A compilation of criminal justice news from The Marshall Project

August 2021—Issue 8

"criminal" "ex-con" "con"
"felon" "prisoner" "inmate"
"convict" "felon" "inmate"
"superpredator""con" "prisoner" "inmate"
4 What Words We Use—and Avoid—When Covering People and Incarceration

5 I Was Trained to Call Men a Word They Hated

6 I Am Not Your "Inmate"

9 Foster Care Agencies Take Millions of Dollars Owed to Kids. Most Children Have No Idea

14 Were You Ever in Foster Care? Here’s How to Find Out If the Government Took Your Money

16 Mr. Sitthivong Goes to Washington

17 "He Died Like an Animal": Some Police Departments Hogtie People Despite Knowing The Risks
A Letter from Lawrence

In the three years I’ve been free, I’ve heard advocates, politicians and journalists wrangle over how to reference people behind the wall. Media outlets insist on descriptors like “inmate,” “offender” and “felon,” while activists favor terms like “returning citizen.” But the one fact no one can argue with is that you are a person, even though you’re incarcerated.

Considering day-to-day life in the pen, language may not seem important to some of you. In fact, if you’re anything like I was when I got to prison, you don’t think about it at all. But after reading the articles from a package we’re calling The Language Project, you may find that you do have an opinion about it. “What Words We Use — and Avoid — When Covering People and Incarceration” filters the impact of labels through the lens of journalism. “I Was Trained to Call Men a Word They Hated” provides the perspective of a former correctional officer. And “I Am Not Your ‘Inmate,’” gives you my take on the subject shaped by my personal experience with incarceration.

Felix Sitthivong’s personal experiences inside the Washington State Reformatory Unit qualified him to testify before the state’s House Public Safety Committee in support of a bill that could decrease his time. When you read his Life Inside essay, “Mr. Sitthivong Goes to Washington,” you’ll notice the initiative he took, his courage and his determined response to the less-than-perfect results.

In an ironic role reversal, a number of states are the suspects in the court of public opinion — for taking money from children they are supposed to care for. I highly recommend you read “Foster Care Agencies Take Millions of Dollars Owed to Kids. Most Children Have No Idea” and “Were You Ever in Foster Care? Here’s How to Find Out if the Government Took Your Money.” Some of you may be able to recoup funds your state owes you.

You should also read “He Died Like an Animal!: Some Police Departments Hogtie People Despite Knowing The Risks.” It may be useful to the increasing number of correctional staff members who are reading News Inside. I don’t mean to imply that hogtying is used in corrections. But employees may find it helpful to learn why to avoid this restraint and consider the ones they do use.

And for infotainment, I want to point you to our new comic strip, "The Peeps." In the first edition, characters Aaron, Sean, Pedro and Malcolm live out a parable a friend of mine used to share in orientation sessions at a maximum-security prison. I look forward to bringing you the exploits of these guys in the coming issues of News Inside. They may remind you of yourself or others around you.

Finally, take a look at page 26. We’re starting an advice column based on your input. The first one is about food. Share your recipes and grub tips with other News Inside readers across the country. If we publish your meal idea, you’ll have national bragging rights as the true “Chef up north.”

Trust me, I know you’d rather be somewhere else. But for the time being, do the time instead of letting it do you.

Lawrence Bartley

Lawrence Bartley is the director of News Inside. He served a 27 years-to-life sentence and was released on parole in May 2018.

Letters to the Director

I wish to commend you on your excellent publication, News Inside. It is informative, provocative, and much-needed as it provides valuable information and insight to both the incarcerated and the free. It has been my belief that exposure of what transpires behind prison walls and throughout the system is critical in fostering change. News Inside makes its contribution by sounding the alarm that the criminal justice system is not only defective but in dire need of an overhaul. Thank you for your contribution.

S. Nyahuma, New Jersey

In reading your publication for the first time and as an independent photojournalist myself, I found the content to be both well articulated and captivating. Specifically, in your December 2020 Issue, I was intently drawn to the story of the California wildfires...As an incarcerated person who previously worked as a paid on-call firefighter, I was incredibly inspired to learn how many of the formerly incarcerated wildland firefighters are finally being offered the opportunity to continue that work after being released from custody...I applaud your coverage of this story and for highlighting the achievements of this group of highly skilled and dedicated individuals.

M. Bender, Wisconsin

I think that News Inside is the nuts and bolts of knowledge for an incarcerated person - keep up the good work!

D. Peterson, Florida

News Inside is always filled with great information. Thank you all for your time and honorable service, especially towards those who are on the inside. I also hope that one day your organization will do a story on the “Law of Parties” here in Texas.

J. Gallegos, Texas

Someone else let me read his copy of News Inside and I see a lot of useful information that’s encouraging and pertaining to the criminal justice system. Please accept the many thanks for the information you provide in your magazine.

K. Cox, Colorado
What Words We Use — and Avoid — When Covering People and Incarceration

Journalism is a discipline of clarity. That’s why we’ve solidified our policy about how we talk about people who are currently in or have previously been in prison and jail.

By Akiba Solomon

The words we use to describe people being held in correctional facilities are among the most controversial in journalism. Reporters, editors and criminal justice professionals have long assumed that terms such as “inmate,” “felon” and “offender” are clear, succinct and neutral. But a vocal segment of people within or directly affected by the criminal justice system argue that these words narrowly — and permanently — define human beings by their crimes and punishments.

The Marshall Project began addressing this issue in 2015, our second year of existence. We asked readers to fill out a questionnaire about their preferred terms, published the beginnings of a style guidance on these words and participated in a 2019 forum at San Quentin State Prison led by incarcerated journalist and Marshall Project contributor Rahsaan Thomas. However, we did not make a concrete decision about which words we would and would not use.

Now we have.

Through our continued engagement with incarcerated and formerly incarcerated readers, we have come to understand that these descriptors are not neutral. “Inmate” is the most contested. People routinely send us letters, post comments on social media and confront us in the field to tell us they find the word dehumanizing. We have learned that in some U.S. prisons, calling someone an “inmate” is tantamount to calling them “a snitch,” or even the n-word. (See “I Am Not Your Inmate” by News Inside Director Lawrence Bartley.)

We also acknowledge that, as a digital media outlet, the language we use has outsized power over the people we cover. When we write about a private citizen, our article is often among the first results of an internet search of their name. The stigma and material consequences of incarceration are so deep that what seems like a basic descriptor to journalists becomes a permanent, potentially life-altering label.

Seventy-four percent of people held in jails have not been convicted of a crime. Technically speaking, these people are “inmates” because of their physical location. But “inmate” is dangerously imprecise because it is widely perceived as an assignment of guilt.

Journalism is a discipline of clarity. If a segment of our audience reads a particular word as a slur or suggestion of guilt, that word becomes an unnecessary distraction from our actual work. Given the systemic racism and classism embedded in the U.S. criminal justice system, language about incarceration places an undue burden on people of color and poor people.

Finally, we have at least some evidence of what terms our readers prefer. Of the more than 200 people who filled out our questionnaire, 38% chose “in-
carcerated person,” 23% chose “prisoner” and only 10% picked “inmate.” Notably, 30% selected “other,” which encompasses “person in prison,” “man or woman” or an individual name.

For these reasons, The Marshall Project has developed a policy based on the logic of “people-first” language. Originally developed by people with disabilities, people-first language avoids turning one aspect of a person’s life into an all-encompassing label.

It’s important to note that our policy is not an attempt to exonerate anyone or minimize the impact of crime on people victimized by it. It is designed to promote precision and accuracy and to convey the humanity of people who are routinely dehumanized by the media and society. Here are the specifics:

1. We do not call people confined in correctional facilities “inmates” or “convicts.” We use constructions that include “person” or “people,” a subject’s name and/or fixed biographical characteristics like age or state. Examples: “incarcerated people”; “imprisoned people”; “people in prison”; “people in jail”; “people jailed in X facility”; “formerly incarcerated people.”

“John Doe, who was incarcerated at FCI Memphis...”

“Jane Doe, who is serving 12 years in San Quentin State Prison...”

“Held in Rikers Island Jail for three years without a trial, Kalief Browder...”

“A 34-year-old detained in Los Angeles County Jail...”

“Imprisoned in 1989, Joe Doe has filed an appeal.”

2. We apply the same logic to “felon,” “offender,” “sex offender,” “offense,” “parolee” and “probationer.”

“Jane Doe was convicted of felony robbery.”

“John Doe is registered as a sex offender in Iowa...”

“Joe Doe was on trial for criminal loitering, a low-level offense”

“Jane Doe was placed on probation in June.”

“On parole in New Mexico, John Doe...”

3. In the interest of brevity, particularly in headlines, we’ve made exceptions for “prisoner” and “prisoners” when referring to people in prison. Although many advocates would disagree, we have found that “prisoner” is considerably less fraught than the aforementioned terms. In popular usage, “prisoner” conveys a physical or mental state of being rather than an identity.

4. We do not change terms of incarceration in quotes, personal essays or as-told-to essays. We must accurately reflect how interview subjects and essayists think and speak.

5. As with all style rules, these are fluid. Language evolves and we will respond as it changes. As we do so, we will be guided by people-first principles and the journalistic duties of clarity and avoiding euphemism. For example, we do not use “returning citizen.” While the term resonates with many of the formerly incarcerated people we encounter, it is unclear in multiple contexts, including immigration status and nationality.

We will apply this policy to all of our work moving forward and invite other publications to reevaluate the language that they use to describe incarceration.
I believe in calling people by their names

I Am Not Your ‘Inmate’

I didn’t always detest this term. But hearing officers use it as an insult reminded me to call incarcerated people — including myself — by our names.

By Lawrence Bartley

"Stop talking to me like I’m some fuckin’ inmate!" I overheard my prison employer screaming into the phone receiver. He was replaying an encounter with another staff member to his friend and colleague.

I held one of the better jobs at Sing Sing prison, even though it didn’t pay much more than lint and a button. My employer was cool. Always treated me like a human being. But to hear him so vehemently oppose being treated like an “inmate” deepened my disgust at the word and my status as an incarcerated person.

I didn’t always detest that word. As life inside prison became my norm, I picked it up. Guards called us inmates and we called each other the same. Guys like me, who wore brand-new green uniforms denoting our recent entry into the system, didn’t think twice about referring to ourselves as inmates. The veterans with the faded green uniforms were either more politically conscious, in that they called themselves "prisoners," or deeply identified with the 1970s persona of a “convict.”

I didn’t develop a thoughtful position on these labels until years later when I was elected chairman of the Inmate Liaison Committee (ILC). The ILC is like a union for incarcerated people. It was my job to bring the prison population’s concerns to the administration and vice versa.

I would collect people’s opinions on an issue, then make decisions that benefited the majority — like replacing Hellman’s with off-brand mayonnaise in the commissary because the generic kind gave you more for your money.

My work with the ILC opened my eyes to the needs and desires of people I both liked and disliked, and it taught me to care about my fellow incarcerated people in a collective sense. Some people weren’t happy with my representation, but most were. The goal was to do what was best for everyone, even if they themselves didn’t realize it.

I developed the same rationale with the words we used to refer to one another. Guards, mostly White, tended to use the word “inmate” with implicit superiority. It didn’t matter that we knew we were in prison, no one wanted to internalize inferiority. And the majority of the population were people of color. Adding racism to the mix made the word even more suspect. It almost felt like the N-word.

Talking to people of all races in my New York State prison, I learned that most preferred “prisoner.” To us, it meant that we didn’t want to be caged, we thought freely, and we were prepared to stand up for what we believed in.

I admit this can be confusing because terminology is regional. In Mississippi, for instance, “politically conscious people refer to themselves as ‘convicts’” says Sheron Edwards, who is incarcerated at Chickasaw County Regional Facility. In Missouri, “incarcerated people call themselves ‘inmates’ or ‘offenders,’” according to Stacy Lynn Powell of Chillicothe Correctional Center.

Jonathan Gittens, who was an orientation facilitator in New York prisons before his release, told new arrivals a story to help them understand why “incarcerated people” is the most expansive term. He recently shared that lesson with me:

There were three men on a mess hall line. One called himself a “convict” based on his lifestyle. He knew what he was doing when he participated in his crime, and, needless to say, he was convicted.

Kevin Byrd was a correctional officer in New York state prisons for 25 years. He retired in 2019.
There was a story about three men in a mess hall.

One called himself a convict, based on his lifestyle and that he knew what he was doing when he participated in his crime.

Needless to say, he was convicted.

Learn how to commit new and better crimes.
The other one called himself a prisoner because of his political views. He went to trial and was convicted, but he didn’t consider himself a convict.

He looked for every possible loophole in the justice system as he fought for his freedom on appeal. work to right the wrongs of the system.

The third one called himself an inmate.

He was convicted and sentenced to prison. All he was interested in was hanging out in the yard, playing cards, watching TV, frequent access to drugs, and pornography books.

Just seek out a good time.

Is there anything you three can agree on?

Yes, we are incarcerated people.
Another man called himself a “prisoner” because of his political views. He went to trial and was convicted, but he didn’t consider himself a “convict.” He looked for every possible loophole in the justice system as he fought for his freedom on appeal.

The third called himself an “inmate.” He was convicted and sentenced to prison. All he was interested in was hanging out in the yard, playing cards and watching TV, and he had frequent access to drugs and pornography books.

A fourth person who was new to it all entered the conversation and asked, “What’s the best way to get the most out of prison?” The convict said, “Learn how to commit new and better crimes.” The prisoner said, “Work to right the wrongs of the system.” And the inmate said, “Just seek out a good time.”

The newcomer asked, “Is there anything you three can agree on?” All three said, “Yes, we are incarcerated people.”

I was struck by the simplicity of the three explanations. But my biggest takeaway was the “people” portion of their commonality. Everyone, whether they are imprisoned or not, is a person. Words like “inmate,” “prisoner,” “convict,” “felon” and “offender” are like brands. They reduce human beings to their crimes and cages.

I believe in calling people by their names. If I’m associating someone with prison, I use “incarcerated person” or “person in prison.” If someone is in jail, I call them “detained person” or “person in jail,” but “incarcerated person” can work here, too.

I understand these phrases can be repetitive and clunky for writers. But we have a responsibility to develop ways to describe people that don’t automatically stigmatize them.

Stigmas tend to use even the kindest among us as their unwitting bathroom out of habit, but the guard on duty stopped me, smiled, and said, “You can go into the civilian bathroom because you are a person now.”

I don’t think she was trying to be mean. I think her words were a result of conditioning rather than ill intent. But her comment hurt me because I was as much a person when I was incarcerated as I am now. It also meant that as long as my friends remain in her care, they will never be human beings to someone with control over their lives. Lawrence Bartley is the founder and director of "News Inside," the print publication of The Marshall Project which is distributed in hundreds of prisons and jails throughout the United States. News Inside is the recipient of the 2020 Izzy Award for outstanding achievement in independent media. He is also an accomplished public speaker and has provided multimedia content for CNN, PBS, NBC Nightly News, MSN-BC and more.

Foster Care Agencies Take Millions of Dollars Owed to Kids. Most Children Have No Idea.

The majority of states obtain money intended for foster children with disabilities or a deceased parent without telling them, The Marshall Project and NPR found.

By Eli Hager with Joseph Shapiro, NPR
Photographs by Ash Adams

Tristen Hunter was 16 and preparing to leave foster care in Juneau, Alaska, when a social worker mentioned that the state agency responsible for protecting him had been taking his money for years.

Hunter’s mother died when he was little, and his father later went to prison, court records show, leaving Hunter in a foster home. In the years that followed, he was owed nearly $700 a month in federal survivor benefits, an amount based on Social Security contributions from his mother’s paychecks. He doesn’t remember Alaska’s Office of Children’s Services ever informing him that it was routing this money — his safety net — into state coffers.

“It’s really messed up to steal money from kids who grew up in foster care,” said Hunter, now 21, who says he is struggling to afford college, rent and car payments. “We get out and we don’t have anybody or anything. This is exactly what survivor benefits are for.”

Roughly 10% of foster youth in the U.S. are entitled to Social Security benefits, either because their parents have died or because they have a physical or mental disability that would leave them in poverty without financial help. This money — typically more than $700 per month, though survivor benefits vary — is considered their property under federal law.

The Marshall Project and NPR have found that in at least 49 states* and Washington, D.C., foster care agencies comb through their case files to find kids entitled to these benefits, then apply to Social Security to become each child’s financial representative, a process permitted by federal regulations. Once approved, the agencies take the money, almost always without notifying the children, their loved ones or lawyers.

At least 10 state foster care agencies hire for-profit companies to obtain millions of dollars in Social Security benefits intended for the most vulnerable children in their care each year, according to a review of hundreds of pages of contract documents. A private firm that Alaska used while Hunter was in state care referred to acquiring benefits from people with disabilities as “a major line of business” in company records.

Some states also take veterans’ benefits from children with a parent who died in the military, though this has become less common.
as casualties have declined since the Iraq War.

State foster care agencies collected more than $165 million from these children in 2018 alone, according to the most recent survey data from the research group Child Trends. And the number is likely much higher, according to Social Security Administration data for 10 states obtained by a member of Congress and shared with The Marshall Project and NPR.

In New York, California and a handful of other states, foster care is run by counties, many of which also take this money, our reporting shows.

Nationwide, foster care agencies are funded through a complicated web of federal and state grants and subsidies, paid for by taxpayers. Children’s Social Security benefits were not intended to be one of those funding streams, according to federal law.

In a Marshall Project/NPR survey of all 50 state child services agencies, most pointed out that it is legal for them to apply to the Social Security Administration to become the financial representative for foster children’s benefits — though federal regulations state that a parent, foster parent, relative or family friend is preferred. Almost all said they take kids’ money as reimbursement for the cost of foster care, putting the funds in individual accounts to recoup what the state has paid for each child’s room and board.

In interviews, several officials also said that children in foster care are not mature enough to make good financial choices on their own, and that their family members or foster parents may have ill intentions and pocket the cash themselves.

Clinton Bennett, a spokesman for Alaska’s Department of Health and Social Services, said the agency — like any parent — uses kids’ funds to pay for their daily expenses, such as shelter and food, rather than just giving them cash. Bennett added that because of confidentiality laws, he could not comment on individual cases like Hunter’s.

The state of Alaska is currently facing a landmark class-action lawsuit over this practice that may reach the state supreme court later this year.

But to youth advocates, the fact that many agencies spend children’s money on children’s services doesn’t make it better. That means kids are being made to pay for their own foster care — a public service that federal law and laws in all 50 states require the government to pay for.

“It’s like something out of a Charles Dickens novel,” said Rep. Jamie Raskin, a Democrat from Maryland. “This is like confiscating someone’s Social Security benefits because they availed themselves of the fire department.”

As a state senator, Raskin introduced what appears to be the nation’s only law that curbs the practice, by requiring that the state save foster teens’ money for them. The measure passed in 2018.
Raskin is now working with Democratic Rep. Danny K. Davis of Illinois, who plans to introduce federal legislation later this year to ban all states from taking foster children’s money to reimburse themselves.

But many state officials and experts say there isn’t the political will in conservative-leaning statehouses to spend additional taxpayer dollars on poor youth, which is what it would take to stop using children’s own Social Security benefits to fund their foster care.

“Anyone in their right mind would tell you that we’re not to the level of full funding needed to care for these kiddos,” said Thomas McCarthy, spokesman for the Wisconsin Department of Children and Families, which pays a northern Virginia-based private company called Maximus, Inc., to obtain Social Security benefits from children in Milwaukee. “Like many states, we’re doing our best to make sure the foster system stays intact.”

In the 2003 U.S. Supreme Court case Washington State v. Keffeler, 39 states’ attorneys general argued that losing foster children’s survivor and disability benefits could potentially cost state governments billions of dollars for years.

Daniel L. Hatcher, a law professor at the University of Baltimore and a leading expert on this practice, said it invites a larger question about the role of government. “I think sometimes these officials are so in the weeds of getting funding however they can, they don’t even realize that this is not just another funding stream — this is literally children’s own money,” Hatcher said. “This is about whether we’re going to use abused and neglected children’s own money to pay for what we’re supposed to be providing them as a society.”

States first turned to for-profit companies to mine foster children for cash during the Reagan era. In a 1989 profile, The Washington Post reported that Maximus had brought “modern business management to the heart of the American underclass.”

The firm gets paid by public agencies to help them reduce costs and increase the efficiency of programs intended for people in poverty, including public assistance, health care and child support. Its motto is “Helping Government Serve the People.”

In 2005, the U.S. government said that Maximus was submitting false claims in the name of foster youth to Medicaid, another federal program, in order to collect revenue for the District of Columbia. The company agreed to pay more than $30 million to settle the case, court records show.

There are no accusations that Maximus is engaging in unlawful behavior related to its work regarding foster youths’ Social Security benefits.

Documents from 2013 to 2019 show that Maximus’s consultants evaluate each foster child to see if they previously had a “representative payee” for their Social Security benefits — a parent, grandparent or other guardian — who could be replaced by the state via paperwork submitted to the Social Security Administration.

The company also looks at private health records, caseworker notes, school performance and other information to see whether the children have PTSD, depression, anxiety or other mental health issues, often stemming from the trauma that led to their being in foster care. If so, the kids could be classified as having an emotional disability, and additional benefits obtained for the state.

James Dunn, vice president for marketing and public relations at Maximus, said in a statement that the company’s “success in helping connect foster children with these benefits is not only a success for the child, but also for caseworkers who are freed up to focus on the day-to-day well-being of these vulnerable children, and for the state or government agency paying for services that keep foster children safe, secure and cared for.”

Dunn added that at no time does Maximus take possession of kids’ Social Security funds; the money all goes to the state agencies.

States often pay Maximus a flat fee for this work, sometimes only after children’s benefits have been received by the state agencies.
been secured.

In a status report submitted to Florida in 2012, another firm called Public Consulting Group, Inc., discussed using data-mining techniques and predictive analytics to more efficiently “target” and “score” children in order to maximize Social Security dollars. And a PCG proposal submitted in 2018 to Delaware said the company has made millions for child welfare agencies — which it referred to as “customers” — by applying for benefits for children with physical and emotional disabilities.

Stephen P. Skinner, spokesman for Public Consulting Group, said in a statement that obtaining kids’ Social Security dollars is a service requested by the state agencies and is consistent with federal regulations. How children’s money is spent is the responsibility of each state, he said, not the company.

“PCG is proud of the work it does to effectively support child welfare agencies and the children who depend on them,” Skinner said.

In Alaska, more than 250 current and former foster children — many of them Alaska Native — are part of the class-action lawsuit demanding that the state pay their Social Security money back.

The state children’s services office initially claimed in court that it shouldn’t have to notify youths about taking their money because such a process would be too burdensome.

The judge, William F. Morse, rejected that argument in 2019. But he ruled this past January that although it was “undoubtedly true” that the state obtained these kids’ benefits for its own coffers, the young people seeking to be repaid would have to prove there is someone who could have been a better financial representative for them.

Lawyers for the children said they plan to appeal that decision.

The Marshall Project and NPR asked six current and former foster youth in Alaska how they could have put their money to use. Some said they might have saved for college, tutoring, therapy, a phone or laptop, or clothes suitable for job interviews. Others needed a security deposit so they could finally have their own apartment after bouncing between foster homes for so many years.

During Malerie Shockley’s time in Alaska’s foster system, she was moved more than 20 times between homes and facilities, according to notes she took, and she was abused in several of them, she says. Shockley, now 24, had her disability benefits taken by the state to help pay for that foster care experience, records show. “What did I get in return for my money? More trauma,” she said.

Just over 80% of older youth in foster care have experienced one or more traumas that could result in their having PTSD, according to one 2012 study. Another study found that at least 36% of all kids who age out of the system become homeless by age 24.

Cornelius Levering, 27, a former foster youth in Nebraska, says he struggled to get by after the state took his Social Security benefits. At one point, he says, he had to walk more than a dozen miles every day to and from a job because he couldn’t afford to put gas in his car.

“I don’t think people realize the intensity of the position you’re in when you age out of foster care,” said Levering, who now works as a youth advocate for Nebraska Appleseed. “They kick you out the door and say figure it out, usually without a dime to your name.”

Youth advocates say that at the very least, every child in foster care and their lawyer, if they have one, should be notified that the state has taken their benefits. It’s in the Constitution, they say: The government can’t take your possessions without giving you a chance to contest it.

In the Marshall Project/NPR survey of state foster care agencies, about half of the 30 states that responded said that if a child was already receiving Social Security benefits before entering foster care, officials notify the child’s parent or previous financial representative that the state will be taking over...
the money. A few states also said that information about these benefits is in the kids’ case files, which their lawyer should have access to.

But almost all of the agencies either declined to answer questions about their notification practices or said they do not provide an explanation to children or their loved ones or advocates about the money the state takes from them.

As a result, youths typically don’t find out about their cash until it is already gone. This is often just a few months before they exit foster care, when they start talking to a social worker about applying for benefits as an adult. Some said they didn’t figure it out until they applied for food stamps or other federal assistance — and were told they already should have been receiving Social Security.

A Social Security spokesperson said that when a state foster care agency is named a child’s financial representative, the Social Security Administration notifies the child’s current guardian and sometimes their parents too. But critics note that in the case of many foster children, their guardian is the agency itself.

The spokesperson also pointed out that per federal law, the Social Security Administration conducts regular oversight of state foster care agencies that obtain kids’ benefits. These reviews, the spokesperson said, occur about every four years and include interviews with a sample of children as well as people in their lives, asking them if their money is being used in their best interests.

But the Office of the Inspector General for the Social Security Administration has found in at least four reports that this oversight is inconsistent, resulting in young people’s savings being spent in ways that do not benefit them.

In 2003, the U.S. Supreme Court rejected a case brought by a Washington state family that claimed it was a violation of federal law for the state to take Social Security benefits from foster youth.

The court’s ruling left several questions unresolved, including whether states must notify youth when obtaining their Social Security benefits. The decision also didn’t address whether the practice raises an “equal protection” problem because only foster children with disabilities or a deceased parent are in effect paying for their own care, while other foster children are not.

Now Congress could take up the matter, possibly as soon as this summer. The proposed legislation would prohibit states from taking kids’ cash to cover public expenses, require that every foster child and their lawyer be regularly notified about their benefits and offer protected trust accounts to hold the money in until recipients reach adulthood.

“If you do not self-advocate for your money as a foster kid, you are pretty much screwed.”

“While I was a teenager I just had to learn how to cope with being poor, with only myself to survive.”
The bill would also require that states continue to screen foster children for Social Security eligibility so that these agencies don’t stop helping kids get benefits just because they no longer have a financial incentive to do so. (A similar bill is making its way through the Texas legislature.)

In the meantime, some young people in Alaska are already starting to see progress.

Mateo Jaime is among them. Raised in Texas, he was 15 when his father murdered his mother in their family home. In shock, Jaime moved in with a relative in Alaska but was soon left in the foster system.

Jaime was passionate about playing cello; he’d been preparing to audition for all-state orchestra before the murder happened. But he had to leave his instrument at the crime scene, and couldn’t afford a replacement. In fact, in the years that followed, he could hardly afford to eat, he says.

Even as Jaime struggled, Alaska’s Office of Children’s Services was taking survivor benefits from him — more than $20,000 in total — that he was owed as a result of his mom’s death. But last year, the agency paid him back without explanation, he says.

Jaime now has his own bank account and car — and finally, a new cello. Now 19, he is in college and leaning toward a major in music. He has an upcoming recital where he’ll play Rachmaninoff before a jury of professors. “For the first time,” he said, “I’m hopeful about the future.”
1) Are you/were you ever in foster care?
If your answer is yes, go to Question 2.

2) Did one or both of your parents die when you were a child?
If so, you may have been owed survivor benefits. Move on to Question 3 to see if you may have been eligible for other benefits.

3) Do you think it’s possible that as a child, you may have had a physical or psychological disability?
Having a disability can mean a lot of different things. You could have a physical disability, such as one that requires you to use a wheelchair. Or you could have a condition such as depression or anxiety, or learning problems at school.

Some young people with disabilities are eligible for federal Social Security benefits. Here is more information to help you figure out if you have ever qualified for disability benefits — read on.

4) The next step is for you or someone you trust to call the Social Security Administration in Washington, D.C. Are you younger than 18?
If so, you will need the assistance of an adult guardian or legal representative. If you’re 18 or over, you will need to follow these steps yourself, although you may enlist the help of a loved one, attorney or advocate.

Make sure you have your Social Security number handy, and be prepared to provide other personal details such as your birthdate or current or past addresses.

5) Now it’s time to call the Social Security Administration. The toll-free number is 1-800-772-1213 (TTY 1-800-325-0778).
You can call between 8 a.m. and 7 p.m. ET, Monday through Friday.

A prerecorded voice may ask you to say what you’re calling about; you should say “my representative payee.” (That means the person or agency that was in control of your money, if you were eligible for benefits.)

Prepare to listen to a lot of options and messages about Social Security. It could take a while — stay on the line. Make sure to speak to an actual person, not a robot.

6) When you get a human on the line, you could say:
“My name is X, and I believe that someone may have been receiving Social Security in my name, without me knowing it. Could you tell me my benefits history — whether I’ve ever received survivor or disability benefits?”

The agent will ask you some follow-up questions to prove your identity, including your Social Security number. If you’re calling on behalf of someone younger than 18, try this script:

“My name is X, and I represent Y, who is a minor. I believe that someone may have been receiving Social Security in Y’s name, without them knowing it. Could you tell me Y’s benefits history — whether they have ever received survivor or disability benefits?”

7) If the Social Security agent says that you or a child you represent were eligible for benefits in the past, you can ask them how much and for how long, and for the identity of your “representative payee.”
You can specifically ask: Was the “payee” the foster care agency responsible for your care?

Here are some other things you can ask for: a full history of the payments made in your or the child’s name, or all of the “representative payee reports” in your case.

8) Next, ask to set up a phone appointment with a Social Security field office.
The agent you’re speaking with should be able to provide you with a local contact for a Social Security office. You can also find contact information for Social Security field offices here — you’re looking for the one closest to where you or the child you’re representing were in foster care.

You can call that office and tell them you want to start an investigation into what happened to your money and that you want to pursue getting reimbursed. Note that an agent may tell you that getting your money back isn’t possible. If that happens, you may need to seek the assistance of a lawyer.

9) If you or someone you represent is under 18 and currently entitled to Social Security benefits that the state or someone else is taking, you can request a new “representative payee.”
If you have someone in mind to be your representative payee, you can suggest that person. This could be your biological or adoptive parent, foster parent, a relative or family friend, or someone who works with youth in your community. Pick someone you trust to act in your best interests.

Be patient. It may take several calls to change your representative payee. If you’re older than 18 and no longer eligible for benefits, there is no need to change your representative payee.

10) Finally, if you discover that a foster care agency has been taking your Social Security benefits, or the benefits of a child you represent, you can report it to the Social Security Administration’s Office of the Inspector General, by filling out the form you will find in this link: https://secure.ssa.gov/pfrf/home.
In the “summary” section, you can argue that the money was taken to pay for foster care, which foster youth are not supposed to have to pay for. (You can also argue that your state broke its “fiduciary duty” to you or the child you represent by spending the money in its best interests, not the child’s.)

You can also give specifics about who you would rather have had managing your money, and what you would have used the money for or saved it for.

11) If you’re interested in learning more about what exactly a representative payee is, you’ll find it on this site: https://www.ssa.gov/ssi/text-repayee-ussi.htm.
But the so-called fix did not fix a damn thing. It continues to create the conditions in which BIPOC communities are disproportionately incarcerated. Only now, there is no relief. In my case, regardless of my behavior, the maximum amount of “good time” I can get is three years. Basically, 2073 is my best hope.

During the first few years of my sentence, that hopeless feeling made me angry at the world. I was angry at the detectives for arresting me. Angry at the prosecutor for making my parents cry during trial. Angry at the judge for taking my life away. Angry at my community for allowing me to die in a prison cell. But, mostly, I was angry at myself for making horrible decisions that hurt so many people. All I could do was tell myself, “Just survive, Felix. Survive.”

Fortunately, I’ve had some really good cellies over the past 10 years. I’m not talking about the men who came off of what we in the Washington State prison system call the “chain bus.” I’m referring to the cellies whose books live on the makeshift shelf in my cell. Cellies like James Baldwin taught me about a white supremacist system that was never meant for us.
Cellies such as Michelle Alexander exposed how the system was working as planned — to keep communities of color in cages.

Cellies like Alicia Garza encouraged me to develop a strong community-centered base and target unjust laws.

And cellies like Eddie Glaude Jr. revealed America’s big lie and demanded that I always challenge the status quo.

My cellies convinced me to say, “Fuck 2073. Change happens now!” So I joined the ongoing fight in Washington state prisons to change the system through the same legislative measures that got us here in the first place.

State prisoners here have been pushing to reinstate the parole board for decades. But these efforts have fallen short due to lack of community support, disorganization and ego-driven agendas from politicians and self-described community advocates. But with the failures have come acceptance that change may have to come incrementally and in various forms.

This year, there were three prison-related bills before the state legislature initiated by my colleagues from the Concerned Lifers Organization (CLO) in WSRU. By working collectively with the CLO, organizations such as the Black Prisoners’ Caucus, Look 2 Justice, Free Them All Washington and the Asian Pacific Islander Cultural Awareness Group, which I represent, were able to enlist local legislators to sponsor the bills, which would drastically affect prisoners of color and people incarcerated as youths. In many cases, those groups overlap.

Under House Bill (HB) 1344, people doing time for a crime they committed before age 25 would be eligible for sentencing review after serving 15 years. Currently, this privilege is limited to people convicted of a crime committed before age 18.

Substitute House Bill (SBH) 1282, an updated version of previous legislation, would make most prisoners eligible for 33% of “good time” off of their sentences. As it stands, people convicted of violent crimes can only earn 10% off their time.

And HB 1413 would have retroactively subtracted years from adult sentences that were increased when prosecutors and judges factored in juvenile felonies.

All three bills would give me immediate relief. I was 24 when I committed the crimes I’m serving time for. Since my juvenile felonies were factored into my adult sentence, HB 1344 would give me access to a sentencing review in a few years. And since SHB 1282 would give all prisoners an opportunity to earn 33% of good time, my release date could come as early as 2060.

On Feb. 2, I testified in support of SHB 1282 at a House Public Safety Committee hearing. Prison administrators were not thrilled about lending their equipment so I could attend through Zoom, but after receiving calls from the community and the state representative sponsoring the bill, Tarra Simmons, they gave in.

Fighting off camera shyness and the lingering symptoms of the coronavirus I had suffered months earlier, I spoke for two minutes. I focused on the role of accountability in our criminal justice system and what that means to me. The committee chair thanked me for my testimony, and I promptly returned to my unit.

While I was proud of my testimony, the whole process felt impersonal. As a prisoner directly affected by the bill, I expected to feel like my input was more valued. But it felt like legislators had me testify just to check off the boxes.

The legislative session ended in April without our three bills moving forward. While they are still alive for next year’s session, the disappointing outcome of this session had the potential of paralyzing our movement. But if they really knew us, they’d realize that all they did was renew our fighting spirit. By giving us a crash course in political bullshit, they got us ready for 2022. They can stall our bills, but they can never stall our dedication. They can never stop that clock.

Felix Sitthivong is an organizer and adviser for the Asian Pacific Islander Cultural Awareness Group (APICAG). Through APICAG, Sitthivong has organized immigration, social justice and youth outreach forums and has designed Asian American studies courses, an intersectional feminism 101 class and an anti-domestic violence program. Sitthivong currently works as a GED tutor through Edmonds Community College. He is serving a 65-year sentence at Washington State Reformatory Unit.

“He Died Like an Animal”: Some Police Departments Hogtie People Despite Knowing the Risks

The U.S. Department of Justice in 1995 warned that people may die when police tie handcuffed wrists to bound ankles.

By Joseph Neff

GREENSBORO, N.C. — On a warm October day in 2018,
police tried to help him. A lawyer had secured their right to watch the body camera footage. When they got to headquarters, Mary changed her mind. “A mother doesn’t want to see her child fall off a bicycle, much less getting beat to death,” she said. “And that’s when I decided I did not want to watch.”

George watched the video, and left headquarters convinced that police had lied about his son’s death. “It was terrifying, the only thing Marcus wanted was help,” he said. “I don’t know where they got the suicidal or combative or collapsing from. I didn’t see none of that.”

Like George Floyd, Smith was killed by positional asphyxia, an autopsy found. In his case it was not a knee on the neck that killed him but a controversial and widely banned practice.”

The video showed that Marcus Smith was in distress and begging police to take him to the hospital or call an ambulance.

Officers pushed him face down on the street and tied a belt around his ankles and attached it to his cuffed hands so tightly his knees were lifted off the pavement. On the video, his last coherent words were “Help me.”

“That’s how my brother died,” said Kimberly Smith, his younger sister, who watched the video later. “He died like an animal.”

Hogtying is a troublesome word and a dangerous act. It involves putting a person on his stomach and tying his cuffed hands to his bound feet behind his back with an adjustable nylon belt, a device known as a “hobble.” Police officers have said the hogtie position is used to restrain individuals who can’t be restrained any other way and would otherwise pose a danger to themselves and those around them. The hobble device can be used to restrain someone’s legs without placing them in the compromised hogtie position.

The Department of Justice warned against hogtying as far back as 1995, in a bulletin instructing police how to prevent deaths in custody. The paper instructed officers to move the suspect off his stomach as soon as he was handcuffed, and included this directive: “Never tie the handcuffs to a leg or ankle restraint.”

Many police departments, including New York and Los Angeles, have banned hogtying for decades. But a joint investigation by NBC News and The Marshall Project found that a dangerous practice roundly rejected by experts has persisted in many places because of outdated guidelines and lax oversight. And the use of the hobble and hogtie may be even more widespread than can be determined because there are no national reporting requirements, and many police departments don’t keep track.

Nationwide, NBC News and The Marshall Project identified at least 23 deaths involving hogtying or a hobble in law enforcement custody since 2010. From California to Maine, police have appeared to use a hobble to either tie a person’s hands and feet together behind them, put pressure on their back with body weight or leave them prone for longer than recommended. Those cases include a chemical engineer in Mississippi who police said was acting
strangely after taking LSD; an unarmed man running naked through his Alabama hometown; and a man who died on a Tacoma, Washington, sidewalk after police deemed his actions suspicious. At least 13 people were mentally ill or in mental crises. Of those who died, 12 were White, nine were Black and two were Hispanic.

Many departments do not track the use of the hobble device, or when it is used to hogtie, in their use-of-force data. But in those that do keep records, the hobble has been used hundreds of times in recent years.

Over the past five years, police in Aurora, Colorado, have used the hobble on roughly 350 people, nearly half of whom were Black. In Greensboro, court records show that in the four years before the death of Marcus Smith, Greensboro police used a hobble device to hogtie at least 275 people, two-thirds of whom were Black.

Tom Manger, former police chief in Montgomery County, Maryland, and former president of the Major Cities Chiefs Association, says that in his 42 years as an officer he’s only seen the hobble used a handful of times.

“It should only be used when you have a situation where a person is violently combative [and] you have a lawful reason to take them into custody,” said Manger. “What you’re trying to do is make sure they don’t hurt themselves, or hurt someone else.”

He himself has never used one.

“Cops need to be careful if they’re doing something like hobbling somebody,” said Manger. “They’d better be damn sure that they’re doing things right.”

The roughly 18,000 police departments in the U.S. have different policies, procedures and training. Most of the nation’s largest police agencies tend to show awareness that the hogtie is dangerous, but not all ban it.

NBC News and The Marshall Project reviewed the policy manuals for departments in the 30 largest cities in the U.S.

Twenty-two have clear language prohibiting hogtying or attaching hands and feet behind a person’s back.

But in Charlotte, North Carolina; Columbus, Ohio; Houston and Indianapolis, officers are allowed to restrain a person in this manner in certain circumstances or with certain provisions.

Charlotte Police Department policy advises officers to avoid hogtying, but does not forbid it. Columbus police officers are told to make sure to provide slack in the rope that ties the hands and feet together. In Houston, only officers who are specifically trained in the technique can use it. Indianapolis warns officers to closely monitor people who have their legs and arms restrained behind the back.

In the Boston and Milwaukee manuals, there is no mention of hogtying or the hobble device. When questioned, both departments said they do not provide officers with a hobble.

The manuals in Nashville and Detroit have no language that directly addresses hobbles or hogtying.

There’s a reason for these discrepancies. In addition to the lack of national reporting requirements, many departments avoid using the word ”hogtie.” They use phrases like maximal restraint, four-point restraint, hobble, RIPP Hobble or Total Appendage Restraint Procedure (TARP).

To avoid injury, according to the DOJ’s 1995 bulletin, it’s essential to move the person on his side and off his stomach as quickly as possible.

But there is no federal standardized way to use the hobble, and there are various points within the process where an error could be deadly. Departments have used different policies; some allowed the hands and feet to be tied together, while others instructed the cuffs to be attached to a belt around the waist. The tying of the hobble, the positioning of the person and their subsequent transport can all contribute to injury or death.

Joelle DeVane owns the company that makes the original hobble device, the RIPP Hobble.

She said the hobble is a safe tool when correctly used by properly trained officers trying to restrain suspects who are kicking uncontrollably.

“The feet are a very powerful weapon and the legs are a very powerful weapon, especially if you have someone that is in an excited state,” DeVane said.

DeVane noted that the instructions that accompany the RIPP Hobble say “NEVER Hog-Tie a Prisoner.”

The hobble carries many risks, according to Keith Taylor, a 23-year veteran of the NYPD and now a professor at John Jay School of Criminal Justice. Officers know next to nothing about a person’s health, and there are serious outcomes when police immobilize an unhealthy person in a high-stress situation. Obesity, heart conditions and drugs all can raise the chances of death.

Taylor says creating federal best practices that agencies must follow would improve police interactions with the communities they serve.

He said the only time police should use any type of maximal restraint is for people who are "not just belligerent, but dangerously resistant to being arrested.”

During Taylor’s entire career, the NYPD trained officers not to hogtie.

“Personally, I would not use hogtying ever,” said Taylor. “That’s not something I would ever do. Not just because it’s banned, because it’s not safe.”

“Hobble” is not a word in common parlance, but it’s known in many police circles. Derek Chauvin asked for a hobble as he restrained George Floyd. The officers didn’t use one, however.

Vanessa Peoples had never heard the word before she was tied up with one.

Peoples said she was doing laundry in the basement of her Aurora, Colorado, home in 2017 while her two young children were upstairs. She didn’t hear Aurora Police officers banging on her door. A few days earlier, she said, her son had temporarily wandered away from a relative who was supposed to be watching him at a party in a park, so the police were there with a social worker to do a child welfare check.

Police entered the unlocked door. Body camera footage shows one officer entering the basement with her gun drawn.

When Peoples went upstairs, she said her living room was filled with law enforcement. On the video, an officer told her three times to stand back; each time Peoples said no.

The video shows that an officer grabbed Peoples by the neck and pushed her into the wall and then onto the floor face down. He straddled her legs and handcuffed her wrists behind her back. He tied her
feet with a hobble and attached them to a belt around her waist. The whole time Peoples screamed for her mother and children. Seven times she told the officers she couldn’t breathe.

Body camera footage shows that they carried her out by her arms and shoulders and put her in a police vehicle and then on the front lawn. They eventually removed the restraints and took her to jail. An officer said in the police report that he heard a “pop” from Peoples’ shoulder and that she was taken to the hospital. Peoples says her arm was dislocated.

Peoples hired a lawyer, but before the suit was filed, the city settled the case for $100,000. Aurora Police say this does not admit fault. The city did not respond to a request for comment.

“When you feel that you’ve got to get a rope and just tie someone up like that, that’s not being treated as human,” said Peoples.

Four years later, Peoples still feels embarrassed that her neighbors saw her bound and screaming on her front lawn. She is wary of the police.

“The pain that I endured going through this, it’s unexplainable because I have to walk around every day with that on my mind.”

Two years later, and three days after the death of Elijah McClain at the hands of the same police department, Aurora Police were once again in the spotlight for misuse of the hobble on a Black woman.

Shataeah Kelly was arrested by Aurora Police in August 2019 on charges resulting from a fight. An officer decided to hobble Kelly after she tried to escape from his patrol car.

Police video shows that the officer placed Kelly in the backseat with her hands cuffed behind her back. Her bound ankles were pulled behind her back and attached with a hobble to a belt around her waist. She fell to the floor of the car. Kelly said she couldn’t breathe and asked to be moved, but her pleas were ignored and she stayed, stuck on the floor, face down, for the 20-minute drive to the police station.

“I just didn’t know they could do that,” said Kelly. “I just feel like it was because I was Black and he was treating me like a slave.”

Then-Interim Chief of Police Vanessa Wilson, who is now chief, called
the incident "egregious" and fired the officer.

"I was sick to my stomach. And then I turned to anger," said Chief Wilson in an interview. "Because that's not how we train and that's not how we treat people. And it's not how I expect my officers to behave."

Kelly has retained counsel, the same lawyer who is representing Elijah McClain’s family in its ongoing suit against the city and city employees.

NBC News and The Marshall Project reviewed use-of-force data from the Aurora Police Department obtained via a state open records request and found the agency used the hobble on roughly 350 people over the past five years.

Police used the hobble on Black suspects slightly more frequently than on others. Thirty-nine percent of the suspects arrested by Aurora police in the past five years were Black, but Black people made up 43 percent of the people on whom Aurora police used force — and 46 percent of the people subjected to the hobble.

In 16 percent of the roughly 350 hobble incidents, the person was injured and required medical treatment.

As more scrutiny has been placed on Aurora's use of the hobble in recent years, the directives in the department's manual have changed and have become more detailed.

In 2016, department policy advised police to avoid hogtying. In the most recent version, issued in late 2020 after the two incidents and one settlement, the policies clearly forbid hogtying. The department is replacing the hobble with a device that doesn’t allow legs to be bent backwards. "I think it’s also just sort of a more humane way of taking someone into custody if they are agitated," said Wilson.

As a Greensboro music festival wound down in the early hours of Sept. 8, 2018, Marcus Smith approached a group of eight White police officers on traffic duty and ran frantically from officer to officer, begging for help.

Smith can be heard and seen on police body camera footage saying, "Please take me to jail." "Call the ambulance bro!" "Take me to the hospital!" "Help me!" "Please sir, I'm going to kill myself." "Lock me up please."

After several minutes, police put him in the back seat of a cruiser. No one got in the driver's seat. Smith, not yet handcuffed, became more agitated and rolled on his back. A body camera captured one officer worrying aloud that Smith might break his window.

"We should definitely RIPP Hobble him," the officer said. "Is anyone willing to help?"

Greensboro policy allowed officers to tie a person’s hands and feet together when they needed a higher level of restraint than handcuffs, but the policy did not define when this higher level of restraint was necessary or appropriate. Training materials warned officers that "Arrestee face down and hogtied (knee bend greater than 90°) in transit" was a dangerous position that could lead to positional asphyxia.

Police pulled Smith from the car and put him face down in the street. Smith protested, yelling, "No, you can't do that, I ain't resisting!" At least four officers held him down, cuffed him behind his back, strapped the hobble around his ankles and attached it to the handcuffs. Body camera video showed it took officers two minutes and 40 seconds to hogtie him before they stood up as Smith lay face down and motionless.

"Are you still with us?" an officer asked Smith as soon as the hogtie was complete. He knelt down, put two fingers on Smith's neck and couldn't find a pulse. Smith was declared dead an hour later after failed attempts to revive him.

Over the next few hours, Police Chief Wayne Scott watched body camera video before issuing a press release about officers trying to help: "While officers were attempting to transport him for mental evaluation, the subject became combative and collapsed."

Smith's friends and family were suspicious. Marcus was homeless and struggled with substance abuse, but they knew him as unfailingly polite and upbeat. Nine days after his death, an outreach worker for the homeless wrote Scott and the city council and asked "how such a beautiful life could come to such an abrupt end?" The letter requested the public release of body camera video and all pertinent information, and said, "Chief Scott, we need answers."

The chief replied via email two days later that there was nothing to worry about. He wrote that after reviewing videos, autopsy reports and other evidence, he concluded the officers "acted appropriately and with great compassion while trying to help a citizen in need."

An internal investigation found no violation of policy, and Scott returned all the officers to active duty.

After viewing the body camera video, however, the Smith family believed there was a cover-up that had begun with the chief's first press release. Kimberly Smith called the release "a plain lie," and insisted her unarmed brother posted no threat to eight armed officers. "Why didn't they just handcuff him?"

On Nov. 30, 2018, the state medical examiner released the final autopsy results. The death was ruled a homicide, caused by "sudden cardiopulmonary arrest due to prone restraint."

A few hours later, Scott issued a special order reversing department policy. Officers can no longer connect bound feet or ankles to handcuffs.

The Smith family filed a lawsuit in April 2019 alleging wrongful death and a cover-up. The mayor declined to comment for this story. Scott, who has since retired, did not respond to emails or a certified letter requesting comment. The Greensboro Police Department declined to answer any questions because of the ongoing lawsuit.

For two years, officials have fought the case vigorously and have denied wrongdoing or a cover-up in court filings and in depositions. They have argued that the restraint was appropriate in light of the safety risk Smith posed to himself or others.

Marcus’ mother, Mary Smith, said she does not believe police intended to kill her son. They were negligent, treated her son like a throwaway, she said, and should be convicted of manslaughter.

“A lot of Black men would not walk up to eight White police officers at night and say, 'I'm in trouble, I'm on drugs, I need help,'” she said. “He was looking for help, and he went to the right people. And they killed him.”
From left: Marcus Smith’s mother, Mary Smith; father, George Smith; and sister, Kim Smith, outside of City Hall in Greensboro, N.C., on May 3, 2021.

Marcus Smith’s mother, Mary Smith and sister, Kim Smith, hold hands during a protest.
Top: A protester at a May 3, 2021 demonstration, holds a picture of Marcus Smith, who died after police hogtied him on a Greensboro, N.C. street in September 2018.

Demonstrators gather outside City Hall in Greensboro, N.C., on May 3, 2021, to protest the death of Marcus Smith after police hogtied him in September 2018.
CROSSWORD

Complete the crossword below by closely reading

ACROSS
2 What instrument was Jaime finally able to afford once receiving the money that was taken from him? (1 word)
3 What classes did Kevin Byrd take through Mercy College alongside some incarcerated people? (2 words)
5 "The ___ is like a union for incarcerated people." (1 acronym)
8 The Marshall Project developed the policy in The Language Project based on what type of language? (2 words; hyphenated)
14 "...foster care agencies comb through their case files to find kids entitled to these benefits, then apply to Social Security to become each child’s ___ ___." (2 words)
16 What state did the Foster Care article largely speak about? (1 word)
17 At what correctional facility did Kevin Byrd work as a correctional officer? (2 words)
18 "Just over 80% of older youth in foster care have experienced one or more traumas that could result in them having _____." (1 word)
19 "At least 10 state foster care agencies hire _____ companies to obtain millions of dollars in Social Security benefits intended for the most vulnerable children in their care each year..." (2 words; hyphenated)

DOWN
1 What is the name of the device used to help law enforcement hogtie someone? (1 word)
2 What does CLO stand for? (3 words)
4 What is one of the benefits that are being taken away from youth by state foster care agencies? (2 words)
6 What is the name of the young man killed by asphyxiation due to being hogtied? (2 words)
7 "Given the ________ and classism embedded in the U.S. criminal justice system, language about incarceration places an undue burden on people of color and poor people. (2 words)."
8 "You can go into the civilian bathroom because you are a _____ now." (1 word)
9 "There was only ___ officer per gallery, so I was up there by myself trying to run housing for maybe a hundred-something people." (1 word)
10 38% of readers who filled out the questionnaire for The Language Project said they prefer what term? (2 words)
11 What organization was Lawrence Bartley elected the Chairman of in Sing Sing? (3 words)
12 "The U.S. ________ in 1995 warned that people may die when police tie handcuffed wrists to bound ankles." (3 words)
13 Besides Social Security, what is another type of benefit that is being taken away from youth by state foster care agencies? (1 word)
15 What year was the Monroe Correctional Complex built? (4-digit year)
Hey everyone, it’s Lawrence!

No one is more of an expert on the distinct challenges of being incarcerated than incarcerated people themselves.

That’s why I want to invite you to contribute to a new advice column by and for people behind bars. Here, you share your unique experiences, thoughts and creative tips for navigating life inside with News Inside readers across the country.

For our first edition, we want your Food Hacks:

What meals have you created using commissary food and approved items? Did you invent a new way of eating ramen? Or transform the Banquet Box chicken into a beautiful holiday meal to share with friends?

Turn the page to write out one of your recipes and tell the story behind what you made.
Tell us about a time when you got creative with food in prison. What did you make and why? Share one of your recipes and any other cooking tips for others trying to create tasty meals with commissary food and approved items.*

To see your answers published in the next issue of News Inside, submit your responses to:

News Inside
The Marshall Project
156 West 56th Street, Suite 701
New York, NY 10019

*all methods and tools must have been approved by your facility
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. The Marshall Project has developed a policy based on the logic of “people-first” language, which was originally developed by people with disabilities to avoid turning one aspect of a person's life into an all-encompassing label.

2. T or F. 74% of people held in jails have been convicted of a crime.

3. T or F. Some incarcerated people helped Kevin Byrd with his schoolwork while he was a C.O.

4. T or F. Even though incarcerated people vary greatly in their preferred terms to identify themselves, they all find commonality in the “people” portion.

5. T or F. Under federal law, youth in foster care are not entitled to receive any benefits, such as Social Security.

6. T or F. The State of Washington conducts 10 parole hearings per year.

7. T or F. There is no federal standardized way to use the hobble, and there are various points within the process where an error could be deadly.

IN THE SPOTLIGHT

When I discovered News Inside in 2019, I was immediately and highly impressed by the content and mission. At that point, I had been writing and managing The Community for about five years. It’s the most widely read newsletter in the Wisconsin prison system. Efforts to create a justice system more worthy of that name often overlook the importance of pre-entry: connecting incarcerated people, well before release, with news, resources, guidance and especially encouragement to re-enter society prepared to succeed as whole and healthy humans. The support behind News Inside and the story of Lawrence Bartley as founder and director made me feel like there were people and resources focused on the glaring gaps I saw and see in the Justice and safety movement. And Lawrence, as a free man, and News Inside have been supportive partners in our collective efforts at pre-entry and correcting the narrative about the successes, humanity and agency of people with criminal records.

—Shannon Ross, Executive Director of The Community
shannon@thecommunitynow.us

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. Biden promised to broadly use his clemency power for certain violent crimes. **False**

2. Being caught with large amounts of marijuana, selling it, using it in a school zone or underage use is still illegal in states that have legalized it. **True**

3. DiIulio warned that by the year 2000 an additional 30,000 young “murderers, rapists, and muggers” would be roaming America's streets, sowing mayhem. **True**

4. Paul Lynch, director of the prison education program at Saint Louis University in Missouri, criticized an Ashland education as being incomplete without in-person interaction. **True**

5. GoFundme shut down Rahsaan’s account because people in San Quentin can’t have GoFundme campaigns. **False**

6. In 17 states, people in prison could be among the first to receive the coronavirus vaccine. **False**

7. **Eng.** The CDC advises that people wait to take the vaccine at least 90 days after recovering from the virus. **True**

**Span.** Los Centros para el Control y la Prevención de Enfermedades (CDC) aconsejan esperar al menos 90 días después de recuperarse del virus para recibir la vacuna. **Verdad**
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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