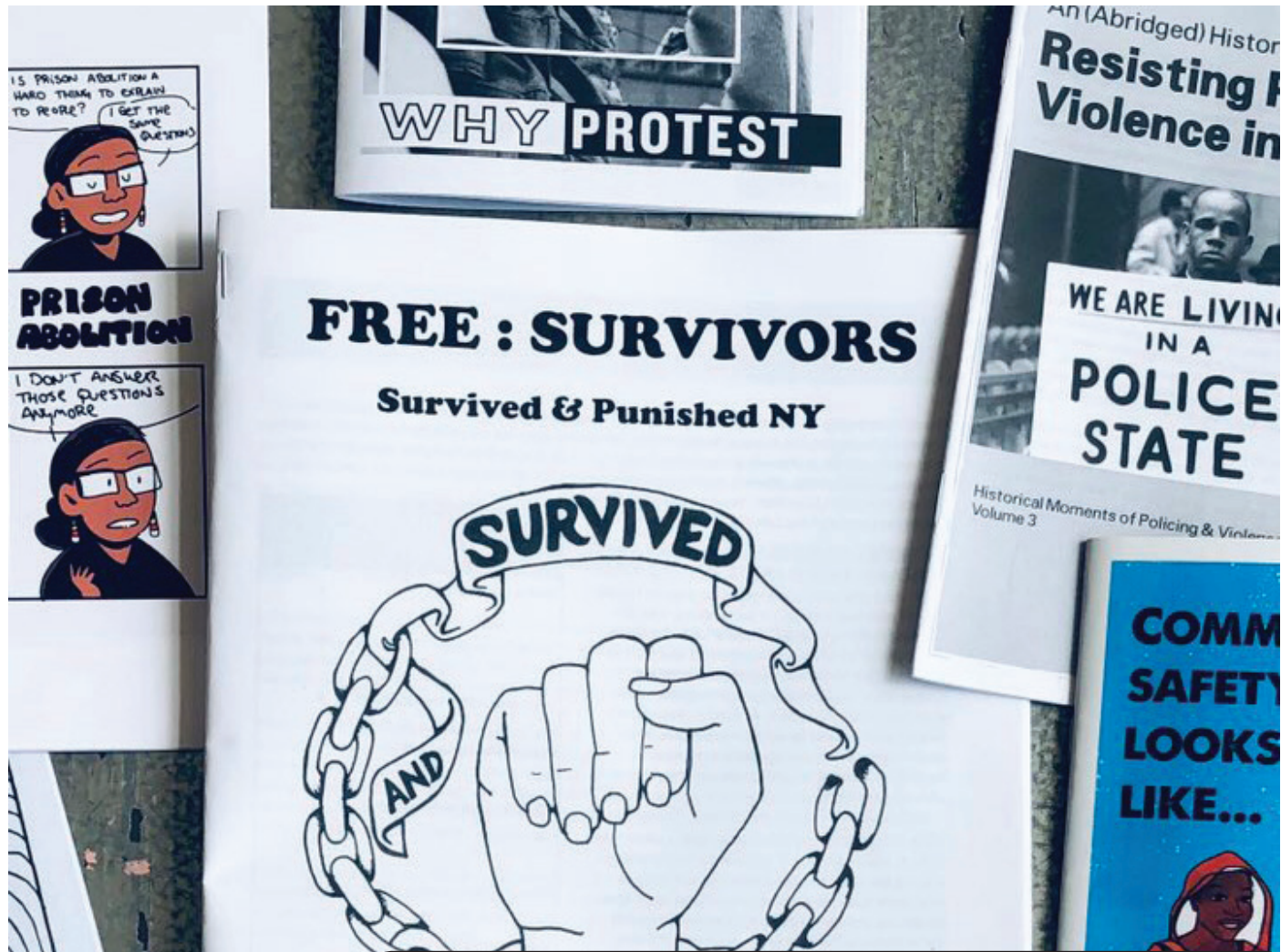


# FREE : SURVIVORS

Survived & Punished NY



## Issue Two Contents:

- 2 Letter from the **Free : Survivors** Editorial Collective
- 3 Vision and Purpose
- 5 First Issue Launch + Mailing Party
- 6 Red Canary Song Sidewalk Teach-in
- 8 Join Survived + Punished NY
- 9 New Book Explores the Overlooked History of Feminist Anti-Prison Activism - Interview with Emily Thuma
- 13 Center Artwork by M Erazo
- 15 My Body, Not Yours by Laura Martin
- 16 Free Nikki Addimando Updates
- 17 Free Chrystul Kizer Updates
- 18 Reform Roundup: A Busy Year in Albany and Beyond
- 22 OPEN CALL: Book Reviews from the Inside
- 23 Commissary Survey
- 26 What is the context for today's Prison Industrial Complex?

A copy of *Free : Survivors Issue One* amidst several zines created or co-created by one of our founding organizers, Mariame Kaba. Photo by Red.

Comrade Readers!

We are excited that Issue One of **Free : Survivors** resonated with so many of you, we hope you find this second issue enlivening and resourceful as well.

While we're thrilled to be in communication and dialogue with all of you, we must acknowledge the pain in having to create a resource such as this, to reach across the walls.

This issue intends to build upon the first, offering news and current events, updates from actions that Survived & Punished NY and our affiliates have been undertaking, art from people like yourselves who envision a better, freer world, articles, commissary surveys, a call for book reviews, and much much more!

We're thankful to our journalist co-strugglers who have allowed their written works to be reprinted in these pages. And we are very thankful to Jett Bachman for designing the layout of this issue.

The featured artwork for our centerfold was created by M Erazo for our coalition partners DecrimNY, to mourn and celebrate the life of a community member named Yang Song. Yang was a young migrant Asian woman and massage worker based in Flushing, Queens. Two Novembers ago, her living and working space was raided by police, she died as a result of that raid. We honor and lift up massage working and sex working people who are at the forefront of resisting racist, misogynist, transphobic and whorephobic police violence and criminalization.

Most importantly, within these pages, you're going to find ways to stay in touch with us. If you're a criminalized survivor of gender based violence, we want to hear from you. We want your thoughts, words, and art to be in our coming issues. Take a look at our Vision & Purpose Statement and tell us how we can work with you to support expression, struggle, community, communication, strategy, intervention and history. Or just write to us and let us know how we can have your back when you need us!

In Love & Struggle,  
The **Free : Survivors** Editorial Collective  
Survived & Punished NY



*Free : Survivors Editorial Collective standing with the printed first issue.*

## Free : Survivors

### A Print Newsletter Project of Survived & Punished NYC

#### Vision & Purpose

The **Free : Survivors** newsletter is a project of Survived & Punished NYC, which exists to end the criminalization of survivors of domestic and sexual violence, and to free those locked up in prisons, jails, immigration detention centers, psychiatric facilities, and in their own homes. We focus on criminalized survivors in New York City and State, but know that our struggles here are intimately connected to those around the country, and beyond.

We offer this selection of the Analysis and Vision Statement of Survived & Punished as a framework to understand why a print publication, comprised of inside and outside voices, stories, words, art and resistance is so necessary.

We believe that policing, immigration enforcement, and the prison industrial complex (including psychiatric lock-ups) are violent institutions that primarily target poor communities of color. They are fundamentally racist, anti-family, anti-trans/queer, anti-woman, anti-Black, anti-Native, anti-poor, and anti-immigrant. It is in this context that self-defense and other survival actions are criminalized.

When survivors are only supported when seen as “victims of crime,” survivors who are already criminalized are not recognized as people worthy of support. Survivors are criminalized for being Black, undocumented, poor, transgender, queer, disabled, women or girls of color, in the sex industry, or for having a past “criminal record.” The institutionalization of this “good victim/criminal” dichotomy leaves a huge portion of survivors, overwhelmingly Black women, unsupported and unaccounted for by the anti-violence movement.

We focus on survivors because we want to highlight the specific pipeline between surviving sexual or domestic violence and being arrested, locked up, and/or deported. We focus on women, trans folks, and gender non-conforming folks because they - we - are the main targets of gender violence, and of criminalization of survival actions.

Our editorial collective seeks to work in the tradition of past newsletters that have spoken across the walls, especially feminist publications, like *No More Cages* and *The Fire Inside*, and other journals, like *The Abolitionist*, that call for a total end to incarceration--a prison-free world. Our aims for this newsletter are seven-fold, to enhance: expression, struggle, community, communication, strategy, intervention and history.

When we say **expression**: This newsletter will create an outlet for survivors to express themselves while surviving the systems of violence and incarceration! Our comrades who are inside putting writing and art into circulation (inside and out) exists as a powerful form of resistance in and of itself! This publication will be art and information driven.

When we say **struggle**: Our newsletter will help folks combat the effects of the interlocking oppressions experienced due to incarceration and criminalization, even while on the inside. Being able to feel connected to the broader fight for freedom, release and the decriminalization of communities is one of our essential aims.

When we say **community**: A newsletter will help to build community among survivors as a whole, serving as a place to correspond, connect and grow with other contributors and readers. It will create a platform in which all involved will feel connected and supported by the creative expression used to combat our shared struggle, no matter where folks are physically located -- inside/outside, NY or elsewhere -- or what their communicatory limitations are.

When we say **communication**: First and foremost we want to amplify stories and methods of connection. We seek to bridge the contact gaps between survivors inside, survivors outside, and their advocates and allies. We aim to connect incarcerated survivors with each other, as the prison mail protocols do their worst to keep folks from corresponding. And furthermore, we will endeavor to connect incarcerated survivors with supporters outside to build an inside/outside dialogue. We will endeavor to think creatively, to imagine new ways to convey our thoughts and whenever possible, employ visuals, construct interconnected webs, and provide translation services.

When we say **strategy**: We want to gain perspective on each other’s work and experiences as we work both inside and outside for survivors’ freedom. This newsletter will be a platform to support incarcerated survivors being part of the organizing work across the walls. We know there are strategic insights to be gathered from survivors inside and outside. This newsletter will be putting together experiences of violence, of criminalization, or incarceration that can be very different--which we will need to effectively free survivors, both through individual support campaigns and mass-release campaigns.

When we say **intervention**: This newsletter can function as a piece of propaganda that can intervene in existing prison reform or abolitionist spaces, combat the absence of the voices and stories of the survivors we are working alongside. Often trans folk, cis women, femmes, and gender non-conforming people are left out of political analysis, resistance narratives and framework building--this erasure and exclusion is unacceptable and our collective intervention will be deliberate.

When we say **history**: This newsletter will serve as an archive of organizing inside and out, of support across the walls for incarcerated survivors, of the creative expression of survivors. We see ourselves within a legacy of the freedom work and as such, we want to honor those who’ve been doing the organizing, theorizing and direct action that we’ve learned so much from.

The editorial collective of **Free : Survivors** wish to reiterate this urgent demand and call from Survived & Punished’s Analysis and Vision Statement:

We demand the immediate release of survivors of domestic and sexual violence and other forms of gender violence who are imprisoned for survival actions, including self-defense, “failure to protect”, migration, removing children from abusive people, being coerced into acting as an “accomplice,” and securing resources needed to live. Furthermore, we demand that these same survivors are swiftly reunited with their families.

Join us, write with us, make art with us, circulate and support this print project toward the necessary work of survivors getting free.

In Community,  
The **Free : Survivors** Newsletter Editorial Collective of Survived & Punished NYC

## Free : Survivors First Newsletter Launch and Mailing Party!

On Sunday April 28th 2019, Survived & Punished (S&P) NY launched the inaugural newsletter **Free : Survivors** with a gathering at The People's Forum in New York City! We were joined by over a dozen S&P members and supporters to hear about our process creating **Free : Survivors**, and to package newsletters for mailing to our comrades inside. In total, nearly 70 newsletters were mailed out to survivors across the country.

S&P NY members K, Red, Patricia, Rosza and lae opened the event with remarks on the importance of inside-outside organizing through newsletters. Red read excerpts from Emily Thuma's new book *All Our Trials: Prisons, Policing, and the Feminist Fight to End Violence*, while K closed with a call-to-action. We are thrilled to have the newsletter which includes poems, paintings, essays and articles by and for survivors of gendered violence in the hands of survivors!

Copies are free for anyone inside a prison or carceral facility and \$5 for people outside.

To order a copy of **Free: Survivors**, please write to:

or email: [survivedandpunished@gmail.com](mailto:survivedandpunished@gmail.com)

Survived & Punished NY  
% Bluestockings Books  
172 Allen Street  
New York, NY 10002



*In this photo a copy of Issue One between seated comrades preparing newsletters/envelopes for mailing.*



## Red Canary Song Sidewalk Teach-In and Protest

*In this photo one of our members is reading the following solidarity statement, contributed to a sidewalk teach-in and protest organized by Red Canary Song, an Asian Migrant Massage and Sex Worker Advocacy Collective, on March 29th, 2019. A large crowd gathered for the action outside of the Flushing Queens Public Library to demand police accountability for the murder of Yang Song, challenge police harassment, and call out the dangerous policies of mainstream anti-trafficking organizations. Photo by journalist Emma Whitford.*

Survived & Punished (S&P) is a national collective that organizes to decriminalize efforts to survive domestic and sexual violence, support and free criminalized survivors, and abolish gender violence, policing, prisons, and deportations.

S&P NY is here in support of this community led teach-in and knowledge sharing today because we know that the criminalization of survival and the targeting of immigrant communities leads to punishing survivors of violence, our neighbors, loved ones, strangers and broader community. We know how crucial it is to counter carceral narratives about survival, victimhood and violence.

Over the past year, Survived & Punished NY has corresponded and visited with dozens of criminalized survivors—people caged because their efforts to survive sexual and domestic violence were criminalized—as part of our #FreeThemNY campaign and mass commutations work.

We have compiled 15 criminalized survivors' stories, with new stories coming in. These fighters agreed to take their stories public as part of a collective demand for recognition of their dignity and their right to survive. We see this work as intrinsically linked with the goals and principles that Red Canary Song has outlined today.

Black, Latinx, and Native women, as well as trans and gender non-conforming (TGNC) people, are the fastest growing populations in prison, all disproportionately affected by gender violence and mass incarceration. Many of these folx are immigrants and sex working or trading people. And we honor their survival strategies—whatever those may be!

The Survived & Punished project demands the immediate release of survivors of domestic and sexual violence and other forms of gender violence who are imprisoned for survival actions, including: self-defense, "failure to protect," migration, removing children from abusive people, being coerced into acting as an "accomplice," and securing resources needed to live. Furthermore, we demand that these same survivors are swiftly reunified with their families. Our coalition of freedom campaigns and organizations believes that policing, immigration enforcement and the prison industrial complex are violent institutions that primarily target poor communities of color. They are fundamentally racist, anti-family, anti-trans/queer, anti-woman, anti-Black, anti-Native, anti-poor and anti-immigrant. Black women are constantly policed, controlled, and dehumanized by these systems. Immigrant and refugee survivors face constant threat of detention and deportation. Native women's high rates of incarceration are part of the colonial conditions of ongoing gender violence waged against them. Trans women, gender non-conforming people, and cis women of color are violently profiled and targeted by police officers and prison guards. All are threatened with being separated from their children and families.

The rhetoric being used inside the library by CM Koo's office and the NYPD simultaneously demonizes and victimizes migrant people, by casting them as the enemy and also in need of rescue—this is an age old racist, misogynistic and anti-immigrant framework.

These actions to "clean up" Flushing that CM Koo's office is leading by targeting sex working and massage working people, or those perceived to be selling sex, will directly lead to more sexual violence and harassment at the hands of police.

This is criminalizing survival. We rise up with you today to build a movement to free our lives and decriminalize survival for all people now!

*On the next page a group of Survived & Punished NY members stand outside of Governor Cuomo's office on April 24th, 2019 reminding him that he holds (the jailers') keys to clemency. We picketed for several hours demanding freedom and clemency for all criminalized survivors of violence as a part of our #FreeThemNY and #CuomoMIA mass commutations campaign.*



## Join Survived & Punished NY!

**For folks outside:** Survived & Punished NY has monthly general meetings in New York City: coming to one is the best way to get involved in our work to support and free criminalized survivors of gendered violence. Working groups for our different projects hold their own meetings as they plan events and do their ongoing work.

Right now the working groups are:

- Mass Commutations Campaign
- District Attorney Accountability
- Commissary Giving Circle
- Free : Survivors Newsletter

To find out when and where the next general meeting will be email: [survivedandpunished@gmail.com](mailto:survivedandpunished@gmail.com)

Please follow us on Facebook & Twitter:  
[facebook.com/survivepunishNY/](https://facebook.com/survivepunishNY/)  
[@survivepunishNY](https://twitter.com/survivepunishNY)

**For folks inside:** We are still learning what the best ways are for folks to be Survived & Punished NY members while inside, and shaping that together. So far, the main ways of being involved have been as part of the Mass Commutations Campaign by sharing stories that can be made public, writing open letters to Governor Cuomo, and writing or making visual art for this newsletter for example! Some folks have requested the curriculum that S&P published on domestic violence and criminalization, so discussion can be lead wherever folks are being held. We know these aren't the only possibilities, we'd love to know what you think!

Write to us:

Survived & Punished NY  
% Bluestockings Books  
172 Allen Street  
New York, NY 10002



## New Book Explores the Overlooked History of Feminist Anti-Prison Activism

Victoria Law

Mar 20, 2019

Connecting the fights against gendered violence and mass incarceration isn't new. But you wouldn't know it from most writing on the subject.



“One parallel between the Free Marissa Now mobilization and the Free Joan Little movement is that rape crisis centers (RCCs) and domestic violence agencies were not the organizations that incubated these defense campaigns. In both cases, grassroots racial, gender, and prison justice activists—particularly Black women organizers—built broad coalitions and alliances to free these women.”

Marissa Alexander. Bresha Meadows. Cyntoia Brown. Cherelle Baldwin. All four are Black women or girls who were arrested and prosecuted after defending themselves. All four faced decades in prison. All four were freed as a result of organizing and activism. Connecting the fights against gendered violence and mass incarceration, as groups did for these four women, isn't new. But histories of prison justice and anti-prison organizing have often focused on men behind bars; histories of organizing against gendered violence frequently focus on feminists' calls for increased policing, prosecution, and incarceration with scant attention and analysis paid to the devastating effects this has on communities of color—and safety for women in marginalized communities.

In *All Our Trials: Prisons, Policing, and the Feminist Fight to End Violence*, Emily Thuma shows that these two movements weren't always at odds with each other and at times, were connected in organizing and defense campaigns. Thuma, an assistant professor at the University of California, Irvine, chronicles some of the 1970s groups that centered their organizing on women who had been criminalized. She describes movements to support women of color prosecuted for defending themselves against sexual assault, disrupting (and ultimately stopping) the expansion of women's prison units, supporting women in prison, and creating their own means and methods of safety that did not rely on the police or prison systems.

Thuma spoke with Rewire.News about some of these stories, their absence from (many) feminist histories, and what lessons they can hold for anti-prison and anti-violence organizers today.

**Rewire.News:** Why did you write this book? What absences were you seeing from the history of anti-violence and other movements?

**Emily Thuma:** I first became interested in studying feminist anti-violence activism and the carceral state when I was working at an organization in Seattle called Communities Against Rape and Abuse (CARA). This was in the early 2000s, and CARA was part of a growing constellation of groups that were organizing at the intersections of interpersonal and state violence. These groups were increasingly connected through two groundbreaking national organizations: Critical Resistance (CR) and INCITE! Women of Color Against Violence. CR and INCITE! helped to amplify a conversation—led by feminists of color—about the need for the anti-prison movement to reckon with gender violence and the need for the feminist anti-violence movement to reckon with its relationship to mass incarceration.

By the time I began the research for this book years later, new scholarship had offered powerful accounts of the making of carceral feminism—or as Beth Richie puts it in her incredible book *Arrested Justice*, how anti-violence activists “won the mainstream, but lost the movement” by adopting a law-and-order response to interpersonal violence. I wanted to know about what pushback there had been, the alternative visions and practices, and what was happening in the spaces between more visible movements. I was also interested in finding out more about the kinds of organizing that happened inside and around women's prisons in that period—since, as your own book so importantly points out, people in women's prisons are often sidelined in conversations and histories of resistance to incarceration. I wanted to understand how these different kinds of anti-violence organizing had interacted with and shaped each other.

**Rewire.News:** Why don't we know about this alternative history of feminism and the carceral state?

**ET:** Across the 1980s and 1990s, domestic and sexual violence organizations became increasingly intertwined with law enforcement and prosecutors, and policymaking around gender violence grew increasingly punitive.

A good example is the proliferation of mandatory arrest laws, which require police to make an arrest when responding to a domestic violence call. INCITE! and CR note in their 2001 statement on gender violence and the prison-industrial complex that this policy had produced harmful outcomes, especially for racialized, poor, queer, and undocumented women. These outcomes also included many instances in which police arrested the abused person in addition to the abusive partner. In 1994, Congress passed the Violence Against Women Act (VAWA), and VAWA really tripped down on hitching anti-gender violence to carceral expansion. It was part of a massive crime bill that allocated almost \$10 billion for prison construction, expanded three-strikes sentencing (which mandated a life sentence for anyone convicted of a third serious violent or drug felony in federal

court), and the use of the death penalty for federal crimes. The bill also ended government funding for postsecondary education in prisons, among other things. And the overwhelming majority of VAWA funding, then and now, went into programs to encourage arrests and prosecutions.

So, criminalized survivors of gender violence—criminalized for self-defense, or for their survival strategies under increasing economic inequality, or for harms their abusive partner committed—were increasingly marginalized from this mainstreaming anti-violence movement.

**Rewire.News:** In 1974, Joan Little, a 20-year-old Black woman in North Carolina’s Beaufort County Jail, killed the 62-year-old white jail guard who raped her. Her act—and subsequent trial—raised the issues around sexual assault, race, and self-defense. Looking back, it seems like her case drew national attention and support, but you note that only six of the 150 people on the Raleigh Rape Crisis mailing list (at the time) responded positively to a mailer about supporting Joan Little. That reminds me of the silence of many contemporary DV organizations around Marissa Alexander. One domestic violence advocate later said that, since they rely on the prosecutor’s office to prosecute abusive partners, they were reluctant to get involved with Alexander’s defense campaign. How does reliance on carceral feminism block support for abuse survivors criminalized for self-defense?

**ET:** One parallel between the Free Marissa Now mobilization and the Free Joan Little movement is that rape crisis centers (RCCs) and domestic violence agencies were not the organizations that incubated these defense campaigns. In both cases, grassroots racial, gender, and prison justice activists—particularly Black women organizers—built broad coalitions and alliances to free these women.

The fact that RCCs weren’t the hub of defense work in the 1970s was partly due to the incredible demands of doing direct service work on a shoestring budget. But there were definitely situations in which RCCs that accepted criminal justice funding, or worked with local police to improve how they treated women who reported rape, were hesitant to endorse campaigns for criminalized survivors because these campaigns indicted the state for perpetrating and enabling racialized and gendered violence.

The important exception was the Washington, D.C. Rape Crisis Center, which notably was led by radical Black women in the mid-to-late 1970s and didn’t accept criminal justice funding. As I show in the last chapter of the book, the DC-RCC was on the frontlines of making the connections between state violence and interpersonal violence.

**Rewire.News:** What can today’s organizers learn from campaigns in the 1970s against the “prison/psychiatric state,” which your second chapter examines?

**ET:** The 1976-1978 campaign to “Stop the Violent Unit” in Massachusetts was a campaign led by a group called the Coalition to Stop Institutional Violence (CSIV). The coalition formed to successfully defeat a proposal to build a center for so-called violent women prisoners at one of Massachusetts’ large state-run locked mental hospitals. CSIV argued that the unit would be used against those who protested prison abuses, and that women of color and lesbian women would be especially targeted since they were already seen as threatening and dangerous. The campaign in Massachusetts was part of a broader resistance to what CSIV called the “prison/psychiatric state”—activists in California, West Virginia, New York, and elsewhere were also engaged in fights against behavior modification units for women prisoners. CSIV used this term to name the ways in which psychiatric diagnoses and treatment operated as tools of racialized and gendered social control in prisons, and to analyze structural similarities between psychiatric institutions and prisons.

I think this campaign will resonate with organizers today who are contending with criminal justice reforms that reframe jails and prisons as mental health facilities, or otherwise promise what the late Rose Braz (co-founder of Critical Resistance) called kinder, gentler cages. And it points to the importance of making connections between different forms of institutionalization. I also think this campaign is a strong example of the transformative power of coalition building. Not only because the alliance achieved a policy win, but because activists from multiple movements—including feminist, mental patients’ liberation, and prison movements—were transformed through the process of studying and struggling together.

**Rewire.News:** What was the importance of women’s prison newsletters in the 1970s? Today, when more and more media is digital rather than print, what has that shift meant for inside/outside communications and organizing?

**ET:** As I try to show in the book, newsletters like *No More Cages* and *Through the Looking Glass* challenged the isolation that prisons rely on. Radical print media that featured the writings of people in women’s prisons played an important role in the building of a women’s prison movement and the development of an anti-carceral feminist agenda. They provided a forum for incarcerated activists and their allies to exchange ideas and strategies, and to generate support for one another’s organizing efforts. And they allowed many people who would never meet face-to-face to participate in a shared political culture. Despite the waning of print journalism, anti-prison movements continue to prioritize print activism, including both letter-writing programs and media production, for many of these same reasons. Social movement organizations such as CR, California Coalition for Women Prisoners, TGI Justice, Survived & Punished, and Black & Pink all prioritize these strategies that help build political communities across walls and ensure that incarcerated people’s experiences and analyses are directly informing their organizing work.

**Rewire.News:** Speaking of print, talk about your process of digging through archives to find these materials. What was the most surprising or exciting discovery?

**ET:** I think the most compelling discovery for me was just how intensely contested state appropriation of anti-violence work was in the 1970s, and also the number and range of examples of anti-carceral feminist organizing I came across. For every campaign or organization I spotlight in the book, there were a half-dozen more I found out about in radical print media and various archives and private collections. As I hope the book shows, the question of whether and how to align with the criminal legal system was a major fault line among anti-violence activists in the 1970s. For those who helped develop anti-carceral feminist politics, anti-prison activism was anti-violence-against women activism, and vice versa.

SEXUAL ASSAULT IS THE SECOND MOST COMMON FORM OF POLICE BRUTALITY.



CALLING THE COPS ON YOUR NEIGHBORS OF COLOR PUTS THEM AT RISK!



DecrimNY



Centerfold Art by M. M is a queer femme, healer, artist, organizer, and full-spectrum doula. Under the name Emulsify, they are navigating their identity as an artist through awkward exploration of what it means to call a place "home". From Ibarra, Ecuador, M grew up undocumented in New York and has spent a lot of time thinking about how the only place they can call home is within themselves. M's art explores feelings around being undocumented, queerness, depression, trauma, representation, gender, social justice, bodies and how these thoughts inform their artistic practice. Through art, they hope to create alternate universes where we are held and seen in all the ways we want to be.

M has organized and participated in several shows in New York. To learn more about M's work and journey please visit <http://emulsify.art> or follow them @em\_ulsify

## My Body, Not Yours

Laura Martin

I cry for the release of my body  
from the chains of your bondage  
How long must I wait  
to have control over that which is mine  
My body cries in anguish  
as you torment me  
You take and take  
and leave me in despair  
You fill me up  
then walk away  
leaving me to question what do I do  
Well, no longer will I sit quietly by  
Arise my sisters, Arise  
No longer will the chains of oppression bind us  
No longer will we sit by with blinders on  
No longer will we remain quiet  
Our voices are loud  
We will take back our bodies  
which were never yours  
No more shall you shame us  
and call us your whores  
My body, my choice  
My body, not yours  
for my use to experience that which lies within  
a hunger, a yearning the feeling of pleasure  
Sensual, Sexual, Erotic  
We are women and we are proud of that which is ours



## Free Nikki Addimando Updates

This past spring Nicole Addimando, a young mother of two, was sentenced to 2nd-degree murder, after acting in self-defense against her partner, after ten years of violent abuse. Her children, her family, and her entire community are heartbroken and devastated. She now faces sentencing and is preparing to make an application to be sentenced under the newly passed Domestic Violence Survivors Justice Act (DVSJA). This would allow for a reduced sentence based on the abuse as a substantial contributing factor to the crime, and her status as a survivor. This case will be the first of its kind since the passage of the legislation. The district attorney is clearly against it, and will push for a maximum sentence. All eyes are upon this case, as it will begin to establish standards for eligibility and the availability of relief for survivors. We cannot allow this hearing to potentially set a precedent that dilutes the DVSJA's potency. We plan to have as many DVSJA advocates and domestic violence experts in the room at the hearing as possible. Stay tuned for more information as we mobilize.



## Free Chrystul Kizer Updates

From the Free Chrystul Kizer Defense Campaign, based out of Wisconsin:

Chrystul Kizer is a Black teenage survivor of violence. At only 17-years old, she was charged with multiple felonies for defending herself from an older white man who has been accused of ongoing physical and sexual abuse of not only Chrystul, but multiple other young girls. A resident of Milwaukee, WI, Chrystul spent her 18th birthday incarcerated in the Kenosha County Jail, where she remains confined. If convicted, Chrystul could face a sentence of life in prison. Chrystul needs the opportunity to be supported in safe, healing spaces in the community – not the prospect of additional trauma, assault, and solitary confinement in a Wisconsin penitentiary.

Recent campaigns to free criminalized survivors have highlighted how gender-based violence such as sexual assault is linked to the prison industrial complex. Survived & Punished cites ACLU figures in reporting that almost 60% of people confined in women's prisons across the United States and up to 94% of some women's prison populations have a history of experiencing physical or sexual abuse prior to incarceration. In addition, we know that policing and prisons disproportionately impacts communities of color. However, these campaigns have illustrated the power of people to raise awareness, make demands, and free survivors.

## Reform Roundup: A Busy Year in Albany and Beyond

In the 2018 elections, the New York State Democratic Party took control of both houses of the state legislature for the first time in many years. Progressive candidates like Julia Salazar beat both Republicans and the so-called “Independent Democrats” who had kept Republicans in power (with the quiet support of Democratic leaders who refused to kick them out of the party). These victories came with big promises: we were told that major reforms would happen, especially in what they like to call “criminal justice”.

And the new politicians-in-charge in Albany did pass more, and bigger, laws affecting police, courts, and prisons than we've seen in years. They created a whole new system for bail and pre-trial detention; the long-awaited Domestic Violence Survivors Justice Act finally became law. But other important legislation didn't go through. The legislators claimed they had “criminal justice fatigue” and didn't even vote on the HALT Solitary Act or the repeal of the “Walking While Trans” law.

While that was happening, organizers pushed forward other reform efforts, in New York City and statewide, with mixed success. Pressure from Release Aging People in Prison (RAPP) got the New York State Parole Board up to its full number of commissioners after many years of being understaffed; the Decrim NY Coalition played a big role in Tiffany Caban's progressive campaign to become the Queens District Attorney; the No New Jails Coalition is fighting hard against four new jails that NYC Mayor De Blasio wants to build, as well as to actually close Rikers Island; the New York City Council passed a bill to supposedly improve conditions for trans folks locked up in the city.

So let's take a look at all these reforms – especially the new laws – and what they mean for criminalized survivors. There are some very hopeful things in the mix, but also details that will only keep people in cages.

## Bail Reform

The new system that will start in January 2020 is supposed to eliminate money bail and reduce the number of people locked up pre-trial in New York State. It more or less does that, replacing bail in several different ways. Cops are supposed to mainly issue Desk Appearance Tickets (DATs) instead of putting people through the system; in most cases, judges are supposed to use other means of control besides locking people up (“non-monetary conditions”) to make sure they will return to court. So far so good, but there are loopholes a mile wide in the new system, and they're especially bad for criminalized survivors.

First, the new rules let cops take anyone they want to into custody, simply by claiming they think the person needs a mental health assessment. This reinforces ‘dual arrest’ and ‘mandatory arrest’ policies for domestic violence situations - regulations that already lock up survivors instead of or alongside the people who have harmed them. It also increases cops' power to decide who is locked up and who goes free, which we know means more survivors of gender violence being caged. This loophole will especially hurt queer and trans folks, and Black women, who are so often attacked as ‘disturbed’ when seeking safety or justice.

Second, there are sections which specifically make it easier to lock up survivors of domestic violence. Anyone with a restraining order against them can still be held on money bail under the new system. That means many survivors: people a judge put under a restraining order after a ‘dual

arrest'; people hit with an abusive countercharge; people who acted to defend themselves against violence. And even beyond that, a 'carve-out' in the law allows a judge to lock up anyone charged with anything (no matter how minor) that took place within a family or domestic situation until their trial. This would apply to a person who took a family member or housemate's debit card, Metrocard, or car keys to escape a violent situation, for instance. It also makes it easy for people who've caused harm to use abusive countercharges to get survivors locked up. All of this keeps survivors behind bars before trial, and we know that pre-trial incarceration makes it more likely that people will take bad plea deals, or be convicted at trial because of jury bias against folks who are locked up.

Third, the "non-monetary conditions" that will replace bail are at heart an extension of the tools used for probation - curfews, check-ins, treatment programs, etc. These are extensions of the prison system, that will now be used on people as soon as they're arrested. And we know from what's happened since New Jersey began using a similar system that judges will apply the most restrictive versions of this pre-trial probation. As part of this, the reform bill opens the door for Electronic Monitoring (EM) to expand in New York. We can't know how much they will use it, but judges will now be able to use these technological tools to imprison folks in their own homes. Even more than other kinds of "non-monetary conditions", EM takes people out of the physical walls of jails and prisons, but sends the cages home with them instead of actually freeing them.

Fourth, the new rules allow counties to use probation departments to deliver those "non-monetary conditions". That puts people under the direct control of the same prosecution system that is trying to lock them up already - the same offices that have already decided to criminalize survivors, continuing the harm that's already been done.

Finally, the new law is written to divide people who are arrested or locked up into 'violent' and 'non-violent' groups (based on what cops and DAs decide to charge them with), and to treat them differently. We know how that goes: it's a way of letting cops and DAs declare that some people - guess what they usually look like? - deserve to be punished, harmed and thrown away. It's particularly bad for survivors facing charges for protecting themselves or their loved ones, and for survivors facing abusive countercharges. These reforms leave them behind along with all the other people the system thinks are disposable.

## Domestic Violence Survivors Justice Act

After many years of work by mainstream anti-violence organizations, the DVSSJA finally passed, in a form that gives judges some ability to reduce the sentences of incarcerated survivors. The process for applying to get a sentence reduced isn't completely clear yet. As soon as it is, we'll print a step-by-step guide in **Free : Survivors** so that you can figure out if you're eligible and make your way through it, or pass it on to anyone you know who might be!

There are some very good things in the final version of the law. Despite DAs lobbying to make it narrower, it does allow people who were coerced into doing things that they were convicted for to seek relief, as well as people who were convicted for acting in self-defense. It also allows a judge to release a person on probation as well as reducing their sentence.

But this reform bill also has loopholes that make it weaker than it looks. The law only applies to people who've served eight years already, cutting down severely the number of survivors who it will help. Convictions on certain charges, including 1st-degree Murder and Aggravated Murder (which can apply in self-defense situations), are not eligible at all. Folks who have been placed on the sex offender registry - which can happen for many reasons, including abusive countercharges, and charges coming from police harassment of queer and trans folks - also aren't eligible.

Those who are eligible still face some basic problems with the new law, in particular the ways that it gives DAs more power over the survivors they've locked up, rather than less. A judge must get the DA's permission to apply probation rather than just a sentence reduction. And all cases have to go through the original trial court, which makes it more likely that survivors will be dealing with the same judges and DAs who targeted them for incarceration in the first place, and remain biased against them.

## No New Jails / Close Rikers

Organizers in New York City have been working for many years to close the notoriously horrible jails on Rikers Island, where most New Yorkers who are incarcerated before trial are locked up. Recent media attention to the deaths of people caged there, either while on the island (like Layleen Polanco Xtravaganza) or after (like Kalief Browder), and on sexual and physical violence from guards, has brought a lot of support to this important work.

Mayor De Blasio, however, has recruited some "reform" organizations to back a plan that would build four new jails in the city, supposedly to replace Rikers, but in fact without any commitment to doing that. Along with these new jails, the plan would create nearly a dozen more sites of incarceration in the city, including cages specifically to lock up people with mental health diagnoses. Nonprofit groups like Just Leadership USA have been promoting this jail expansion plan, which would cost \$11,000,000,000 (11 billion dollars) of New Yorkers' money.

Despite this betrayal by organizations that say they want to reduce incarceration (by building new jails?), the No New Jails coalition has kept on going. They've joined with other abolitionists to support community members at every public hearing on the jail expansion project, making sure that Community Board members, land-use bureaucrats, and City Council members hear loud and clear that no neighborhood in New York City should have a jail in it, and that Rikers must close. Most recently, No New Jails has released a comprehensive report explaining how to close Rikers without building new jails, and how to use the \$11 billion to support our communities and make the city safer and more livable for us all.

So far, the Community Boards in all four neighborhoods targeted for this jail expansion have voted to reject it. Those votes are only advisory, however - the key decision will be made in October, when the City Council votes on the land-use plan. Less than half of the City Council has publicly said they support the plan, but the supporters include representatives from most of the districts where the new jails would be.

No New Jails is now focusing on pressuring Council members to reject the jail expansion plan, along with member groups like the Black Alliance for Just Immigration, Code Pink, Black Youth Project 100, Sylvia River Law Project, Desis Rising Up and Moving, Critical Resistance, New Sanctuary Coalition, and Decolonize This Place. We're excited to continue supporting No New Jails and the fight to stop jail expansion and close Rikers Island!

## Decrim NY

One of the biggest stories of the 2019 elections was the appearance of the Decriminalize NY coalition, working to eliminate the laws that target sex workers, which make them more vulnerable to gender violence (from clients, from police, from relatives and partners, and from others). DecrimNY was particularly visible in the Queens DA race, where Tiffany Caban campaigned on support for decriminalization (her victory was challenged by the machine-supported

candidate, and went to a recount).

At the state level, the new Democratic legislative leadership refused to call for a vote on the first piece of decriminalization legislation to be presented, which would have repealed the “Walking While Trans” law. That law (officially, “Loitering In Pursuit of Prostitution”) is mainly used to arrest black and latina trans women, who may or may not be sex workers, but who cops want to harass. It is itself a form of gender violence, almost exclusively targeting women of color.

The coming year will bring new challenges for DecrimNY, which we’re excited to support and work with them on. One will be pressuring Albany to repeal the “Walking While Trans” law, and to move forward on other decriminalization bills.

The S&P Prosecutor Accountability working group has been focused primarily in Queens, where the DA primary election took place in June. As part of the Queens DA Accountability Coalition, a group of organizations who care about building power to make change in the criminal legal system, we developed a set of demands for the new DA. After a very close race, Melinda Katz won the primary election and she is expected to win the general election in November. As a working group, we are focused on outlining abolitionist principles for DA accountability and shaping the culture of the “DA accountability space” to center decarceration, participatory defense, and abolitionist practice.

## Impact on Trans Communities

After Layleen Polanco Xtravaganza died while locked in solitary confinement on Rikers Island for not being able to afford \$500 bail (it is still unclear exactly what killed her; in any case, the jail is responsible for her death), New York City Council passed a set of laws that are supposed to improve conditions for trans folks incarcerated in the city’s jails.

The laws require jails that hold trans people to have substance abuse treatment and mental health services (with specifically trained staff) available, and set up a “task force” to investigate policies related to locking up trans, intersex, and nonbinary folks. Everyone (wherever they live) should have access to health care, including support for mental health and dealing with substance use - but beyond possibly improving that access, it’s hard to see what these “reforms” do to help incarcerated trans folks.

The new laws won’t stop trans folks from being held in solitary confinement - an internationally recognized form of torture that New York City and State justify as being ‘to protect trans people’. They won’t stop trans women from being arrested under the “Walking While Trans” law or other laws targeting sex workers. They won’t stop trans survivors of domestic and other gender violence from being criminalized and locked up, just like other survivors. And setting up a task force is a dead giveaway that the City Council is looking to cover its ass by pretending that the answers aren’t clear, and not do the things that everyone knows matter: end solitary confinement; end money bail; decriminalize sex work; stop criminalizing survivors; and free criminalized survivors who are now locked up.

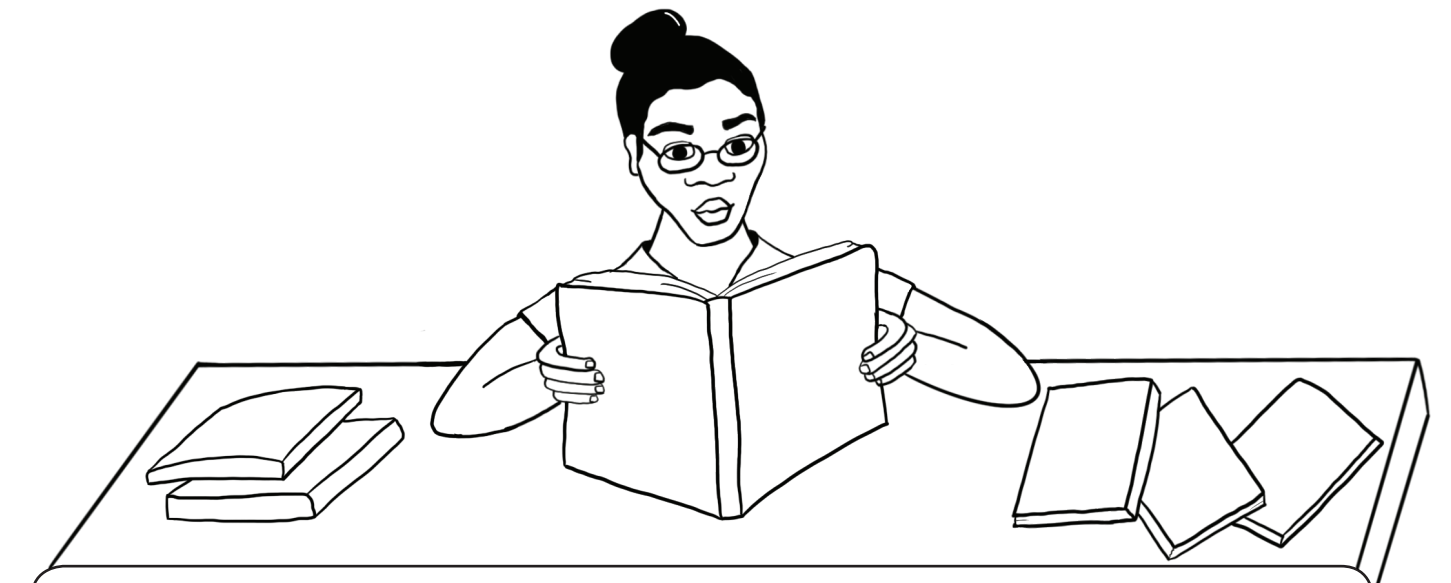
## Parole Board

For many years, the New York State Parole Board has not been at its full 19-person size, which has helped slow down the parole process for thousands of incarcerated people, especially older folks and those serving long sentences. Release Aging People in Prison (RAPP), a group of formerly incarcerated people and their supporters, has been pushing Governor Cuomo to fill the

empty seats - specifically with commissioners from healing-profession backgrounds (in physical and mental health, and social work).

This year, Cuomo finally did nominate six new commissioners. Five of them were confirmed by the State Senate, which listened to RAPP and others and refused to allow right-wing former prison guard Richard Kratzenberg to sit on the Parole Board. This victory was only partial, however. Two of the new commissioners do come from law enforcement backgrounds; few have any background in caregiving. And, typically for the Cuomo administration, there was no transparency about how the new Parole Board nominees were chosen, and their names were released less than a day before confirmation hearings began.

RAPP is optimistic about the future, and plans to work to hold the new and old commissioners accountable for their actions. They’ll also keep on making Parole Board appointments as public a process as possible, and pushing for commissioners to reject the punishment paradigm and send our people home.



## OPEN CALL: Book Reviews from the Inside

Are you interested in reviewing books for **Free : Survivors**? Book reviews are a great way to discuss popular writing in the abolitionist movement, and also think about new organizing strategies.

Book reviews from people on the inside are especially important, because who can better critically analyze writing and media about the prison industrial complex than those who are resisting and surviving it everyday? We are looking for reviews that cover major themes from the books, takeaways, and anything else you find important and relevant!

We have access to a variety of books related to prisons, abolition, and the “justice” system including *All Our Trials* by Emily Thuma, *Invisible No More* by Andrea Ritchie, *Resistance Behind Bars: The Struggles of Incarcerated Women* by Victoria Law, and *Soledad Brother* by George Jackson.

If you are interested in writing a book review for **Free : Survivors** please fill out the attached survey in the newsletter. Feel free to request a book or write a review on a book that you have already read. We look forward to hearing from you!

Hello!

This is a survey about your experience with commissary and care package policies in different facilities. Please share whatever you feel comfortable sharing. Thanks for taking the time to share your perspective with us!

1. Name of facility: \_\_\_\_\_
2. What are your top 5 most-wanted commissary items (that you don't already have)? How much does each cost?

ITEM	PRICE
1.	
2.	
3.	
4.	
5.	

3. What are the top 5 most useful commissary items (that you already have)? How much did each cost? Where did you get it from?

ITEM	PRICE	WHERE?
1.		
2.		
3.		
4.		
5.		

4. How often are you able to buy things from commissary? (For example, every week, every two weeks, once a month) \_\_\_\_\_
  - a. If you're unable to buy things from commissary, what prevents you from doing so?  
\_\_\_\_\_
5. About how much money do you spend on commissary per visit? \_\_\_\_\_
6. About how much money do you spend on commissary per month?  
\_\_\_\_\_
7. Are there commissary spending limits at your facility?
  - a. Yes  No
  - b. If yes, what dollar amount? \$ \_\_\_\_\_

8. Are there limits on how much commissary money each person can receive at your facility?
  - a. Yes  No
  - b. If yes, what dollar amount? \$ \_\_\_\_\_
9. Can commissary access be taken away?
  - a. Yes  No
  - b. If yes, when?  
\_\_\_\_\_
10. What useful items CANNOT reliably be found or purchased via commissary? (i.e. What isn't available? What runs out quickly?)  
\_\_\_\_\_  
\_\_\_\_\_
11. When you want to buy something at commissary, how does the process work? Do you submit requests in advance? If you want to buy something that's unavailable, do you exchange it for another item? If so, how?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
12. Are there any items that you aren't allowed to receive from the outside? If so, what are they?  
\_\_\_\_\_  
\_\_\_\_\_
13. About how much money do you receive from friends and family? Do you receive it on a schedule, or on and off?  
\_\_\_\_\_  
\_\_\_\_\_
14. Where/how do you tend to eat meals? At the mess hall? Via commissary? Via packages/visits from friends and family? Are you able to cook for yourself? If yes, how often do you do so?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
15. Do you prefer to get food and supplies through packages or at commissary? Are there specific advantages and disadvantages to packages vs. commissary?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. Do you have a job?

a. Yes  No

b. If yes, how much do you earn per hour? \$ \_\_\_\_\_

17. What do you like to do for fun?

\_\_\_\_\_

18. Would you be willing to stay in touch with us about policy changes at your facility?

a. Yes  No

b. (optional) If yes, what is your name and DIN? \_\_\_\_\_

\_\_\_\_\_

c. (optional) If yes, how can we get in touch?

Email  Mail  Phone

What is your phone number or address? \_\_\_\_\_

19. Is there anything else you would like us to know?

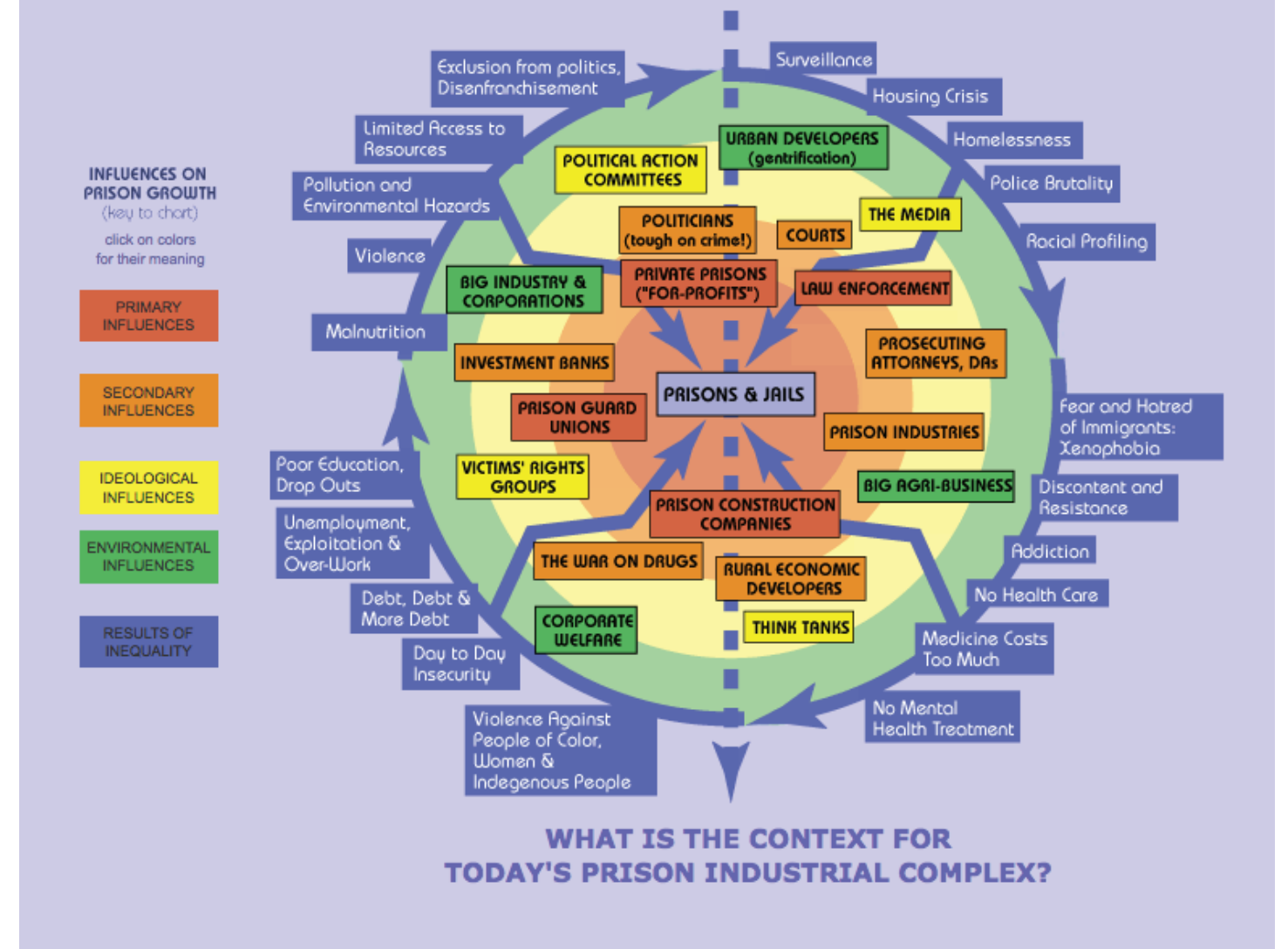
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

Please fill out and mail to:

Survived and Punished % STEPS
Ami Tian
PO Box 287326
New York, NY 10128



THE PRISON INDUSTRIAL COMPLEX



WHAT IS THE CONTEXT FOR TODAY'S PRISON INDUSTRIAL COMPLEX?

An infographic illustrating the inner/outer workings (harms) of the Prison Industrial Complex created by the Swarthmore Incarceration Project.

