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## Prison Abolition - CONTENT WARNING (Episode 5)

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## FINAL PODCAST TRANSCRIPT

**O:** indicates that Olivia Juarez is speaking

**J:** indicates that Jack Jeffrey is speaking

1

00:00:05,000 --> 00:00:09,510

O: This is an episode of the Otterpod from CSU Monterey Bay.

2

00:00:09,510 --> 00:00:14,000

J: So before we get into the podcast, we'd make sure and give a content as we'll be discussing rape,

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00:00:14,000 --> 00:00:18,000

J: childhood sexual abuse, anti-Black racism and incarceration.

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00:00:18,000 --> 00:00:25,000

O: So, to start off our podcast about prison abolition, I thought it would be fitting to tell the story of my radicalization--

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00:00:25,000 --> 00:00:30,000

O: And why I am a prison abolitionist at the age of 20. So I wanted to tell our listeners a story about myself.

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00:00:30,000 --> 00:00:37,460

O: Just a quick reminder, you might want to skip through this portion if descriptions of sexual violence are at all triggering to you.

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00:00:37,460 --> 00:00:42,230

O: So to jump right in, I am a survivor of childhood sexual abuse at the age of six.

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00:00:42,230 --> 00:00:47,000

O: I watched my mom be interviewed by the FBI because they were doing a background check on my abuser,

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00:00:47,000 --> 00:00:50,000

O: who at the time was an acquaintance of our family. During this time period,

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00:00:50,000 --> 00:00:56,870

O: my mom was unaware of the abuse that had taken place. So she spoke very, very highly of this person to the agents.

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00:00:56,870 --> 00:01:03,200

O: I was six years old. I learned that abusers do not go to jail or face consequences for their actions.

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00:01:03,200 --> 00:01:09,920

O: Instead, they go on to become police officers, federal agents and even president of the United States.

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00:01:09,920 --> 00:01:13,000

O: This is a theme that we will address a lot in our podcast.

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00:01:13,000 --> 00:01:18,530

J: Well, that is a really young age, to learn about the harsh realities of our criminal justice system.

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00:01:18,530 --> 00:01:23,660

J: I'm sorry that happened to you. In your opinion, what would happen to rapists and abusers and the wave of their prisons?

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00:01:23,660 --> 00:01:28,010

J: How will society deal with the issue of sexual violence if there there's no way to punish these people?

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00:01:28,010 --> 00:01:35,000

O: Well, Jack, that's an excellent question. And it's probably the most asked question that I get from skeptics of prison abolition.

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00:01:35,000 --> 00:01:43,000

O: And for that reason, I want to preface my next response and the remainder of our podcast with a little disclaimer for our listeners.

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00:01:43,000 --> 00:01:51,680

O: So when people first start off learning about prison abolition, they tend to crave really simple cut and dry answers to their questions,

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00:01:51,680 --> 00:01:58,000

O: as well as very, very specific alternatives that we would use to prison abolition.

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00:01:58,000 --> 00:02:09,260

O: And in that need for exact specificity and alternative programs to the prison system-- is a desire for more forms of carceral punishment,

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00:02:09,260 --> 00:02:12,000

O: but maybe just not the prison system that we have now itself.

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00:02:12,000 --> 00:02:20,000

O: So for that reason, I want our listeners to understand that this is not what our podcast is going to be about. In our podcast,

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00:02:20,000 --> 00:02:26,270

O: we take the approach of first dispelling very popular myths around prisons.

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00:02:26,270 --> 00:02:31,640

O: We want to prove why prisons are unsafe, ineffective, and why they don't prevent crime.

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00:02:31,640 --> 00:02:38,600

O: First of all, the state does not center survivors and their response to violent crime, sexual crime, any crime of any nature.

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00:02:38,600 --> 00:02:40,760

O: They just don't. So that's what we're here to do.

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00:02:40,760 --> 00:02:46,000

O: First of all, when you're naturally progressing to prison abolition, you first need to disprove why prisons don't work.

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00:02:46,000 --> 00:02:51,710

O: And at the end of our podcast, we will talk about Foucault's governmentality,

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00:02:51,710 --> 00:02:58,000

O: which might satisfy our listeners need for more specific alternatives to prison abolition,

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00:02:58,000 --> 00:03:03,410

O: but maybe not-- because governmentality is not necessarily a specific program,

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00:03:03,410 --> 00:03:11,420

O: but more so a shift in society's mindset towards carceral punishment and crime and punishment in general.

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00:03:11,420 --> 00:03:17,000

O: So to keep moving on with our podcast, I want to remind our listeners that Jack had the question,

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00:03:17,000 --> 00:03:23,000

O: "How will society deal with the issue of sexual violence if there's no way to punish these people?"

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00:03:23,000 --> 00:03:29,000

O: So my answer to that is how do we deal with them now? According to a 2018 article by The Washington Post,<sup>1</sup>

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00:03:29,000 --> 00:03:35,180

O: for every one hundred instances of sexual assault-- Thirty one percent are reported to police.

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<sup>1</sup> Dam, A. (2018, October 06). Analysis | less than 1% of rapes lead to felony CONVICTIONS. at least 89% of victims Face emotional and physical consequences. Retrieved March 01, 2021, from <https://www.washingtonpost.com/business/2018/10/06/less-than-percent-rapes-lead-felony-convictions-least-percent-victims-face-emotional-physical-consequences/>

00:03:35,180 --> 00:03:40,000

O: Five point seven percent are arrested. One point one percent are referred to a prosecutor.

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00:03:40,000 --> 00:03:45,770

O: Point seven percent are convicted of a felony. And point six percent are incarcerated.

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00:03:45,770 --> 00:03:53,300

O: After listening to these statistics, what conclusion did you come to about how we, quote unquote, deal with these abusers in a world with prisons?

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00:03:53,300 --> 00:03:57,740

O: Do you feel that survivors get justice under our current system?

J: No, I agree with you there.

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00:03:57,740 --> 00:04:01,160

J: I didn't know the stats for this podcast, but they are disgusting.

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00:04:01,160 --> 00:04:06,470

J: They prove that our current system definitely does not focus on helping or getting justice for assault survivors.

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00:04:06,470 --> 00:04:11,990

J: If anything, our system is more focused on criminalizing people of color than helping actual victims.

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00:04:11,990 --> 00:04:18,020

O: So it's really interesting that you say survivors aren't centered in the state's response to sexual violence because almost

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00:04:18,020 --> 00:04:24,000

O: every single argument you hear against prison abolition is rooted in people's obsession with getting justice for survivors.

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00:04:24,000 --> 00:04:31,000

O: Unfortunately, this dedication to justice and solidarity with survivors of sexual assault doesn't really happen much in real life.

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00:04:31,000 --> 00:04:37,100

O: So to jump right into a story in 2004, Cyntoia Brown, a 16 year old black girl,

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00:04:37,100 --> 00:04:41,810

O: was arrested for shooting a 43 year old man who had solicited her for sex.<sup>2</sup>

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00:04:41,810 --> 00:04:48,950

O: Although Brown, a literal child, had shot the man in self-defense, she was sentenced to serve 51 years in prison.

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00:04:48,950 --> 00:04:54,000

O: Despite Brown's traumatic childhood marred with instances of rape and sexual abuse at the hands of her foster

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00:04:54,000 --> 00:04:59,000

O: parents and other adults she should have been able to trust as well as her experience being sex trafficked

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00:04:59,000 --> 00:05:03,080

O: as a young teenager, the state did not side with the survivor.

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00:05:03,080 --> 00:05:08,480

O: While people like to think that this country aims to get justice for survivors of all types of violent crime,

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00:05:08,480 --> 00:05:14,000

O: this is simply untrue. The state decides what constitutes a crime and who constitutes a criminal.

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00:05:14,000 --> 00:05:22,000

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<sup>2</sup> Carroll, L. (n.d.). How the justice system failed cyntoia brown. Retrieved March 01, 2021, from <https://www.refinery29.com/en-us/2018/12/219015/cyntoia-brown-case-facts-real-story>

J: So Cyntoia Brown, a 16 year old girl, was sentenced to serve 51 years in prison for killing her abuser in self-defense.

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00:05:22,000 --> 00:05:29,600

J: But a man like Donald Trump, a man with 26 allegations of sexual misconduct against him, gets to be president of the United States?

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00:05:29,600 --> 00:05:31,000

O: That's an excellent point, Jack.

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00:05:31,000 --> 00:05:37,000

O: For our listeners who aren't familiar with President Trump's history of sexual misconduct, this clip might jog your memory.<sup>3</sup>

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00:05:37,000 --> 00:05:45,000

*\*Plays clip\** "You know, I'm automatically attracted to beautiful *\*unintelligible\** just kissing them. It's like a magnet. When you're a star, they let you do it.

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00:05:45,000 --> 00:05:50,060

You can do anything, whatever you want. Grab them by the pussy."

O: So as we learned in this clip,

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00:05:50,060 --> 00:05:57,080

O: Donald Trump wholeheartedly believes that he can get away with sexual assault due to his status as a wealthy white celebrity.

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00:05:57,080 --> 00:06:03,020

O: Unfortunately, he's not wrong in assuming this. This clip was released to the press in October of 2016.

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00:06:03,020 --> 00:06:07,000

O: And just one month later, Donald Trump went on to become president of the United States.

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<sup>3</sup> Transcript: Donald trump's Taped comments about women. (2016, October 08). Retrieved March 01, 2021, from <https://www.nytimes.com/2016/10/08/us/donald-trump-tape-transcript.html>



00:06:07,000 --> 00:06:13,000

O: Since then, dozens of women have come out with accusations of sexual assault and inappropriate/unwanted behavior.

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00:06:13,000 --> 00:06:20,000

O: In 2018, the president nominated Judge Brett Kavanaugh, a man accused of sexual assault to the Supreme Court.

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00:06:20,000 --> 00:06:27,000

O: Although Justice Kavanaugh's accuser, Dr. Christine Blasey Ford, testified before the Senate Judiciary Committee,

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00:06:27,000 --> 00:06:31,010

O: imploring them not to put a sexual abuser on the Supreme Court,

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00:06:31,010 --> 00:06:34,640

O: Justice Kavanaugh was confirmed in October of 2018.<sup>4</sup>

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00:06:34,640 --> 00:06:42,240

O: This is yet another example of how the white elite decides what constitutes a crime and who constitutes a criminal.

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00:06:42,240 --> 00:06:45,000

J: I get what you're saying, but how does this relate to prison abolition?

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00:06:45,000 --> 00:06:50,270

J: You made a point to mention that Cyntoia Brown is a Black woman and that Donald Trump is a white man.

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00:06:50,270 --> 00:06:54,000

J: Why is that? What does race have to do with what constitutes a criminal who constitutes a criminal?

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<sup>4</sup> Reston, M. (2018, September 27). 'I will never FORGET:' Christine BLASEY Ford recounts her trauma in raw testimony - CNN POLITICS. Retrieved March 01, 2021, from <https://www.cnn.com/2018/09/27/politics/christine-blasey-ford-raw-testimony/index.html>

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00:06:54,000 --> 00:07:02,000

O: The invention of crime has everything to do with anti-Black racism, and gendered violence towards women and Black women in particular.

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00:07:02,000 --> 00:07:08,000

O: In William Calathe's *Racial Capitalism and Punishment*, he explains that Blackness has been criminalized<sup>5</sup>

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00:07:08,000 --> 00:07:14,780

O: since the first enslaved person to escape their master. In response to this, the United States passed the Fugitive Slave Acts,

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00:07:14,780 --> 00:07:20,480

O: which were a pair of laws that encouraged the capture and return of runaway slaves within the confines of the United States.

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00:07:20,480 --> 00:07:27,350

O: So as many of us probably know, the slave patrol, which was the force tasked with capturing runaway slaves and returning them to their masters,

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00:07:27,350 --> 00:07:31,000

O: eventually evolved into the police force we see in the United States today.

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00:07:31,000 --> 00:07:37,000

O: So to conclude, people like Donald Trump have been deciding what constitutes a crime and who constitutes a criminal

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00:07:37,000 --> 00:07:42,000

O: for a long time now. It is still a crime, in fact, to be Black in the United States.

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00:07:42,000 --> 00:07:47,000

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<sup>5</sup> Calathes, W. (2017). Racial capitalism and punishment philosophy and practices: What really stands in the way of prison abolition. *Contemporary Justice Review*, 20(4), 442-455.  
doi:10.1080/10282580.2017.1383774

J: So you're basically saying that the foundation of our criminal justice system was built on slavery, genocide, and misogyny?

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00:07:47,000 --> 00:07:55,000

In case our audience is confused, misogyny is defined as a dislike of or contempt of or ingrained prejudice towards Black women.

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00:07:55,000 --> 00:07:57,000

J: If you believe this,

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00:07:57,000 --> 00:08:04,000

J: why can't we reform the prison system and improve the conditions inside these prisons by focusing on money and resources and rehabilitation,

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00:08:04,000 --> 00:08:10,000

J: education, etc?

O: So in the interest of saving time, I'll give one overarching example of a failed attempt at prison reform.

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00:08:10,000 --> 00:08:16,650

O: In Eva Boodman's, *An Eminent Critique of the Prison Nation, the Contradictions of Carceral Anti violence,*

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00:08:16,650 --> 00:08:21,000

O: she explains that efforts to make prisons safer for women actually led to a six hundred and

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00:08:21,000 --> 00:08:26,000

O: forty six percent increase in the number of incarcerated women in the United States.<sup>6</sup> Since 1980,

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00:08:26,000 --> 00:08:32,550

O: criminologists have made various attempts to include, quote unquote, gender sensitive services in prisons,

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<sup>6</sup> Boodman, E. (2017). An immanent critique of the prison nation. *Philosophy & Social Criticism*, 44(5), 571-592. doi:10.1177/0191453717730873

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00:08:32,550 --> 00:08:37,920

O: theorizing that this shift in programming would lead to a more positive outcome for incarcerated women.

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00:08:37,920 --> 00:08:42,660

O: But in reality, these programs actually took the focus away from crime prevention services,

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00:08:42,660 --> 00:08:47,190

O: making it even harder for activists to litigate against the criminal justice system.

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00:08:47,190 --> 00:08:51,000

O: So at the end of the day, prison reform exists only to give the state more power,

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00:08:51,000 --> 00:08:55,000

O: leading to negligent living conditions for Black and brown women living in the civilian world.

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00:08:55,000 --> 00:09:02,100

O: And to quote the wonderful Angela Davis, "Prisons do not disappear social problems, they disappear human beings."

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00:09:02,100 --> 00:09:06,970

O: When we put all of our effort into prison reform, the root causes of crime,

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00:09:06,970 --> 00:09:14,000

O: AKA--poverty, colonization, racism, etc are all neglected and no one is better off.

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00:09:14,000 --> 00:09:21,020

J: These are all good points you're raising. But even if prison abolition is the solution to preventing crime, how will we implement it?

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00:09:21,020 --> 00:09:28,060

J: What specific program for police prisons and how will we ever convince the American people to divest from prisons in the first place?

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00:09:28,060 --> 00:09:35,000

O: Okay, so this is my least favorite question to answer about prison abolition, because you might not like the reality of things.

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00:09:35,000 --> 00:09:40,000

O: So when activists propose that we abolish prisons and invest our resources in crime prevention programs,

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00:09:40,000 --> 00:09:47,690

O: AKA education, health care, child services, etc., we're not saying that harm will cease to exist in our new society.

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00:09:47,690 --> 00:09:49,000

O: We're just saying that because of prisons,

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00:09:49,000 --> 00:09:56,850

O: incarcerated folks and their loved ones experience outward and systemic violence at the hands of the state.

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00:09:56,850 --> 00:10:05,000

O: So when we eliminate prisons, we can begin to heal generational wounds left over from Reagan's war on drugs or Clinton's 1994 crime bill.

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00:10:05,000 --> 00:10:09,000

O: Prison abolitionists do not believe that crime will cease to exist in the United States,

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00:10:09,000 --> 00:10:14,000

O: as we are relying on a shifting governmentality to change the culture in our country.

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00:10:14,000 --> 00:10:19,440

J: Governmentality, isn't that Foucault's idea? What does that have to do with prison abolition?

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00:10:19,440 --> 00:10:27,000

J: I still don't understand how prison abolitionists can rely entirely on a predicted shift in culture to solve such a complex and deep rooted problem.

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00:10:27,000 --> 00:10:33,000

O: Yes, governmentality is Foucault's idea. So to quickly summarize for our listeners in case they are not familiar with him,

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00:10:33,000 --> 00:10:39,000

O: the concept of governmentality is basically the primary principle that governs society and shapes its culture.<sup>7</sup>

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00:10:39,000 --> 00:10:47,700

O: So in the United States today, we have a governmentality rooted in policing, exclusion, paranoia and the idea of crime and punishment.

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00:10:47,700 --> 00:10:53,880

O: Essentially, American citizens have become so concerned with policing one another that they cannot begin to imagine

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00:10:53,880 --> 00:10:58,740

O: a world without the oppressive and unforgiving entities that make up our criminal justice system.

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00:10:58,740 --> 00:11:00,000

O: So in the abolitionist community,

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00:11:00,000 --> 00:11:06,000

O: we believe that we can uproot this rotten governmentality, and show Americans that they do not have to live in fear of their neighbors.

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00:11:06,000 --> 00:11:13,530

O: When our governmentality is rooted in white supremacy, fear and paranoia, we are not working together as a community.

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<sup>7</sup> Governmentality: Notes on the thought of Michel Foucault. (2017, May 11). Retrieved March 01, 2021, from <https://criticallegalthinking.com/2014/12/02/governmentality-notes-thought-michel-foucault/>

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00:11:13,530 --> 00:11:19,000

O: In fact, this culture encourages isolation and works to further strengthen the capitalist system.

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00:11:19,000 --> 00:11:23,820

O: So when we divest from crime and punishment and invest in collectivism and community care,

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00:11:23,820 --> 00:11:30,360

O: we are going to see beautiful changes to the fabric of our society. And I think that will usher in an era of abolitionism.

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00:11:30,360 --> 00:11:33,000

J: I definitely agree with you there. As Americans,

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00:11:33,000 --> 00:11:39,280

J: it feels like we are taught to be so independent that forming a sense of community can be very difficult and in our

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00:11:39,280 --> 00:11:45,000

J: mass incarceration and dehumanization of black and brown people in this country that just adds to that exponentially.

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00:11:45,000 --> 00:11:50,220

J: Now, I got to say, when you when Alex first proposed the idea of prison abolition, I was

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00:11:50,220 --> 00:11:55,640

J: pretty hesitant because the idea of a world without prisons just seems so radical to me.

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00:11:55,640 --> 00:12:01,000

J: However, after listening to you guys talk about how the current system really only cares about punishment

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00:12:01,000 --> 00:12:07,110

J: and not actually reforming people, and about how most rapists and abusers go unpunished--

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00:12:07,110 --> 00:12:10,040

J: I realize that the idea is not radical at all.

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00:12:10,040 --> 00:12:16,340

J: And I still think there will always be a need for institutions of rehabilitation for those who wrong others.

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00:12:16,340 --> 00:12:22,000

J: But I do know that we can definitely all agree that our current prison system needs to be abolished.

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00:12:22,000 --> 00:12:30,000

O: Executive Producers of the Otterpod are Dr. Sarah Salazar Hughes, and Liz Zepeda. Theme music by Eric Mabrey.

132

00:12:30,000 --> 00:12:46,180

O: Our facilitator was Jack Jeffrey, audio mixing by Alex Ramshaw, and script writing by Olivia Juarez.

### **Work Cited**

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