
6 The third debate featured a new wrinkle — the teams were not mixed, both prisoners and college students. FALSE
7 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. TRUE
8 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. TRUE
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
PAUL D’AMBROSIO Senior Editor
ASHLEY DYE Audience Director
DAVID EADS Data Editor
CELINA FANG Senior Multimedia Editor
GHAZALA IRSHAD Style and Standards Editor
GABE ISMAN Director of Technology
ELAN KIDERMAN ULLENDORF Director of Product
NICOLE LEWIS Engagement Editor
DAVE MANN Senior Editor
STAN DONALDSON, JR. Staff Writer
LOUIS FIELDS Outreach Manager
MARK PUENTE Staff Writer
CID STANDIFER Staff Writer

Cleveland
PHIL TREXLER 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
DACRIE BROOKS Senior Director of Strategic Communications
CRYSTAL HAYES Chief Administrative Officer/Director of Human Resources
ELI STERN Chief Financial Officer
ARLENE BRODIE Controller

Contact
LAWRENCE BARTLEY
The Marshall Project
156 West 56th Street, 3rd Floor
New York, NY 10019
newsinside@themarshallproject.org

themarshallproject.org

The stories in this issue were originally co-published with:
USA TODAY
THE CITY
MOTHER JONES

Contributing Editors
WESLEY LOWRY
ANNELIESE GRIFFIN

Contributing Writers
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

GEORGE T. WILKERSON Central Prison, Raleigh, N.C.