

Silence around Prisoner Protests: Criminology, U.S. Black Women and State-Sanctioned Violence

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Abstract

Protests and resistance from those locked away in jails, prisons and detention centres occur but receive limited, if any, mainstream attention. In the United States and Canada, 61 instances of prisoner unrest occurred in 2018 alone. In August of the same year, incarcerated people in the United States planned nineteen days of peaceful protest to improve prison conditions. Complex links of institutionalized power, white supremacy and Black resistance is receiving renewed attention; however, state-condoned violence against women in carceral institutions (e.g., physical, sexual and emotional abuse, and medical neglect) is understudied. This qualitative exploratory case-study examines 10 top-tier Criminology journals from 2008-2018 for the presence of prisoner unrest/protest. Findings reveal a paucity of attention devoted to prisoner unrest or state-sanctioned violence. An argument is made that the invisibility of prisoner unrest conceals the breadth and depth of state-inflicted violence against prisoners, especially marginalized peoples. This paper concludes with a discussion of the historical legacy and contemporary invisibility of Black women's resistance against state-inflicted violence. This paper argues that in order to make sense of and tackle state-condoned violence we must turn to incarcerated people, activists, and Black and Indigenous thinkers and grassroots actors.

Keywords: Black women, mass imprisonment, prisoner resistance, state-condoned violence

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Introduction

Protests and resistance from those locked away in jails, prisons and detention centres occur but receive limited, if any, mainstream attention. On February 4, 2019, *Incarcerated Workers Organizing Committee* launched a website that documents prisoner protests in the United States and Canada, with 61 instances occurring in 2018 alone (Incarcerated Workers Organizing Committee, 2019). At the time of the website's launch, roughly 200 cases of prisoner unrest over a nine-year period were documented (e.g., hunger strikes, work stoppages, uprisings) and cases continued into 2019. For example, in late February 2019ⁱ, eight menⁱⁱ in Alabama's Holman Correctional Facility embarked upon a hunger strike to peacefully protest their placement in solitary confinement without cause (Fink, 2019). Alabama was one of the primary sites of prisoner unrest. In August 2018ⁱⁱⁱ, incarcerated men and women in the United States planned nineteen days of peaceful protest to improve prison conditions. Through boycotts and other forms of protests, the prisoners aimed to draw attention to the need for increased funding for rehabilitation and mental health services, costly commissaries and collect phone calls provided through private and state-owned companies profiting from their incarceration, disenfranchisement for felony convictions (e.g., individuals barred from voting), and prison exploitative labor. Widespread prison labor exploitation, a remnant of the convict leasing system^{iv}, was one of the core issues protested (Hallett, 2006; Pilkington, 2018; Whitehouse, 2017).

Prisoners in an Alabama prison, as part of the nationwide protest, refused to work to protest pennies prisoners are paid to work in a USD 2 billion industry with little, if any, medical care and without sick leave (Pilkington, 2018). In 2018, for example, male prisoners from the California Department of Corrections and Rehabilitation (CDCR) were paid USD 1 an hour plus USD 2 a day to fight fires during California's record-breaking wildfires. Not only is the work dangerous, but firefighting also requires long hours with a possibility of 72-hour shifts. California's prisoner firefighting programs, initiated in the 1940s, are reported to save the state USD 90-100 million annually (Lopez, 2018). The system that allows carceral institutions' use of prisoners to fight dangerous wildfires for hardly any monetary compensation is the same system that legally discriminates against and prohibits formerly incarcerated men and women from employment doing the exact same job/work. Yet, the capitalist nature of prison labor also displaces the core workforce through mechanisms akin to the prison-convict-leasing

system, which emerged shortly after the abolition of slavery, rarely enters mainstream media and academic discourses.

It is important to note that groups of formerly incarcerated people have always mobilized around harsh prison conditions. On International Women's Day 2019, in Austin, Texas, for example, a group of formerly incarcerated women marched from Travis County Jail to the state capital to meet with lawmakers to demand better conditions and treatment for women currently serving time in jails and prisons (Spenser, 2019). The modicum of attention toward the actions of formerly incarcerated women advocating for incarcerated women illustrates a special kind of abandonment and silence—in the sense that millions of women are affected by the criminal justice system (Solinger et al., 2010).

For example, the U.S. Department of Justice estimates that between 149,000 to 209,400 incidents of sexual victimization occur annually in prisons and jails (Kubiak et al., 2018). Kubiak et al. (2018) report that the Centers for Disease Control found that 44% of women and 23% of men have experienced some form of sexual victimization in U.S. prisons, which increased from 2007 estimates for women that revealed that 25% of incarcerated women reported experiences of sexual abuse inside carceral institutions (Talvi, 2007). These figures, however, are likely higher, thus comparable to women on the outside who do not report instances of rape and sexual abuse for fear of retaliation (Lawston, 2008; Kubiak et al., 2018). For men and Trans people, reporting rates of rape are lower and greatly undercounted in prison records (Robertson, 2003). Similar trends are found in the documented arrests of police officers in the U.S. Of the 545 cases of arrests of police officers for sex-related crimes between 2005 to 2007, over half (51.3%) were arrested for sexual misconduct on duty or when acting in an official capacity, 32.2% for forcible or statutory rape, 19.5% for forcible fondling and 10% statutory rape (Stinson et al., 2015).

Reproductive issues, such as pregnancy, childbirth and menstrual cycles, present unique challenges for incarcerated women, which require 'speciality service' or gynaecological care compared to men while also having high rates of illnesses from infective diseases (Jacobs, 2017; Lawston, 2008; Owen, 1998; Ritchie, 2017; Solinger, et al., 2010). The state of Maine, for example, proposed a bill in March 2019 that would make access to free menstrual products for incarcerated women an integral component of overall healthcare (Vagianos, 2019). Women, currently, have to purchase menstrual products once the allotted amount, which is the same for each woman, is



reached regardless of the different needs. Most incarcerated women cannot afford menstrual products. Limited hygienic menstrual products lead to serious health consequences. Long-term costs drastically increase to treat serious infections that are easily preventable. However, the proposed bill that would guarantee free menstrual products in all of Maine's jails and county carceral facilities was met with opposition, with the chief of police in Dixfield, Richard Pickett, stating, "the jail system and the correctional system was never meant to be a country club" (Vagianos, 2019).

While we are witnessing a surge in prisoner unrest, less documented organized and individual methods of resistance within female carceral facilities exist. Although voices of resistance from incarcerated women have been around in different forms, such voices remain at the periphery if not abandoned completely from prison discourse, mainstream women and labor movements, and Black liberation movements. Chronicling prisoner unrest is necessary in order to contextualize these historic prisoner-led actions (Incarcerated Workers Organizing Committee, 2019), especially within the context of Black suffering. Centering the prison as a space to examine Black women's experiences lends itself to a useful analysis regarding motivations for prisoner resistance, various forms of resistance, and aid in the fight against toxic prisons. Because discursive power manifests in the language used to discuss a particular topic, who talks about prisoner resistance and how frequently it is discussed, especially in a leading field like criminology, is a necessary starting point (Agozino, 2003; Deckert, 2014).

This study examines top-tier criminology journals from 2008-2018 to explore the presence of prisoner protests/resistance, particularly among incarcerated Black women. Top-tier criminology journals were selected based on impact factor and the discursive influence highly ranked journals have on academic and public discourses. The selected timeframe is consistent with *Incarcerated Workers Organizing Committee* on-line database, which indicates roughly 200-prisoner unrest/protests occurred within the past decade. Additionally, the database is one of the few places prisoner resistance is documented and easily accessible. This paper proceeds by setting the stage for the importance of a contemporary interrogation of prisoner resistance. A brief review of the contemporary and historical experiences of Black women and police brutality follows, with particular attention devoted to Black women's invisibility. An exploratory analysis of mainstream criminology's responsiveness towards prisoner resistance and

activism follows. This paper concludes with a discussion of the implications of findings.

Resistance within Carceral Facilities

Resistance is a term having several meanings, advocates and opponents. Inherent to the concept is the idea that individuals 'can' exercise agency (or power) to resist, circumvent or subvert domination and oppression (Bosworth & Carrabine, 2001; Godderis, 2006). As stated earlier, prisoner protests are occurring, yet a paucity of research exists on the topic and methods of resistance within carceral institutions. A call to reclaim and rethink resistance as it relates to female prisoners emerged during the 1990s, with emphasis on the ways race, gender, class, sexuality contribute to understanding power relations in prisons (see, Barry, 2000; Bosworth, 1996; 1999; Bosworth & Carrabine, 2001; Faith, 2011; Ross, 1998; Useem & Reisig, 1999). Interest towards prison resistance soon declined in light of record-breaking incarceration rates—the outcome of the racialized war on drugs. Thus, prisoner resistance has been regarded as an important point of departure to understanding imprisonment by highlighting the struggles prisoners undergo to retain a sense of choice and autonomy in a situation where they are rendered powerless (Bosworth & Carrabine, 2001).

Methods of Resistance and Incarcerated Women

Methods of resistance across carceral institutions include prison riots, hunger strikes, labor strikes, refusing medical care (including bathing), legal action, filing grievances, art, absconding, journaling, support groups, forging connections with outside groups, and education (Barry, 2000; Faith, 2011; Goldstone & Useem, 1999; Law 2009; Useem & Reisig, 1999). Many forms of resistance within female facilities are similar to male facilities and are typically related to the treatment of prisoners at the institutional or individual level or the lack of resources made available to them. In female facilities, however, sexual abuse and motherhood influence how women resist. Women within carceral institutions can be threatened with the loss of visitation rights from their children, denial of medical care during pregnancy, or sexual abuse from staff if they protest poor/inhumane or demand quality treatment (Law, 2009). While women may employ similar techniques as males, their sex (e.g., pregnancy; post-partum) influences the consequences and reasons for action. However, Law (2009) states that it is



important to note that high rates of abuse before entering and while incarcerated likely influence engagement with organized methods of resistance, which may also be noticeable along lines of sex, gender, sexual orientation, and race/ethnicity.

Due to intimidation, women are more hesitant to write or to speak about their experiences. In some cases, women's history of abuse can also be a source of their empowerment. Women have organized to protect each other from male officers and the abuse that occurs in facilities through legal actions, grievances, or physical activity. Cases such as *Women Prisoners v. District of Columbia Department of Corrections* in 1993, *Neal v. Michigan Department of Corrections* in 1996, and *Forts v. Ward* in 1977 are all cases of female prisoners filing lawsuits against male officers (Law, 2009). Women prisoners have also taken physical individual and collective action to kill or injure an officer who had abused them. In a 1974 case in North Carolina's Beaufort Jail, a Black woman stabbed and killed a white male guard after she was forced to perform sexual acts (Law, 2009).

Black women have used groups to provide support and a network of activist inside and outside of carceral facilities. Social supports provide informal networks of friends and family that share resources and create a social sphere of freedom where Black women can speak to others about their experiences (Collins, 2000; James, 1999; Shorter-Gooden, 2004). Social supports inside carceral facilities can be used as spaces to network and collectivize but also to decompress and continue in their political work. Through social supports and networks, incarcerated Black people have organized protests, strikes, and legal actions (Chase, 2015).

Women have used education as a way of empowerment. As one prisoner stated, "You are less likely to become a target if you appear able to defend yourself intellectually" (Law, 2009, p. 93). Education has been identified as a way to shield themselves from prison injustices but also increase self-esteem and self-worth (Law, 2009). Enhancing writing skills help women articulate their grievances and with contacting attorneys or other law officials about the injustices occurring while incarcerated (Law, 2009). From 1972-1976, the Santa Cruz Women's Prison had weekly workshops and classes for the women in collaboration with the University of California. These classes began after a professor and prisoners lobbied for college-level classes in the women's facility which were already available in the male facilities (Faith, 2011). In this case, incarcerated women dictated

their curriculum and at any time had as many as one hundred women in attendance (Faith, 2011).

The women often use skills and knowledge learned while incarcerated to challenge the criminal justice system through their writings and art. It provides an avenue for prisoners to advocate for themselves and use their creativity “as strategies for resistance, modes of describing their world, attempts at rehabilitation, opportunities for building communities, and ideas for decarceration” (Lawston, 2011, p. 8). Black women have historically acted within the Black community to “raise consciousness and advocate for the social justice of those most marginalized” since colonization and the Transatlantic Slave Trade (Battle, 2016, p. 127). Women were needed within Black freedom movements because they helped provide resources, were a link to the community as a whole, and integrated activism and resistance within their own families (Collins, 2000). This sense of activism within the walls of a carceral institution has often taken the form of writing. These publications often speak to the conditions within carceral institutions. Therefore, writing skills are used to author books and publications about their time inside carceral institutions (Davis, 1988; Faith, 2011; Goodman & Davis 2018; Law, 2009; Lawston, 2008; Women of the ACE Program of Bedford Correctional Facility, 1998). *Assata: An Autobiography* (1987), *Angela Davis: An Autobiography* (1988), *Breaking the Walls of Silence: Aids and Women in a New York State Maximum Security Prison* (1998), and *Inner Lives: Voices of African American Women in Prison* (2003) are works by women who were incarcerated. These books highlight unique experiences of Black women, wherein little empirical evidence exists that details various forms of abuse inside carceral institutions and how abuse is experienced at the intersection of gender, sexual orientation, race, and ethnicity.

Black Women within Carceral Institutions

In 2008, women were incarcerated at the highest rate in the history of the United States. Between 1980 and 2014, the net of surveillance, control, and punishment produced a 700% increase of women being held in federal, state or local prisons and jails – over half generally imprisoned because they lacked the means to post bail (Ritchie, 2017). The Sentencing Project 1995 study found that from 1986 to 1991 the number of Black female drug offenders sentenced to state prisons increased by 828%, 323% for Latina and 241% for White women (Lawston, 2008). Black women’s political-societal position within society’s hierarchy also affects their experiences



within a carceral institution (Heimer et al., 2012). Black women's disproportionate representation within the criminal justice system is evidence of the systematic devaluation of Black womanhood and Black suffering (physical, psychological and emotional), and a direct consequence of a calculated method of social control rooted in racial hatred (hooks, 1981). Additionally, Black women receive harsher charges and longer sentences within the criminal justice system (Bloom & Chesney-Lind, 2000; DuMonthier, Childers & Milli, 2016; Freudenberg, 2002; Richie, 1996; Sentencing Project, 2007; Walker, Spohn & DeLone, 2016). Thus, understanding conditions Black incarcerated women face provide a foundation for their motivations for resistance.

Complex links: Institutionalized power, White supremacy and Black resistance

Complex links of institutionalized power, white supremacy and Black resistance are receiving increased attention; however, state-condoned violence against women in carceral institutions (e.g., physical, sexual and emotional abuse, and medical neglect by prison staff) is understudied, especially compared to the focus on police convictions. Angela Davis, likely the highest-profile political prisoners in the late 1960s and early 1970s, use of "rhetorical reconstitution" centered the prison as a space for confronting the limits of liberalism for civil rights activists in the United States and abroad (Corrigan, 2017). Lisa M. Corrigan (2017), in her discussion of imprisoned intellectuals and Black power advocates, states that George Jackson's and Angela Davis' books were groundbreaking because they provided some of the first extended accounts into prison culture. Exposing the inhumane treatment of those who were imprisoned, Jackson and Davis' writings made clear the continuities in the circumstances for African Americans inside and outside prison walls (Chase, 2015; Corrigan, 2017).

Critical factors contributing to Black women's incarceration – poverty, sexual and emotional abuse, racism, sexism, and drug use – are often exacerbated once in prison confinement (Chase, 2015; Corrigan, 2017; Jacobs, 2017; Lawston, 2008). Davis' friendship and intellectual relationship with George Jackson formed the early basis for prison activism that emerged during the Black Power movement in California (Chase, 2015). Angela Davis states, "I began to recognize through the work that I did in the case of the *Soledad Brothers* that it was very important to bring into the movement of that period of consciousness of what was happening to people

in prison” (as cited in Corrigan, 2017, p. 48). Davis rhetorical collaboration with George Jackson convinced her that Jackson was being persecuted for advocating prison reform and calling on people to demand better prison conditions, better food, and the right to read whatever they wanted to read. Nearly 50 years since *Soledad Brothers*, Black people remain grossly overrepresented in carceral facilities and Black political activism has resurged to protest state-sanctioned violence against Black bodies.

Lifting the Veil: Black Lives Matter, Police Brutality, Black Women

Black women’s experiences of profiling and police brutality (of often deadly force), high rate of imprisonment, and violence and safety remained largely invisible in the ongoing conversations about the epidemic of police violence in the United States^v (Ritchie, 2017). Scholars and activists argue that the post-Ferguson moment combined with the Black Lives Matter movement were pivotal moments lifting the veil of invisibility on state violence against Black women, women of color and gender-nonconforming people in the United States (Hattery & Smith, 2018; Lindsey, 2018; Ritchie, 2017; Taylor, 2016).

The emergence of Black Lives Matter brought a global awareness to the harsh and deadly experiences of police brutality, which some scholars argue that the national media coverage of numerous police murders of unarmed Black people was primarily a result of Black Lives Matter (e.g. Carodine, 2014; Hattery & Smith, 2018; Jacobs, 2017; Lindsey, 2017; 2018; Rickford, 2016; Ritchie, 2017; Taylor, 2016). The violent death of Michael Brown by ex-officer, Darren Wilson, in Ferguson, Missouri and the hyper-militarized response of local, state, and national law enforcement to nonviolent and violent protesters in Ferguson energized a new generation of organizers against racial injustice. The momentum of Black Lives Matter prompted a new national conversation on race and anti-Blackness (Bledsoe & Wright, 2019; Lindsey, 2018), but the movement primarily focused on Black men (Hattery & Smith, 2018; Lindsey, 2018, Ritchie, 2017).

While cisgender Black men and boys are not genderless, the conflation of Blackness with Black maleness erases more than 50% of the Black community (Lindsey, 2018). State-sponsored violence against Black women at the hands of law enforcement is a chronic problem with colonial roots (e.g., Bledsoe & Wright, 2019; Crenshaw & Ritchie, 2015; Hattery & Smith, 2018; Jacobs, 2017; Norris, 2019; Ritchie, 2017; Willingham, 2011; 2018). For example, Black people are 27% of New York City’s residents. In 2013, of all



the men stopped by police in New York, Black men represented over half: White (10.9%), Black (55.7%), and Latino (29.3%) (Crenshaw & Ritchie, 2015). The percentage of women stopped in the same year is similar to their male counterparts: White (13.4%), Black (53.4%) and Latino (27.5%). While Black men and women represent over 50% of all police stops, the erasure of Black women, according to Crenshaw and Ritchie (2015), lie in the fact that racial profiling is rarely disaggregated by gender and race.

Historically, state violence and lack of protection from law enforcement created a society where Black women's bodies are under constant attack (Battle, 2016; DuBois, 1969; James, 1996; Rousseau, 2009). Black women have experienced state violence and punishment throughout their childhood and into adulthood. Black girls are six times more likely to be suspended from school than white girls and receive the majority of the disciplinary actions (Battle, 2016; Chakara, 2014; Crenshaw, Ocen, & Nanda, 2015; Finn and Servoss, 2014). Unjust treatment of Black girls leads to contact with the criminal justice system at an earlier age and at a higher rate. Black women experience sexual assault and other forms of abuse from police enforcement with little, if any, accountability. The most common sites of abuse are during motorist stops, with crime victims, with students, and during job-shadowing programs (Ritchie, 2017). It is within these sites that law enforcement has largely disproportionate contact with Black women. Moreover, perceived as deviating from what is considered to be the "norms of feminine sexuality," Black women are further targeted (Ritchie, 2017, p. 118). Consequently, Black women are disproportionately killed and assaulted by police in comparison to white women. Although Black women make up roughly 13% of the female population, they account for a third of all women who are killed by police (African American Policy Forum, 2017).

Myths and stereotypes of Black women and girls being perceived as unruly, noncompliant, and aggressive combatants coupled with invisibly and anti-Black racism create unique conditions of subjugation and devaluation of Black female experiences with law enforcement and the criminal justice system that is legitimized (Crenshaw & Ritchie, 2015; Collins, 2000; hooks, 1981; Ladner, 1971; Lindsey, 2017; Norris, 2019; Willingham, 2018; Wun, 2016). Because Black women's bodies have been cast with racial-sexual stereotypes, such imagery often eclipse "the political images of Black female activism and agency" (James, 1999, p. 149). Social scientists and legal scholars alike have documented jurors and judges resistance to finding Black women victims of rape credible (Carodine, 2014;

Jacobs, 2017). For these reasons, #SayHerName emerged shortly after the rise of #BlackLivesMatter to shed light on the invisibility of numerous Black women left out of the national narrative of police brutality (Hattery & Smith, 2018; Lindsey, 2018; Ritchie, 2017)^{vi}.

Not an addendum to Black Lives Matter, #SayHerName is a framework and challenge to reorient how we understand anti-Blackness as connected to both White supremacy, patriarchy and capitalism. Black women, like Charleena Lyles in Seattle, was pregnant when killed by police. Seven-year-old Aiyana Stanley-Jones, of Detroit, was doing nothing more than sleeping when murdered by the police. Mya Hall in Maryland and Miriam Carey in Washington, D.C. had merely taken a wrong turn while driving before being killed by the police. Hashtag Say Her Name documented eight cases of mentally ill women killed by the police when their families and neighbours called the police for assistance (Jacobs, 2017). Shukri Ali in Georgia, Korryn Gaines in Maryland and Deborah Danner in New York were experiencing mental health crises when the police “assisted” by killing them (Ritchie, 2017).

Andrea Ritchie’s 2017, groundbreaking book, *Invisible No More: Police Violence Against Black Women and Women of Color*, as well as scholarship from Michelle Jacobs (2017) all chronicle the pervasive, persistent, and multi-layered experiences Black women have with the state and law enforcement that is marked by violence. The Black women and girls named above illustrate how easily law enforcement can erase the life of a Black woman with very little accountability (Jacobs, 2017; Willingham, 2018). Little to hardly any empirical data exist to validate the experiences of Black women at the hands of overly aggressive officers. Scholars have argued that smartphone technology and social media have been the most effective tools for providing poignant evidence of a long-standing national problem. Jacobs (2017, p. 60) illustrates this point by providing a specific example of the brutality one Black woman experienced at the hand of the police because of a traffic infraction:

[T]he perils Black women face when interacting with the police played out both on cell phone video posted to the internet and over the audio of a 911 call for a traffic offense in Houston, Texas. In light of the heightened media attention to police violence against Black people, the young woman became frightened when she realized a White police officer was trying



to pull her over for a traffic infraction. She complied with the officer's indication to pull over, but then called 911, to advise the police dispatcher that she was frightened and to ask for an additional officer to come to the scene. Her fear of the police officer turned out to be well-founded. When she was on the phone with 911, a passing citizen caught a video of the police officer violently throwing her to the ground and arresting her for the traffic infraction.

This example is one of many that shows how cell phone videos have been used to capture and prove state-sanctioned violence against Black women and girls at the hands of law enforcement (Jacobs, 2017). However, the inhumane treatment of Black women continues once in custody of the criminal justice system for which cell phones and recording devices are not permitted. Voices of incarcerated Black women are at the periphery of the margin in both mainstream media and academic scholarship. Willingham (2011) argues that one of the common themes in Black women's prison writings is the abandonment and neglect of experiences of women once incarcerated.

Methodology

To explore the presence of prisoner protest/unrest in mainstream criminology, this study employed a content analysis of top-tier criminology journal from 2008-2018. Academic criminological discourse holds considerable power given the role as a provider of expertise or 'expert' discourse (Agozino, 2003; Cunneen & Tauri, 2017; Deckert, 2014; Kitossa, 2012). Discursive power condenses in high-ranked academic journals due to their influence over other scholarly content and public debate (Deckert, 2014). Given this, academic journals were deemed the most suitable to assess the level of awareness and concern toward prisoner protest.

To retrieve top-ranking criminology journals, the authors consulted the most recent Social Sciences (SSCI) database, which was 2017, and browsed by categories (e.g., Criminology). The search yielded journals in 'Criminology & Penology'. The impact factor was chosen as the metric of choice used to rank journal titles according to level of influence. Two journals were omitted from the top-ten list given the focus of the journals fell beyond the scope of inquiry (*Journal of School Violence* (no. 8) and the *Psychology of Violence* (no. 9)). Also, *Journal of Interpersonal Violence* (no. 12)

and *Aggression and Violent Behavior* (no. 13) were omitted and the 11th and 14th journals were included.

The first phase of the analysis examined titles, keywords and abstracts of journal articles from the selected journals for the terms/phrases used within the context of prisoners/inmates and/or institutional violence: 'resistance', 'protest', 'agency', and 'uprising'. The second component of the analysis examined how the articles (results from the first phase) attended to gender (e.g. conditions in male and female facilities), race/ethnicity and sexual orientation. From this stage, the examination explored how the articles defined resistance and unrest and articulated the methods used among prisoner protesters.

Limitations

We acknowledge that prisoner unrest and protest may not be a focal area or may fall outside the scope of some criminology journals, which is an inherent limitation. Relatedly, journals with a particular focus on this issue may have a lower impact score and are not included in this analysis. As stated earlier, prisoner unrest/protests have been monitored closely over the past decade by organizations and grassroots activists committed to fighting toxic prisons. Therefore, we acknowledge the time lag between academic scholarship to reflect contemporary social problems and phenomena. Such combined factors will undoubtedly present limitations. However, for consistency and for reproducibility it is important to examine the highest-ranking criminology journals given the influence impact factor carries.

Findings

The results revealed that while the term resistance emerged sparingly, only three articles explored 'resistance' within in the context of prisoner protest against harsh/inhumane treatment exercised by carceral facilities. It is important to note that *The British Journal of Criminology* (no. 10) published two of the three articles. This journal also published three book reviews of books that examined prisoner resistance: *Blood in the Water: The Attica Prison Uprising of 1971 and its Legacy* (2016) by Heather A. Thompson, *Imprisoning Resistance: Life and Death in Australian Supermax* (2007) by Bree Carlton, and *The Arts of Imprisonment: Control, Resistance and Empowerment* (2013) by Leonidas K. Cheliotis. This study omitted book reviews, but they are important to mention due to the specialized attention



these works devote to prisoner unrest in the 21st century. Each of these books provides a purposeful examination/discussion of state-sanctioned punishment, its place in public consciousness, and aspects of prisoner resistance and protest—themes neglected largely in high-ranking academic journal articles.

The third article was a 2008 article/essay published in *Criminology & Public policy* (no. 14), which discusses prisoner resistance in terms of a necessary step to combat harsh prison conditions and state-inflicted harm. The other two articles, published in 2016, focused specifically on various forms of resistance within women's prisons. One article focused on forms of prisoner resistance against stigmas around mothers and pregnancy. The other article unpacked social sciences' approach to the term *resistance* within prison-related scholarship arguing that *agency* better expresses the type of negotiations female prisoners employ during face-to-face encounters with prison staff. Race/ethnicity, sexual orientation or age did not emerge in a significant (or intentional) way across the three articles.

It is important to note that 'inmate victimization' emerged in roughly a dozen articles, however, only one article, also published in *The British Journal of Criminology*, discusses victimization within the context of state care and state harm in New Zealand inflicted by various social institutions, including prisons. The paucity of articles covering prisoner unrest and state-inflicted violence in top-tier criminology journals did not lend itself to a useful examination of the presence and trajectory of prisoner resistance/unrest in the 21st century or unpack the complexity of state-sanctioned harm.

Discussion

Findings reveal a silence around prisoner unrest/protest in mainstream criminology, which does not reflect the surge in prisoner unrest over the past decade. These findings are also consistent with the silence discussed earlier around state-sanctioned violence against Black and other marginalized women. This paper argues that the failure to acknowledge and link contemporary issues of state-sanctioned violence against Black bodies to the not-too-distant Civil Rights and Black Power Movements speak to a special kind of erasure of Black suffering in mainstream criminology. Such negligence ignores the well-known resistance to racial equality that included extremist groups like the KKK and the white 'citizens' councils' (Baker, 2008). Silencing historical and contemporary White resistance to racial equity and

equality exonerates the state in its complicity in Black suffering, especially since White resistance and violence occurred at all levels of government and society (e.g., Federal judges, state governors, county sheriffs and local citizens serving on juries) (Alderman, Inwood & Bottone, 2018; Baker, 2008; Bramlett-Salomon, 1991; Houck, 2017). These systems of oppression operating in tandem coupled with the academy's complicity speak almost to a deliberate exclusion of contemporary and past violence against Black bodies (Alderman, Inwood & Bottone, 2018). For example, cases such as "Bloody Sunday" that occurred on 7th March 1965, exemplify a special kind of violence peaceful protesters met at the hands of law enforcement when 600 Civil Rights Activists moved west out of Selma, Alabama to draw attention to voting rights for African Americans. They marched only six blocks before state and local law enforcement attacked them with billy clubs, dogs and tear gas. Moreover, drawing from the movement's heroines and their violent treatment from the state, which has been neglected in scholarly research and mainstream discussions, can help us make sense of contemporary experiences of state-sanctioned violence against Black women and other women of color (Baker, 2008).

Black women, Punishment, Resistance

Similar to racial profiling and police violence, Black women's long-standing resistance against the criminal justice system remains invisible. Police violence against Black women during the Civil Rights Movement has largely been erased from public discourse and consciousness (Collins, 2000; Corrigan, 2017; Piven & Cloward, 1977; Smith, 1968; Ritchie, 2017; Washington, 2006). Black women who challenged Jim Crow segregation laws were singled out for particularly violent police abuse, such as female freedom fighters, Student Non-violent Coordinating Committee (SNCC), etc. Fannie Lou Hamer, in a nationally televised speech to the 1964 Democratic National Convention, detailed the events surrounding her arrest on 9th June 1963 at a Winona, Mississippi bus terminal with five colleagues returning from a voter education workshop. Jailed, along with 16-year-old June Johnson, Hamer skilfully narrated the sadism that ensued while in jail (Hamer, as cited in Houck, 2017, p. 3):

And it wasn't too long before three white men came to my cell. One of these men was a State Highway Patrolman and he asked me where I was from. And I told him Ruleville. He said,



“We are going to check this.” And they left my cell and it wasn’t too long before they came back. He said, “You are from Ruleville all right,” and he used a curse word. And he said, “We’re going to make you wish you was dead.”

I was carried out of that cell into another cell where they had two Negro prisoners. The State Highway Patrolmen ordered the first Negro to take the blackjack. The first Negro prisoner ordered me, by orders from the State Highway Patrolman, for me to lay down on a bunk bed on my face. And I laid on my face, the first Negro began to beat me.

Fannie Lou Hamer’s account of her brutalization in a Mississippi jail was cut short by President Lyndon Johnson. Having the Nation’s attention, Hamer’s (1964) articulation of rural Black life—sharecropping, being shot at, arrested and beaten for urging her fellow Blacks to vote—rhetorically illustrated the absence of choices/freedoms that Blacks experienced daily (p. 3):

Is this America, the land of the free and the home of the brave, where we have to sleep with our telephones off the hooks because our lives be threatened daily, because we want to live as decent human beings, in America?

Fannie Lou Hamer’s ruthless encounter with the police – “agents of White domination, patriarchy and Black oppression” – shows how police violence against Black women and girls intensified as Black resistance grew (Ritchie, 2017, p. 15). Moreover, Hamer’s experience illustrates how Black female *bodies* fell outside of the protected category ‘woman’ (hooks, 1981; Houck, 2017; Lindsey, 2018; Ritchie, 2017).

Fannie Lou Hamer’s experience of state violence is located within a broader history of the use of jails, more specifically, the industrial prison complex, to punish, control, silence and torture Black women. Over fifty years later, Black women’s experiences while in jail parallel Hamer’s. For example, on December 23, 2018, Lanekia Michelle Brown, 37, died in a Mississippi jail after complaining of stomach pains (Folley, 2018). Lanekia’s death came shortly after Janice Dotson-Stephens, a 61-year-old grandmother who died in a Texas jail while being held on a USD 300 bond (Carroll, 2018).

As scholarship on incarcerated women developed, it is imperative to refrain from homogenizing women's experiences, especially since we are "living through a moment in which hyper-visualized examples of anti-Black violence have gripped the public and spurred discourses around Black life and its prevailing (lack of) value" (Bledsoe & Wright, 2019, p. 8). The social systems that create harsh realities that criminalize and incarcerate Black female bodies undoubtedly follow them into carceral institutions. Specific ways Black oppression and domination are reproduced (in-effect) through post-slavery institutions have always been a dominant theme in Black life (Alexander, 2012; Bledsoe & Wright, 2019; Hattery & Smith, 2018; hooks, 1981; Ritchie, 2017). Thus, it is important to recognize disparities at various intersections of women identities and lived experiences within carceral facilitates.

Hamer's experience along with the imprisonment of 16-year-old June Johnson speak to specific ways Black bodies, regardless of age, were and are still surveilled and policed. Like Fannie Lou Hamer, incarcerated women speak with authority, enriching our understanding of the role carceral institutions have played in their communities. It is for this reason, Agozino (2003) implores academics, activists and advocates to "speak in solidarity with the oppressed rather than simply speak *for* them as if their silence implies voicelessness (as cited in Cunneen & Tauri (2017, p. 35): "[i]t is always good for those who have a voice to speak up for the silenced rather than hide behind the mask of scientific objectivity to speak only about silence." In the case of understanding the motivations for prisoner resistance, incarcerated and formerly incarcerated women are the primary voice to inform scholarly and political discourse.

Within the context of invisibility, Simmel (1906) argued that secrecy inspires confidence in the beholders, and with this comes the protection of invisibility. This invisibility goes on to provide protection to both the members involved and their actions. Simmel argued that if human interaction is "conditioned by the capacity to speak, it is shaped by the capacity to be silent" (Simmel, 1906, p. 340). Silence can control the very essence of social relations through the ratio of knowledge to ignorance. Invisibility, in relation to state-sanctioned violence against Black women, creates a social context that leads to a loss of autonomy and esteem of the group affected, protects the institution committing such atrocities and upholds racism, imperialism, and White supremacy.



Alderman, Inwood and Bottone (2018) poignant discussion regarding the emphasis on the non-violence aspects of the Civil Rights Movement while neglecting the profound violence from White resistance signals a broader whitewashing of the history of the United States. Criminology's silence around prisoner unrest and state-sanctioned violence is comparable to the silence for which Alderman, Inwood and Bottone (2018) speak, which continues to frame public debates and political struggles within the nation. The authors note, "By privileging certain events or ideologies over others, past violence and struggles can be forgotten, leading to the marginalization of outsider groups and the normalization of dominant social interests and worldviews" (p. 93).

Conclusion

Black people comprise the vast majority of the sharp increase in the female incarceration rate. Conversations around the phenomena of racialized mass incarceration (Davis, 2014; Hattery & Smith, 2018; Norris, 2019) and police brutality (Hattery & Smith, 2018) are increasing, but are narrowly focused. With the exception of the works from mostly Indigenous and Black scholars that contextualized contemporary state-sanctioned police violence against Black and Brown women within the broader context of Native genocide, slavery and Jim Crow, a paucity of studies explore Black and Brown women's daily experiences of police brutality and other forms of state-sanctioned violence outside and inside prison walls. Even less scholarship delves into the forms of resistance and agency women employ while incarcerated. The upsurge in boycotts and uprisings among incarcerated men and women to protest human torture and exploitive labor occurring within prisons speaks to a growing crisis, wherein the voices of those incarcerated are key to expanding our understanding and to challenging the industrial prison complex. In order to understand the full scope of state-condoned violence against Black and other marginalized women, experiences of incarcerated women must be part of and driving national conversations.

The invisibility of prison resistance in mainstream criminology and media further silence incarcerated women, conceal state-sanctioned violence, reinforce the criminalization of Black women, and conceal private corporate stake in carceral institutions. Pointing out this invisibility is an imperative first step to give credence to and learn from women's resistance in prisons. Mass media coverage of prisoner unrest and collective action would

unquestionably undermine the legitimacy of the carceral institution and challenge the narrative of criminality, especially as it pertains to violence committed by the state (Ross, 2009). The invisibility of prisoner unrest becomes far more complex and vague when the most credible voices positioned to articulate the breadth and depth of state-inflicted violence inside carceral institutions carry the stigma of felon, thus relegated to the fringes of society.

The neglect of the most critical voices impedes the process of making sense of the complex nature of state-sanctioned harm inflicted inside and outside carceral institutions. Just as social life outside of prison walls is complex, requiring an examination at the intersection of gender, race, age, social class, and sexual orientation, amplified versions of the same hierarchies exist inside (Jackson, 1994; Lawston, 2008; 2011; Ogden, 2009; Ritchie, 2017; Ross, 1998). Relationships of domination and subordination inside carceral institutions are not fixed but are characterized by ongoing negotiations of power that warrants examination that centers prisons.

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ⁱ This study does not address other types of carceral institutions or methods of resistance of Black working-class women in other contexts, only prisons and jails. Placement within carceral institutions is based on a gender and sex binary and cis-gendered normativity. This study will not explore gender nonconformity and will use the binary terms of women and female, man and male within the study.

ⁱⁱ Tyree Cochran, Mario Avila, Marcus Lee, Katoni Tellis, Antonio Jackson, Corey Curroughs, Earl Manassa and Earl Taylor protested their placement in solitary confinement without adequate reason.

ⁱⁱⁱ Bennu Hannibal Ra-Sun (Melvin Ray), key organizer of the Free Alabama Movement, around a number of key concerns.

^{iv} Passed in 1865, the Thirteenth Amendment to the United States Constitution states, "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." Convict-leasing system filled the void left over after slavery; many southern states turned to this system in the mid-1860s and 1870s.

^v This paper acknowledges that the experiences of U.S. Native women have been explicit, severe, and continuous. For example, Native women are



incarcerated at twice the rate of Black women and six times the rate of white women (Norris, 2019). Policing of Indigenous peoples is rooted in colonial genocide that shifted from armies and militias to regular police forces. In 1808, for example, the St. Louis, Missouri, police force was formed to “protect” residents from Indigenous people. Afterwards, special regulations were made to control the movement of Indigenous peoples off reservation, which include the *pass system* and other laws such as alleged *vagrancy* (Ritchie, 2017; Ross, 1998).

^{vi} During the rise of Black Lives Matter, police repeatedly attacked Native women on the front lines of the protest to cease construction of pipeline on unceded land of the Standing Rock Lakota, which could potentially contaminate the water supply of the Standing Rock Sioux Nation and beyond. Native women water protectors, particularly a 17 year-old pregnant woman and 78 year-old elder, were repeatedly subjected to pepper spray, batons, water cannons, concussion grenades, dogs, and Tasers by police, private security personnel, and the National Guard with tanks and Riot gear (Ritchie, 2017). On November 20, 2016, A Morton County sheriff’s officer intentionally shot Vanessa Dundon (also known as Sioux Z), a Diné warrior woman, in the eye with a tear-gas-canister, causing a number of injuries including a detached retina. Vanessa (as cited in Ritchie, 2017, p. 6) said, “They knew they were directing that towards my head. There were seven other women (including a 13 year-old-girl) who got shots to the head that night. They were just picking on the women.” With temperatures in the mid-twenties Fahrenheit, authorities turned water hoses on others. It is important to note that this is not an isolated incident, state violence against Indigenous land defenders is an everyday occurrence across the United States (Estes, 2019; Ross, 1998; Smith, 2015).