

Cultural Daily

Independent Voices, New Perspectives

American Prison: Beyond the Binge-Watch

Jo Scott-Coe · Wednesday, July 8th, 2015

If the success of *Orange Is the New Black* offers any indication, it seems fair (and gross) to say that prison has become “pop”—for a Twitter moment, anyway. Even the cover of the *Economist* June 20-24 proclaims, “Jailhouse Nation: 2.3 million reasons to fix America’s prison problem.” Progressive-glam MSNBC has been [boosting its ratings with weekends of *Lockup*](#) since 2005.

Everybody (white? middle class?) seems suddenly if temporarily agreed upon the disgrace and “inefficiency” of prison conditions. We all exchange nods over restaurant pasta and craft beers about how we need to “change the system.”

I’m suspicious.

Yes, I’ve worked my way through all three seasons of *OITNB*. I appreciate seeing a diverse and predominantly female cast in a series where most episodes would pass the [Bechdel test](#). I am glad to see [a trans woman of color](#) playing a trans woman of color with nuance and verve. But the ethnic and lesbian stereotypes are wearisome and gratuitous—on this subject, [Allison Samuels’s essay](#) is a powerful read.

Beyond that, the much-acclaimed back-stories feel like predictable and narratively lazy devices (*see? we care about “other” people!*), never letting us avert our eyes too long from the center of the action: the [annoying, blonde, fair-skinned, based-on-reality character](#) whose post-adolescent “experiment” in crime and lesbi-chic resulted in—imagine!—the unspeakable possibility of incarceration.

Meanwhile, I am thinking about an actual person named M., an African American man who has been incarcerated in California since March this year. Rather than accepting a [felony plea deal](#), he took his chances with a jury and lost. In the second of two afternoons I spent in court with him, I witnessed as he took the stand on his own behalf. At one point during questioning, the prosecutor projected what seemed like a prejudicial image behind M.’s head: [an image of him handcuffed in a chair](#) as investigators searched his apartment.

Other than two of his friends and myself, no one other than the jury ([where no African American face could be found](#)) and the assigned cast of legal participants witnessed the proceedings. There were no reporters. No curious members of the general public. As I sat there watching what unfolded in real time, in 3-D rather than high-def, I thought about the occasions I had complained about jury duty. A deep shame overcame me. At what other time would I—or anyone else—be

called upon to participate in, much less think about, our justice system?

The answer, unless you run into legal trouble yourself, is never. Multiply M.'s mostly-empty courtroom times the number of courtrooms across California, across the nation, and you have an ocean of human activity prior to imprisonment that no one ever sees. Want to search for names or case documents to find out what's going on? There are no uniform policies. Some counties allow database searches for free (even in states such as Texas). In Riverside County, where I reside, it costs \$1 just to search for one name—whether you get a result or not.

I first met M. approximately two years after his alleged crime occurred. By that time, he was a member of the literary production class I was teaching during our re-launch of the [college literary journal, MUSE](#), and I was trying hard to build community events and outreach into our publishing work. The following year, M. continued as a volunteer and editor-at-large to support our activities at [Riverside ArtsWalk](#) and for MUSE publication celebrations. When we invited novelist [James Brown](#) to campus to talk with students about his addiction and recovery memoir, *The Los Angeles Diaries*, M. volunteered to interview Brown in advance, then prepared and presented his introduction to the audience. M. often brought his family along.

During this time, M. also wrote and published a collection of reflections on Black fatherhood in a book. He spent hours as a mentor helping kids to enjoy books at the library and learn skills and sportsmanship on the baseball field. Eventually, he shared with me that he was going through “court trouble,” though he didn't want to burden me with details. He asked for nothing. He said he felt scared, that the situation was serious. Everything moved too slowly. Until it moved very, very fast.

M. and I exchange letters now. There are [restrictions](#) about the types of paper we can use, the types of ink, the sizes and materials of envelopes. Sometimes I copy articles for him and hope they get through. Taking advice from another student who has a family member in prison, I fold up prepaid envelopes and send them, too. I am always careful to list what I'm sending and to number my pages, since all mail is opened and inspected before he receives it.

In one recent letter, talking about “the discouraging paradox young black boys are faced with,” M. wrote, “It's sad how rare black males are on campus but how plentiful they are in here...I realize that the things that are extremely beneficial to have are the most difficult to acquire.”

M.'s appeal has been granted and assigned to an attorney. The battle will be tough. Even if he succeeds, the process will likely take as long if not longer than his five-year sentence. Why bother? [Under the law, unless he can erase his felony](#), M. will have forfeited his right to vote and to sit on a jury. He will have serious barriers to employment, never mind the burden of stigma to overcome long after he has paid his debt to society—a debt he insists that he does not owe.

As [Independence Day](#) approaches, I wonder what we are celebrating. Thinking about M., his young family, about the vast scale of the [New Jim Crow](#), I consider my privileges as a white writer on the “outside.” While there are [black churches still burning](#) and law enforcement [officers wielding “justice”](#) with bullets and brute force—whether on the street or at a pool party—so many of us walk around unaware of how many second chances we get, how many benefits-of-the-doubt

we receive, simply because of the color of our skin.

Sometimes our entertainment insulates us most deeply and dangerously at the moments it aspires (or pretends) to open our eyes. I am not an expert, but I know for sure that binge-watching is not community building, and that orange isn't "the new" anything for [2.3 million Americans \(nearly 1 million of whom are Black\)](#). The fact that the U.S. imprisons one quarter of incarcerated people worldwide doesn't prove we have a system of just and efficient consequences, of well-reasoned guilt and innocence. Not by a long shot.

Writing of "treacherous" elements he faces both inside and outside prison, M. recently staked his own claim: "[T]he strength of its influence and the abundance of it is what I realized I have the impossible and dangerous (extremely dangerous) responsibility to try and counter."

This is not backstory. This is a voice at the center of our maelstrom.

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