Audio Transcript: Culture x Policy: (In)Justice System
February 18, 2021

Solana Chehtman:
Good evening, everyone, and thank you for joining us for our second culture meets policy conversation injustice system in conjunction with the exhibition "Howardena Pindell: Rope/Fire/Water" on view at The Shed through the end of March.

My name is Solana Chehtman and I'm the director of civic programs here at The Shed. I am a Latina woman with short, curly, salt-and-pepper hair in a red sweater coming to you from my living room surrounded by some art and some plants.

I want to start the evening by going through a few of the forms of access that we will have tonight. In the bottom of your window, there's a button that says "live transcript" where you can find real-time captions. We also have American Sign Language interpretation that should be visible at all times. We have finally asked all participants to share visual descriptions when appropriate. At any point tonight if you have any questions, comments, or if you need any additional support in order to fully enjoy the program, please feel free to contact us through the Q&A button also on the bottom right of your screen.

I'd like to thank and acknowledge everyone who made this program possible, including the Ford Foundation and the New York City Department of Cultural Affairs for their generous support of the commission and the program, as well as the Howard Gilman Foundation for providing the Zoom platform that we are using for this evening's conversation. I also want to thank our co-presenter for the series, Weeksville Heritage Center in Brooklyn, and introduce Zenzele Cooper, their program manager, so she can share a few words.

Zenzele Cooper:
Thank you, Solana. Warmest greetings, everyone, and welcome to tonight's program. Thank you for being here. I'm Zenzele Cooper, the programs manager at Weeksville Heritage Center. Weeksville is an historic house museum site and cultural center in central Brooklyn. They use this historic preservation, education, and a social justice lens to preserve, document, and inspire engagement with the history of Weeksville, one of the largest free Black communities in pre-Civil War America. Please visit weeksvillesociety.org to stay in reach and to learn more about the center and the work that we do.

I hope that everyone is well, with running water, something to eat, and safely indoors. I want to send my love and prayers to my own family members and the other folks in Texas who are suffering right now, going without these basic human necessities during these very frigid conditions. I want to give a big thanks to Solana and The Shed organization for the gracious invitation for Weeksville Heritage Center to be a co-presenter in these very important culture and policy discussions in collaboration with a gut-wrenching and glittering [*Rope/Fire/Water*] exhibition by our dear sister and the giant Howardena Pindell. Howardena, if you're out there, we love you, we thank you for your courage and tremendous contributions to the culture, and you have a home at Weeksville.

Thank you to the amazing women who will be our speakers this evening. Thank you for your commitment to transforming our communities to make our world a more just, equitable, and humane place to live, love, and grow.

I did not describe myself, so I'm going to do that now. I am a brown-skinned sister, an African born here in the United States. I'm wearing a head wrap that's multicolored with corals and lavenders and blues, and I'm more wearing a coral sweater, and I have coral lips. Please enjoy the program. Thank you again for being here.

Solana Chehtman:
Thank you, Zenzele, and thank you for that warm welcome to everyone. I echo all of that, and I just want to say over her nearly sixty-year career, Howardena Pindell has been such a trailblazing and inspiring artist, curator, activist, educator. And definitely, her current exhibition at The Shed is a testament to her talent and commitment to both denounce and fight racial violence in our country as well as to meditate on and celebrate beauty and joy. And in a context where a global pandemic and a broken state have put a magnifying glass to the increasing inequalities in our society, particularly affecting Black Americans and BIPOC communities broadly, at The Shed, we felt it was crucial to create the space to have some key conversations where cultural workers and activists, thinkers, policymakers, could share their work, be in dialogue, and as I say for what goes well, share some hope and thoughtfulness on how to continue building a socially and racially just society.

I don't want to take any more time today because I want us to use every minute to hear from these amazing, amazing speakers that we have, who I admire so much, and thank you so much for participating today. So, I'll introduce tonight's moderator, my colleague and friend Prerana Reddy, former director of programs at A Blade of Grass and the Queens Museum. Thank you, Prerana, and thanks again in advance to everyone for participating and joining us tonight.

Prerana Reddy:
Thank you, Solana. As Solana said, my name is Prerana Reddy. Right now, I am speaking from Rockaway Beach in Queens, New York, on Rockaway territory. I am a South Asian woman in a kind of office space with some framed art, and some red lipstick, and a kind of South Asian embroidered shirt.

I just want to go over a little bit of the format of the conversation today. So, I'm going to be presenting a couple of questions to each of the presenters in turn, individually, just so that we have a background on their incredible work, and then we're going to have a conversation all together. I'll present some general questions to anybody who wants to answer them and I'll also try and incorporate the questions from the audience. So, feel free to put those down in the Q&A. We'll be collecting those and I'll try and incorporate them into our conversation the best way I can.

One other last thing, before we jump in, I'm very eager to get the speakers on. But I want to emphasize that while I may be referencing the work of organizations that the panelists are either currently working for or have worked for in the past, I'm addressing these questions to panelists as individuals and their answers are to be understood as their own personal opinions. So, I just want to make sure everyone feels free to speak from their "I."

So, with that, I want to introduce our first speaker. sujatha baliga's work is characterized by an equal dedication to survivors of crime and the people who have caused harm. And a former public defender and victim advocate, she is a frequent guest lecturer at numerous universities and conferences focusing on restorative justice work, and she was named a 2019 MacArthur Fellow.

So, sujatha, I want to kind of lay some groundwork with you first. We have lots of data to show how the criminal legal system is failing us, both in terms of it actually creating community safety, on the one hand, and actually doing any kind of repair for, like I said, either the people who are harmed or the ones who are doing the harming, and rather providing punishment, in general, as the only form on offer as a response. So, somehow this is something we know isn't working but we collectively seem to have trouble imagining a world where this isn't the system, and I want to ask you, since you've been devoted many years of time to developing new models for restorative justice as one of these alternatives, how does restorative justice shift the existing paradigm? What's so different about it and what evidence can you share that it works?

sujatha baliga:

Sure. Thank you so much for this beautiful question and thanks for having me be a part of this beautiful panel. So, I just want to start by saying I'm speaking to you from Berkeley, California, which is unceded Muwekma Ohlone territory, the Indigenous people that lived here prior to colonization, and I need to start by naming Indigenous people because so many different Indigenous people have been my teachers in my work in restorative justice, so it feels important to start with that.

And then with regard to my description of myself, I'm a South Asian woman with salt-and-pepper, very big, wavy hair, that's long, and I'm wearing a pink-and-white kurta, which is a long Indian shirt, and a gray shawl. I'm sitting in front of a bookshelf that's got both some books and objects, including a big orange Buddha behind me that peeks out from time to time. I'm wearing a gold nose ring and some silver jewelry.

So, maybe it's good to take a brief step back and name what restorative justice is, maybe, as a starting place before talking about how it operates as a paradigm shift and the way in which we can think about wrongdoing and harm in our communities. So, the basics of it is the idea that... and then the way in which I like to work is, in lieu of the criminal legal system, so operating in, not so much in tandem with it, but as circumvention of the criminal legal system, facilitators of restorative processes bring families, communities, individuals, who've caused harm, together with the person who's experienced the harm, for face-to-face dialogue and collective decision making where there's a conversation with everyone present on both sides about what happened and what needs to happen to move forward in a good way. How do we move forward in a way that meets the needs of those who've been harmed and the people who have caused harm, holding everyone's humanity sort of in equal importance?

So, there's a lot of preparation that goes into this work, and this is fundamentally a very different way of thinking about harm. One of my teachers in restorative justice is a man by the name of Howard Zehr, who comes from Mennonite roots. And so it's not just Indigenous folks, but I think if we look back far enough, in all of our cultures, we can find this notion that people can come together to heal harm, right? And some of what we call plain folk, from where I grew up in rural Pennsylvania and East Coast folks, Amish Mennonite people, remain very close to old and ancient traditions within white cultures, and Mennonite culture is one of those. So, Howard Zehr is a seminal thinker in this work. And he really frames restorative justice as a paradigm shift.

He says, "Instead of asking, as we do today, what law was broken, who broke it, and how should they be punished, restorative justice asks instead, who was harmed, and what do they need, and whose obligation is it to meet those needs, and what's the collective process that includes family and community in solving that?" Right? So, that's the fundamental shift.

But I think on a deeper level and a much more important level, in a way, is a paradigm shift beyond the binary to leave behind notions of us and them, victor and vanquished, guilty, not guilty, and to allow for much more complexity in the way in which we resolve harms. And at the deepest level, in a sense, it's best characterized by this word ubuntu, U-B-U-N-T-U, which is a Bantu word from the southern parts of the African continent, and it means, "I am because we are," or "a person is a person through other people."

And so, on a very personal level, I know this to be true for my own life. I was sexually abused by my father, and that's what brought me to this work, because the criminal legal system didn't have, on offer, what I needed to heal. And so this is so true when I think most literally about my father, I am because he was, both in terms of the suffering that I've had in my life was because of the traumas that he endured in his that were unresolved, and I think that that's true on the individual and collective level.

And so in terms of data, what we know is that after helping communities across the nation start restorative justice diversion programs, we started collecting data, and we're seeing varied results of shaming the criminal legal systems in efficacy comparatively, right? And so one of the studies that we've done here in the Bay Area, the San Francisco area, is showing a 53 percent recidivism rate, re-offense rate, For kids who are going through the criminal legal system for identical crimes to those that were diverted to restorative justice program, there's a 13 percent recidivism rate. Victim satisfaction rates hover around 90, 92 percent. So, what an empowering thing for survivors to be able to hear directly from the person who harmed them, "Yes, I did this, and how can I make this right?" And to have that be collectively acknowledged and held by the people who matter the most? So, that's a little bit about the paradigm shift in the way in which I see it.

Prerana Reddy:
You mentioned at the beginning that the models that you're thinking about are not part and parcel of the criminal legal system. Why is it that it's better that it's not part of the system and what does it mean to communities to own this process instead of having it be something administered through the system itself?

sujatha baliga:
Sure. Well, on a very personal level, and particularly in the work around child sexual abuse, intimate partner violence, sexual violence, which is more of the work that I'm doing now, the vast majority of crime survivors do not contact the system. The vast majority of us do not. I myself had zero interest in anything that the system had on offer, right? I didn't want my father locked up, I didn't want potential immigration consequences for my family, I didn't want to be taken away from my family, put in a family that didn't speak our language, eat our food, practice our religion, right? So, if someone had asked me what I needed, I would have said, "Help my family heal." I would not have said, "Bring down the hammer on all of us and separate us."

So, I think that that's the number one reason, that any justice that's going to really help us unpack what is happening in so many of our homes across so many of our communities and in so many of our neighborhoods, it needs to be a nonpunitive lens. And so that is the primary piece on a very practical level. And then on a deeper level, I think that we've lost a lot of faith in our systems, right? When a system has shown itself for decades, and decades, and decades to produce incredible racial and ethnic disparities and is an abject failure... So,

many of us believe that the criminal legal system is operating exactly as it was designed to do, right?

So, the 13th Amendment makes it extremely clear that mass criminalization is an extension of slavery, if you just read the plain language of the text, it's right there. But even if we believed its stated goals of rehabilitation, and deterrence and all, we see that it's not actually succeeding in any of that to the tune of billions and billions of dollars, right? So, why would any taxpayer think that this was a good product to be investing in. If it were on the private market, it would have failed ages ago. So, these are some of the reasons.

But at the deepest level, again, I think that restorative justice operates with shared power and the deeper empowerment of folks who've both caused harm and experienced it, and when it is the state that is operating with power over, sort of forcing people into restorative processes, it's not restorative justice, to my mind. And so that's why it's deeply important, both on these practical levels, but on this deeper fundamental, what is restorative justice? It needs to operate at the level of family and community. That's what makes it power, in a sense, that's what makes its power so effective.

Prerana Reddy:
Yeah. And I remember reading somewhere that you also talked about how the system itself doesn't promote truth-telling, when there's kind of legal consequences that are bearing on people's heads, it doesn't allow for the freedom to actually speak to that harm.

And then before we move on to the next speaker, I was also just curious about what are the outcomes that victims seek? I imagine that they can be surprising. They could be creative things that judges and lawyers probably would never think of or would never emerge in some sort of legal system. So, could you maybe share one story of a process that led to a resolution that was creative?

sujatha baliga:
I think every process results in a creative outcome in that it is co-created by the participants every time, and the container that holds that creativity, like the creative constraints that we put on ourselves, are simply the values that we co-created, again, at the beginning. So, how are we going to talk with one another? How are we going to share? So, it's necessarily going to result in a creative outcome, right? And then we use art, sometimes in the process itself. There's lots of markers, and glitter, and butcher paper and drawing the story of what we'd like to see justice look like sometimes.

And then in one particular case, there was a survivor who said that she wanted, from the person who'd caused her harm, in lieu of any sort of monetary outcome or anything she wanted... it was interesting, she had a deep attachment to the image of a Tinkerbell, and she asked this young man, who had at some point disclosed that he felt that... somebody was asking him like, "What are you good at? Instead of getting in all this trouble, what could you be doing with your time?" He says, "I'm a really good artist." And his mother said, "You can't pay this woman back with your art for all this damage that you've done" And she said, "Oh, yes, he can." And she asked him to paint a six-foot-tall Tinkerbell. We connected with some community artists, and he did produce this beautiful piece of artwork, and has stayed out of trouble since.

And so instead of asking the question, "Was that tough on crime?" I mean, to my mind, is the person who experienced the harm satisfied, and did the

person who caused the harm meet their needs in a way that also transformed them? If that's the answer, then why can't that be what justice looks like? So, I would say that.

Prerana Reddy:
Thank you for sharing that. And we'll get back to you when we join as a big group. So, next, I'd like to introduce Deanna Van Buren. She's the executive director, design director, and co-founder of Designing Justice, Designing Spaces, and is a nationally known advocate for magnifying the role of design in ending mass incarceration.

So, you are also very connected to the idea of restorative justice, and Restore Oakland, which is one of your projects, is built as a first center for restorative justice and restorative economics. So, the centerpiece of this features spaces for Alameda County's restorative justice system, but it also features things that are like incubators for businesses for low income communities of color. Can you describe what does the center look like and why are these things that aren't often together, and why is it important for them to be located together?

Deanna Van Buren:
Yeah, Prerana, that's a great question. Would you like me to describe myself before I begin and describe the space too?

I'm also calling from Oakland, Ohlone territory. I'm an African American woman with curly corkscrew hair. I have my signature scarf on and my black sweater, and in my home, also filled with plants and art and my big yellow chair. That's me.

In response to your question, it's a really interesting one because we love to segregate uses, right? We love to put this over here, and that's the school, and this is the hospital, and that's the clinic, etcetera. And so Restore Oakland really in a way functions in a biophilic way, the way nature works, right? Biodiversity we know is powerful, right? That brings life. It's really no different when we think about architecture and the places that we make. In communities all over the country, what we've seen is that people want a one-stop shop, right? If you're a mother with small children, you don't want to have to go across town here, to go to this, to go to that, you need to co-locate these uses so people can get access to resources in one place, and those things can cross-pollinate with one another.

So, what you're looking at here is the restorative justice space at Restore Oakland, in East Oakland, near the Fruitvale BART. And this center has a restaurant that trains low wage restaurant workers to get living wage jobs in fine dining, it has beautiful, bright, airy community organizing space. And this space, which sort of you see the natural daylight spilling in, it's reflecting off the sort of blue walls, there's an expression wall, there's a cool-off space, people are sitting around a beautiful wood altar in a circle, and this is where restorative justice is happening.

So, all the things that sujatha spoke about get played out here, predominantly with young people ages 15 to 21 who are diverted out of court and into this space to have those dialogues, to repair that harm, and this space is dedicated to that, right? So, it's co-located with these other uses, but there's something sacred, I believe, about spaces for restorative justice, right? That they're not spaces that you want to have a big party in here, right? This is all that happens here. And it happens not just for young people, but the

community can come here to resolve conflict, the community in the building can come here to resolve conflict. So, imagine, we had spaces like this in all of our pieces of architecture and infrastructure as a way of anchoring restorative justice as a practice.

Prerana Reddy:
Thank you. Another project that is about to become reality is that you had a multiyear kind of engagement with citizens of Atlanta to turn their detention center into a center for equity. And like Oakland includes a lot of co-location of different needs, but in this case, you're not starting from scratch. You're starting from a building that contains a lot of historic trauma, it's in one place. What's the process of getting the community together and to agree on whether this should be torn down, whether it should be transformed, what are the different pieces that should be here? It sounds like an amazing idea of transformation, but I also know it can be quite a contentious process with so many different people's visions. And so can you tell me about how this process resulted in what was planned for the Center for Equity.

Deanna Van Buren:
Yeah. The process that we are committed to and dedicated to, and we use this process for all our projects, it's really important that it be used for the repurposing and reimagining of prisons and jails due to the harm that's been done. But our process we call the concept development process, engages anyone that has a stake in the project. So, in a way, we embody restorative justice principles that way, right? If you're going to use this building, if you're part of this community, you should be involved in the imagining of it. So, we create wonderful games and tools that help the community learn about architecture and design, learn about financing, right? So, it's a co-learning process. They're learning about all the things I know, I'm also learning about their wisdom, we translate that visual data into concepts like what you're seeing here, right?

So, up in the right-hand corner, you're seeing what the jail used to look like. This jail used to house over 1,000 men and women, right? And you see the two-story space in the middle, there is no natural light coming in, you have cells packed in. This is called a direct supervision model. And what we've done is said, "Look, the community wants these gone, right? We have to demolish all of these cells. And what they want is community space." Right?

So, imagine turning a space for incarceration where people are detained in cages into a community space that has daycare, right? So, this image shows the double-height space now peeled back with light streaming into it, right? No more cells, beautiful community spaces, a green play area for young people, small climbing wall, spaces for the community to gather casually, a gym space, that we can take these pieces of infrastructure... And mind you, there are hundreds of these around the country that are closing, many in our urban cores, the center of our cities, and if we don't repurpose these and engage the community in reimagining them, they often get flipped and turned into new spaces of incarceration, they become ICE detention facilities, different parties in there, "Oh, we're going to move the women in here," right? You have to address it.

And interestingly enough, in the case of this project, while we showed a repurposing option, what we heard from community is they wanted it to be demolished completely and rebuilt, right? So, we did four options for the mayor's office, knowing that we did surveys, and we had all the data to show that that was the community's preference.

Prerana Reddy:
And besides thinking about community space, there are also different types of infrastructures to support folks who are re-entering their communities after being in prison. What type of spaces do those folks need and what does it take to get them built?

Deanna Van Buren:
Yeah. Unfortunately, what you're seeing here are three types of buckets of work that we do. The first image, Restore Oakland, showed restorative reinvestments in community, Atlanta city detention center repurposing is what we call our repurpose-and-reimagine type of infrastructure, and then another one we call restorative reentry, right? This is the reentry infrastructure required for those coming home. They need a lot of things. Even the first two projects you saw have reentry infrastructure in that access to jobs and job training jobs that they can get, access to restorative practices and programs, but another thing they obviously need is housing, right? A place to live. We have a lot of barriers to formerly incarcerated folks getting adequate housing. In some communities, we don't want those people there, and it's called NIMBYism, "not in my backyard," right? So, there's a challenge to locating sites without getting backlash. There's also financing issues.

And then when you talk about financing, it's hard to create a beautiful space for folks, right? They've been traumatized for, God knows how long, they have to and are often mandated to come into transitional housing, and they are often put in dormitory congregate settings, which we now understand are also very dangerous for a lot of reasons.

So, some of the projects we've been working on are working with Black churches to create reentry campuses and communities that they're embedded in. This image you're seeing is a small unit, right? So, the scale doesn't matter, size never matters, right? We could do huge things, we could do tiny things, as long as they have impact. And this project was listening to formerly incarcerated men and women hearing like, "Look, I'm in this space..." Imagine 10 people in a room with a cot and a bedside table. You've been incarcerated for 20 years, you're coming into a situation that's barely better than where you left. And what they said, "Well, why can't we just have our own private spaces, have some dignity and privacy within this context."

And out of that emerged this concept with the space you're seeing called mobile refuge rooms. And this is a space you're seeing small rooms made of wood, beautiful wood with sliding doors, everyone has their own bed, a dresser, a desk where they can work and study surrounding a central space where they can gather in community, or even slide open their door so their room can become part of that community.

We've been able to work with folks at Laney College, a local community college we have, where the same folks who helped us design it went there and learned digital fabrication, right? So, now we're using our work to help train folks to get living wage jobs, right? So, how can we do three things with one thing, and we have a beta in the field, a pilot is in the field being used, and we are now working on the business model to begin to produce these at scale.

You're on mute, Prerana. I'm sure you're saying good stuff.

Prerana Reddy:
Sorry. I was just saying we're running a little behind. I want to make sure everybody gets their time to introduce their own projects before we get in discussion, but I know that you you wanted to talk about one more project just

in brief, which is the work you're planning in Detroit as a campus. Can you tell us a little bit about Love Campus and how does this fit into the work that you've already done and take it to a different place perhaps?

Deanna Van Buren:
Yeah. This is our execution of our business model, right? So, we are going to develop our own projects now as architects and real estate developers. This project was ignited by Restore Oakland and phase one of the Love Building in Detroit, right? Similar kind of multiuse hub, and we're just got to expand that idea, right?

So, these are several buildings that will have both hospitality housing for formerly incarcerated folks coming home, we have workforce development hub here, we have a food ecosystem and a restaurant, daily needs, social retail, and arts and culture anchor, education and literacy space, spaces for youth, alternative justice spaces, right? So, imagine all of the things that we've been developing all this time coming into one campus, and we're also looking at community ownership, right? So, crowdsource funding, giving the community equity in a project, and really challenging what equitable development looks like. It's a very exciting project for us and I hope that folks would follow along and see what equitable development really looks like when we look to end mass incarceration.

Prerana Reddy:
Thank you so much, Deanna, for sharing such complicated programs in such a short... [crosstalk]

Deanna Van Buren:
I did my best.

Prerana Reddy:
But hopefully, you've given our audience a taste of the different types of things that need to be built in place, so not just about demolishing or taking down those structures, but figuring out what needs to be built in their place.

So, I'm going to move to our next speaker. Thank you, Deanna. Maria Gaspar is an interdisciplinary artist based in Chicago whose work addresses issues of spatial justice in order to amplify and mobilize diverse structures of power through individual and collective gestures. Maria, do you want to introduce yourself, give a little visual description first, and then I'll ask you your first question?

Maria Gaspar:
Sure. Yes. Hi, everyone. Thank you. Yes, I'm a Latinx person, first generation Mexican American with light brown skin, black hair in a bun, wearing a patterned blouse. And I'm Zooming in from my home office in Chicago, which is located on traditional unceded homelands of the Council of the Three Fires; the Ojibwe, Odawa, Potawatomi Nations, many other tribes such as the Miami, Ho-Chunk, and Menominee, Sac and Fox also call this area home.

Thank you for having me.

Prerana Reddy:
Thanks, Maria. So, for the better part of a decade, you've explored social constructions of space and the connection between body and police and power,

and many of your projects are often related to Cook County Jail, which I know you have a personal connection to. Can you explain this concept of spatial justice? How are these two things connected? How are what people do through their movement, through performance, through community projects connected to justice?

Maria Gaspar:
Yeah. I grew up a few blocks away from Cook County Jail, which is considered to be the largest single-site jail in the country. As part of a community process with many different stakeholders from the area surrounding the jail and other people that were affected by incarceration from that particular jail and others, became really interested in thinking about how the jail is simultaneously visible and invisible, and really thinking about the kind of saturatedness of the jail and density, because at the time when we started working there it was 2012, and there were about 13,000 people locked up, and thinking about the connections between the density of a place of incarceration and the subtraction of community members from our neighborhood, through their various forms of state violence, ICE raids in particular because of the neighborhood being a predominantly immigrant community, but also other forms of policing.

So, we were beginning to really think about those connections around what does the ecology of our community look like and what does it mean that the largest architecture of our neighborhood is a jail? And it was through that lens that we started working on a long process of using art and interventions as a form of disruption, but also in the production of new knowledge and new kinds of narratives that we hope kind of push against these notions of criminality and who gets criminalized. As we know, the majority of people that are incarcerated are black and Latinx people and other marginalized groups, and so really thinking about this jail as sort of enacting a series of erasures became part of the conversation.

For me art has this possibility of disrupting a particular kind of carceral logic or a power dominance, especially in relationship to where it's located and thinking about its resonance beyond, not only looking at the community that it exists in, but also the county, the city, the state, the country. So, so for me, I think so much about how public space shapes public identity, and through these public art actions, we started developing a conversation around what does it mean, to both see this jail and also unsee it, and how can art play a role in unpacking that?

Prerana Reddy:
Yeah. I mean, this picture, for example, features this wall of the Cook County Jail, which is an important site of many of your works. Could you talk a little bit about why the wall? Obviously, it creates an inside and outside, and it's something that's a physical feature, everyday feature of the neighborhood, but as a space for making work or the interface between the community and the folks who are inside, how has the wall been used in some of your projects?

Maria Gaspar:
Yeah. I remember years ago, one of our community members said something so powerful, and she was working inside of the prison doing social justice work through the Adler School of Psychology, and when I asked her early on, "What are sort of the colors that come to mind when you think about the interior of the jail or the jail itself?" She said, "There is no color. The color is concrete."

And I started to think so much about how the way that she described color is through a tangible, very solid, almost impenetrable material, and that not only can you imagine its color and its impermeability, you can also feel it, you can really feel what that means. So, the wall, over the years, has become this opportunity to think of it as a sort of amplification device and thinking about how art can make the wall porous, that through these artistic actions using theater, creating theater with formerly incarcerated people, or producing sound transmissions through a series of interviews with community members where they talk about their own connection to incarceration and transcending that sound through the wall became a space to cross, to visually, sonically cross a place that is so fixed.

Often I've been thinking so much about the wall as inside-outside, but also as interior and exterior, and thinking about how interior and exterior also extends to the body, that there's an exterior part of ourselves, and then there's this interior life that we have, and how can the artwork, both express the architecture, but also express the expressions that come with a social and political experience that is amplified by our mass incarceration crisis. And when I think about the work of my colleagues here on this panel, Deanna, and also thinking about *Marking Time*, the book by Nicole Fleetwood, the way that the spaces also create a certain kind of omnipresence within the community, a certain kind of set of stigmas that really act on both sides, I wanted to really think about how working with people on the outside, but also working with people on the inside, can begin to, in a way, take that wall down and think of it almost like a process of abolition. How can we imagine a process of abolition and how can this play a role in that process?

Prerana Reddy:
I mean, that's part of the thing that we're talking about, is how do we move from thinking of something as fixed as to something that we can actually engage, or change, or alter, work across. So, many of these projects are different ways of trying to do that. Over the course of, as I said, almost a decade or more than a decade right now, there must be an incredible web of relationships that you have built, both in terms of people in the system, working for the city, or for corrections that you've had to engage with on one side, community members, folks who have actually been incarcerated, or are incarcerated currently, and different nonprofits and groups that are working. There's the project that's the series of artworks, and then there's the project of the relationship-making that develops over time, and maybe you have a story you can share quickly about kind of a relationship that developed and maybe wouldn't have between people or communications that wouldn't have happened without them working together on this project.

Maria Gaspar:
Yeah, absolutely. I have so many stories but I will just pick one, and it's one that I remember so well because it was at the beginning of doing this project where we were just sort of imagining the possibilities and kind of not sure in what direction the project was going to go. And I think it coincides with the fact that communities are not monolithic. It's made up of different kinds of fragments, different kinds of political positions, and it's comprised of businesses and jail staff who sometimes are also people who live in the community right outside of the jail, it consists of community leaders and incarcerated people, it's just, yeah, so many people.

But I remember early on, one of the elders of our community who has been a big supporter of this work and many other projects had imagined that the project can be a beautification project where I think she desired, and maybe others, some of the local businesses desired for a group of artists to create some kind of Band-Aid over the jail, because I think many people felt like it was an eyesore and they didn't want to be reminded of this place of incarceration.

And I think it really led to some rich conversations where we had to really think about and talk about things like abolition, to talk about thinking critically about our relationship, our own complicity in the carceral state, whether we knew it or not, and also even things like aesthetics that are not exclusive to the field of art, that notions of beauty and aesthetics are very much embedded in our every day, and that this elder in the community and others have a stake in that too. And so we had to really work through a host of little conversation about what that means, about meaning and making, and public space, and I think those unlikely collaborations led to some really generative moments.

Prerana Reddy:
Thank you, Maria. We are running a little bit late but we definitely are going to make time for a group conversation, but I want to move now to our final speaker, Dr. Nicole Fleetwood. As you mentioned, Maria, is a writer and a curator and also a professor of American studies and art history at Rutgers University. She's the author of *Marking Time: Art in the Age of Mass Incarceration* and a curator of an exhibit of the same name currently on view at MoMA PS1 in New York.

So, Nicole, could you please do a quick self description and then I'll ask you your first question.

Nicole Fleetwood:
Hi, I'm Nicole Fleetwood. I'm a Black woman. My hair is up in braids. I'm wearing glasses. I was born and raised in the Midwest on the land of the [Miami] people and I'm currently in New York on unceded territory of the Lenape, and I want to just thank all the labor and dreaming that made this panel possible.

Prerana Reddy:
Thank you, Nicole. So, I thought what Maria said about the different relationships really was a good kind of bridge to your own methodology that your way of writing about art made in incarcerated environments is not just a compendium or an encyclopedia, it's really about the relationships that you had or you developed with 70 artists who have experienced incarceration. And I think it's interesting that it's a combination of techniques. It's personal on one level, it's about you and your personal relationship to the system and to people who've been inside, it's sociological, it's political analysis. Can you tell me how you managed to kind of put all of these kind of strands together in your book and how it connects to your own sense of who the work is for, whom the work is for, and who is it accountable to?

Nicole Fleetwood:
Thank you. First, I want to say it's been great hearing everyone else talk, and I also want to acknowledge my virtual background, which is a installation chart from PS1... I'm actually in my apartment. And it includes Maria's work on the wall in conversation with Jesse Krimes, and it's six of the digital images, collages from her Cook County projects where you... I don't know if you could see that the detail, you'd see the kind of way she's talking about creating porosity and conversation across the carceral divide.

I also want to say that, for me, what brings all of this work together, and *Marking Time*, it's not one book, it's not an exhibition, it's kind of ongoing collaboration, and to me, it's rooted in the Black radical tradition that we have to dream the world that we want to live in, and for me, we have to dream it from whatever site we're occupying. At the center of my book are people held in punitive captivity, who are dreaming other ways of inhabiting life and being in conversation with people, and belonging, and recognition.

So, I think, for me, what grounds the methodology is being a student and learning from people who are directly impacted and who are creating new avenues for making art and it is literally new ways of coming together to form community, again, across the carceral divide. And so you're looking at an image of detail from the work by Mark Loughney, who's currently in prison in Pennsylvania. And over a six-year period, he's done this incredible study of incarceration, again, from the side of someone held in captivity, where he asked other incarcerated people to sit for him for 20 minutes and he does these incredible sketches. And right now, he's up to 700 images. And these images have so much to teach us about every individual who comprises of this larger system of many millions of people who've lost, not only their freedom, but their rights as a result of our criminal legal system.

Prerana Reddy:
And you chose to focus in terms of organizing your book on the common conditions under which art is made in prison, and you kind of have this tripartite structure of penal space, penal time, and penal matter. Can you explain these three categories.

Nicole Fleetwood:
I'd be happy to do that, and in doing that, I'd like to say, there's multiple audiences, but in writing the book, I was writing for the people who share it with me, and I was able to work with Art For Justice Fund to have a special edition of the book, a paperback, sent gratis to incarcerated people. So, my very first readers were imprisoned people who were writing me before it had been released to the general audience. And that, for me, that was all the kind of recognition that I needed, is that my goal was to see the people and to treat people with utmost respect and care and to honor their process. And to have artists in conversation, again, across this idea of a divide to actually think about community more complexly and not let the carceral state define how we are in conversation.

And so that's why Maria is very much... Maria's work right now is in conversation with Jesse Krimes, who was in prison, and they're both doing really incredible work, where they're also engaging the kind of aerial space also as another lens through which we can think about this kind of built environment that we've created around carcerality.

And just thinking about the conditions of making art in prison, I thought about the space, the actual constraints of being in a six-foot-by-nine cell, or working in a community room or maybe a makeshift art studio, but I also thought about, if you go to the next slide, the kind of spatial relations and the intimate relations that gets structured through imprisonment, and I think that's captured really beautifully by this work by Tameca Cole, who was imprisoned for 26 years in Alabama. And she would create these amazing graphite collages as literally a way of producing her own space of survival, especially when she was dealing with abuses by prison staff. So, the space is, yes, the built

environment, but it's also the way that prison structures psychic and social relations.

And then with penal time I was thinking about this way that we, in our current criminal legal system, measure out punishment, and was so inspired by the earlier presentations on forms of transformative justice, because right now, we use time as a measurement of punishment and it's so arbitrary, and it's also a modern device that we say, "You did this, you did X and so therefore, you get 15 years," right? What does that do?

I don't think we've really thought through as a society, that kind of use of time, and then how that time becomes this kind of existential and embodied experience from imprisoned people who, like, they wake up, they brush their teeth, they're being punished, they eat lunch, they're being punished, they're sleeping... And the way that that also leaves with them as part of the kind of post-traumatic stress of being in prison, is the way that time has been regulated. So, in art in prison, people will often manage that time in the service of creation.

And then if you go to the next slide, I get at the idea of penal matter, which is all the material constraints that imprisoned people have to make art and the ways that they improvise with state materials, with found items, they create colors using whatever they have available, hair gel, Kool-Aid, coffee. And this is a work by Gilberto Rivera called *An Institutional Nightmare*, where he uses his state-issued federal uniform, or clothing, state-issued clothing. A lot of people don't want it to be referred to as a uniform. And also, what was extracted out of him while he was in prison, his job was to mop floors, and so he's incorporated wax from mopping. His labor is actually part of this process, as well as the signature of the warden.

Prerana Reddy:
And can you tell me why you felt it's important to write artists who are in prison into contemporary art, or the discourse of contemporary art or art history? Oftentimes, people have put it in a box and said it's outside of art, or it's art therapy, and not given it its due as art and as a form of creation that has its own kind of aesthetic value. And so how does seeing this work in the context that you've laid it out and shared with the world, how does it change how we think of artists and culture makers, not just imprisoned ones?

Nicole Fleetwood:
Right. I mean, it's a couple of things, and I'll just... I'll say one of the things that was very important to me was to think about culture being made in critical ways, like the work of Maria, about the just expansiveness of the carceral state and also work coming from inside prison that just radically restructures, reimagines how we think about the visual culture of prisons, because the visual culture of prisons is often one that just reproduces a kind of penal spectatorship, which Michelle Brown, a sociologist describes, where we actually follow the logic of imprisonment, and that when we see these spectacular documentaries and docudramas that it actually allows the viewer to agree with this project of locking up many millions of people.

And so I was interested in work that was actually doing something that very much radically challenged that, and in doing that, I got much more interested in thinking about the parallel relationships between prisons and the art museum, and how prisons are also an aesthetic project that's about the devaluation of certain populations and how this work is actually a refusal to even engage with those terms.

Prerana Reddy:
And how has it perhaps felt now that it is in a museum, it's in MoMA PS1? So, how have the incarcerated artists who are part of the show felt about being exhibited in museums and how does that change how they make art or think about their art making?

Nicole Fleetwood:
Honestly, out of respect for our other panelists, that's a big question, but what I want to say is that it's produced so many conversations and opportunities for people, and what I love about it is that it's not my project, it's a collaborative project that people have taken in so many different ways. Like Mary Baxter, who's in the audience, has curated a speaking series called "Chosen Family" because a lot of the artists in *Marking Time* right now are identifying as Chosen Family, they're curating shows together, they're creating art together. And so for me, that is the joy of it, is that this is not about the centrality of one person as curator or author but it's about really envisioning the kind of community and collaboration and just society that we want to live in through... And I think it happens on the local, but yeah, it is astounding for all of us that we have a show at PS1. We're all happy and kind of astounded by it.

Prerana Reddy:
Great. So, I'm going to just ask everyone to come back together. Hopefully, if you are able, I know we're almost at time, but if folks can stay for another 10 minutes to wrap this up as a group.

So, a lot of the questions that perhaps people who aren't working in the system as directly or around the system as directly as you might be wondering, are there moments, cultural shifts that you can point to? We have just had a moment of uprisings in the street against police brutality, people are talking about defunding the police on a much more mainstream level, perhaps. Does that give you hope about how, perhaps, there is a bigger reawakening of thinking about what is safety, and what is justice, and what is possible as alternatives? That's the big thing that I can point to. But I'm sure that we all experience cultural shifts and moments and experiences that may give us hope. So, I wanted to give an opportunity for you to name them, if you have any that you want to speak to.

Deanna Van Buren:
I can jump in with a big one for us. As soon as we heard about George Floyd's murder and we started to see these sort of uprisings, the ability that we had to develop this infrastructure increased tremendously, because for the first time, we started to see capital flowing into Black and brown communities in a way that I had never seen before. And that comes with its own challenges in terms of capacity and readiness to receive that capital, but we are now able to fight for some real dollars to come into communities after centuries of disinvestment, literally centuries of disinvestment. So, that's a very optimistic shift that we've seen very recently.

Prerana Reddy:
Anyone else want to jump in with that?

sujatha baliga:
I can answer this. This is sujatha. I would echo what Deanna is saying. There's definitely more seats at the table. Whether or not they are the correct tables

or that the tables are asking the right questions is a separate issue. But I feel that sort of the edges of what is being asked for in terms of moving towards a liberation framework instead of a power-over framework is something that people are starting to get their brains around, people who've traditionally held power over are starting to understand. There's also just more of a generalized awareness of the failures of the preexisting criminal legal system that I think didn't exist before, and a slight opening of the door towards eroding the idea that there are good guys and bad guys, instead of people starting to acknowledge that folks inside incarcerative facilities actually are also all survivors of some form of violence.

So, these are some of the things that are giving me hope about sort of this very, again, binary narrative that's existed, and I think just generally, I think about Mariame Kaba's work in calling us all to keep hope as a practice and that kind of optimism that comes from communities who've been at this and abolitionists who have been at this for a really long time, the fact that there've been people who've been doing this, in the face of so much opposition, for so many decades, particularly queer and trans folks for decades have been holding this down, and so that gives me a lot of hope.

Prerana Reddy:
Yeah. Go ahead, sorry.

Maria Gaspar:
Mariame Kaba has also been very influential to so many people in Chicago since she really touched so many people here... she touches, I should say, so many people here. I remember one of the many powerful things she says, but one thing I remember the most is when she said, whatever tool you have at your disposal, you really should use it, whether you're an artist, or an educator, or a scholar or whatever, a mother, that you use any tool you can to work against mass incarceration and state violence. And that was really refreshing to hear, because sometimes as an artist or creating artwork, there is this sense of questioning of its value, right? Like, what is it really doing? And I think that her words really are so important in really getting all of us to think about our own role in this and how we can push this forward.

Prerana Reddy:
Thank you for that. Yeah. And I'm thinking also, this is a policy discussion, so while none of you are necessarily policy wonks, all of you have studied the history of how policy really impacts and has allowed this system to grow. I'm wondering, even though a lot of criminal justice policy is at the state level, there is a new administration federally, what can the Biden administration do? What can the Democratic Congress do on that level to move away from mass incarceration? Does anyone want to take that?

sujatha baliga:
I can take that. This is sujatha speaking. First and foremost, again, yes, you're so correct, that most of what needs to happen is at the state level, and who is incarcerated federally is just a micro percentage of what is happening nationally in the United States. And there are things, both symbolic and concrete, that can happen. First and foremost, I think we could just get rid of that federal death penalty, is a good place to start. There're levers and we don't understand the degree to which each individual lever can cause the whole thing to shift

and ideally tumble someday. So, commutations, pardons. Tomorrow we could just have no federal death row, like that could happen tomorrow. That's the kind of unilateral power that the federal government has.

I also think about money, and again, raising Deanna's point about where the dollar is flowing to. Historically most of the money around solutions at the community level to crime, and harm, and wrongdoing that happened within our communities has to flow through some relationship with the current criminal legal system, right? So, all of these big federal grants happen in partnership with the police, with DAs, etc.

What would it look like to acknowledge that the government is really not proving to us that they are capable of ending harm? And to have these grants go to artists and go to the things that crime survivors, when surveyed, actually are asking for, which is better resources in our community, trauma and recovery centers, restorative justice programs, transformative justice, community accountability processes. What would it look like to fund those things instead? For example, the Violence Against Women Act should never have been at the Department of Justice, it should have been at Health and Human Services, right? And so these are the kinds of things that the federal government could change that could be beneficial. So, those are just some initial thoughts there're probably a million more things. Again, it's not my area of expertise, but some of the things that come to mind.

Prerana Reddy:
Anyone else want to take that? I mean, I have a related question, perhaps. We were talking, when we had our prep call, and I think this is Mariame Kaba, as well, about what reforms are non-reformist and what reforms lead to the perpetuation of the system? A lot of things like electronic monitoring and things that actually increased surveillance in our communities sounds like there's less people inside detention, but what it actually does is create many more opportunities for people to get tripped in the technicalities of parole or etc. So, I'm just wondering, what are the things that you would say are... how would you make those distinctions? How would you know something is actually a reform that would help shrink the system versus expand the system, because it feels like that's actually a challenge for a lot of people and especially people who might be well-meaning but maybe not necessarily in the know about how the systems perpetuate themselves? Anyone want to take that?

Deanna Van Buren:
I can share how we do it. I mean, I'm not a policy wonk, as you said, I'm not an expert in that. So, we follow the community organizers who tell us and are doing the research, who are on the ground, and, "Deanna, this is not good. You don't want to do that. That's not going to get us where we need to be." I listen to them.

I don't pretend to be an expert on it. It's super sticky, super tricky, there's a million gray areas, and there are just certain folks that I trust. That's where I get my news from, that's where I make my decisions on. Like, the Justice LA Coalition, Racial Justice Action Center, Women On the Rise, Andrea James out of Boston ending mass incarceration of women and girls. These people know what's up, I just call them, "Should I do this?" They're like, "No." I'm, like, I back way off. I say, "Tell me what to do." I don't know if that's the answer you were looking for. I call my friends.

Prerana Reddy:
No, I mean, I think that is definitely something that I think... it's the humility of that there's a lot that we don't know and there's a lot of things that we could be supporting that sound good on paper, or that sound like is moving us forward, that may not, and that we really do need to take the time to do the research and to find our trusted resources of information.

Nicole, did you want to jump in? You looked like you were.

Nicole Fleetwood:
Yeah, I'm not a policy person at all, but as I was listening to Deanna's, what she said, I was just thinking that... I think often when we're in the mindset of scarcity then we're constantly looking for opportunity and trying to claim something, and if we're more fixated on trying to just maintain an institution or grow an institution, that could be completely a disservice to what we should be committed to, which is ending carcerality and reenvisioning.

And so I think ultimately, it's really about a lot of organizations, their goal should be working for the demise of their organization, that their organization is no longer needed, and that it can transform into something else. It doesn't mean that they're not needed, but that they can transform into other forms of community care. And I don't think it's just me, I think it's like psychic care, I think it's working... how do we treat people in our home? I mean, to me, abolition starts with like how do we interact with people when we get up in the morning, and putting that into practice? But I think that that also leads us to just going after certain things that we shouldn't be going after. Looking for new models of coming together and new models of funding.

Prerana Reddy:
Well, thank you all. I think we've hit our kind of 10 minutes over time, and I just want to send my appreciation to all of the speakers today. I know that sometimes I've asked some questions that aren't in your comfort zone because it's a policy discussion, but I think we all are being asked to stretch ourselves, and to Maria's point, to use what we know but also to stretch ourselves in terms of where our knowledge is coming from, and to think about all the different interconnections between us and the system that has tentacles in so many directions to our lives. So, thank you for revealing that and for sharing all the creative ways and the difficult ways and long-term ways that you all are doing this work.

With that, I'm going to hand the mic back to Solana to say some closing words.

Solana Chehtman:
[inaudible] ...thinking about in terms of how do we care for each other, how we are there for each other, and what does justice mean for all of us. So, thank you, everyone. Thank you, Zenzele at Weeksville, for your partnership towards civic programs, IT and marketing and development teams, to our VX team that takes care of our visitors in person. I want to thank very specially our access workers tonight who did a wonderful job.

I want to invite everyone to check out past and future conversations that were part of this program. We have two series; this Culture x Policy and Pindell's Legacy. We also have an amazing audio piece called *Fighting Dark* that you shouldn't miss. It starts near The Shed and goes downtown and to Brooklyn.

And to close, once again, I want to thank the Ford Foundation, the New York City Department of Cultural Affairs for their generous support of this commission, and for public programs, the Howard Gilman Foundation for providing the Zoom platform that we used for this evening's conversation. And if it's safe for you to do so, we invite you to attend *Howardena Pindell: Rope/Fire/Water* in person at The Shed. It's open through the end of March. This weekend, it's free admission, so take advantage of that. And thanks again for joining us. Good night, everyone.