

THE SCARLET LETTER OF INCARCERTION: BARRIERS TO WOMEN'S RE-ENTRY

Mini Feature Transcript

JESSICA GADEA HAWKINS: Empress, where are we right now?

EMPRESS PERTHA: We're in Columbia University Law School. It's very weird.

JESSICA: Welcome back to the Scarlet Letter of incarceration and our two special guests today, Shameeka and Empress, to bring a fresh perspective on re-entering from prison to the community and back to family. This episode is hearing from someone who is more recently released and in the beginning stages of her advocacy for predominantly women coming out of the prison system.

SHAMEEKA FRANCE: Happy Focused Forever Free Friday. My name is Shamika, France. I'm currently finishing a project that I started, Success After Prison, which is a centralized place for justice impacted individuals to find the resources that they need upon reentry.

JESSICA: So, we actually know Shameeka from another class here at the law school called Theater of Change, and she also recently graduated from the Justice Through Code program at the Columbia justice Center where she was her class speaker. Shameeka's most recent time in prison, she did four years and that took a big toll on her and her family. She's been out two years now and two major things that keep her going are being there for her daughter and using her experiences to help others. So we sat down with Empress, her daughter, who is eleven years old.

EMPRESS: Hello, my name is Empress Pertha. I'm daughter of Shameeka France.

SHAMEEKA: She's my motivating factor, I did a lot of jail time in my life. But this is the hardest one that I had to do. I'm a mother today. That jail time was everyday hearing her crying. And I just tried to do everything possible to let her know that I'm never gone back. But it's a healing process. It's a forever healing process. It's a lot.

JESSICA: We had such a genuine and fruitful conversation with Empress. She's been learning about CRT, Critical Race Theory, in school. And talking to her, you can tell that she's a really integrative thinker. She sees how things like race, mental health, healing, a case in the criminal legal system, recidivism, all connect and how they play out in her own life, in her dreams and her future. She obviously thinks it's really important to apply CRT.

So, Empress wanted to see what a lecture hall looked like at the university. We took her to room 106 in the law school. Where Angela Davis was presenting on zoom, by the way, a few weeks ago. And she immediately walked down to the podium at the front of the room.

EMPRESS: I've come here today to speak on Critical Race Theory.

JESSICA: So, something that Empress said to us was that, before we're able to teach or learn anything in law school, we have to lay down critical race theory. She said, "We need to put it down, it needs to be set, and we need to contextualize what we're learning about, what we're arguing and who we're arguing for".

EMPRESS: I feel like teaching critical race theory, I feel like it's important because I feel like we need to know where we come from.

JESSICA: Building a relationship that has been about co-partnership with Shameeka and Empress helped us work on our own capacities as lawyers. There's so much to be said about educating yourself in community where you can have humanizing conversations and start to break down some of the more traditional lawyer client barriers.

SHAMEEKA: It's, it's personally important to me to share my true self, you know, people need to have more empathy and more compassion and love when they prosecuting and defending, you know, and that's why I'm going to class now. And that's why this class is so important to me, because I'm hoping to impact and letting people understand, you know, and see from another perspective, I should say, dealing with trauma impacted individuals. People so much just want to nurse their wounds. We got to celebrate victories I just been moving, moving so much that I really, when I look back of how far I've come, it's amazing. It's amazing. And I'm just, I can't keep what I have, unless I give it away. I learned that from an NA meeting. You know, those 12 Steps mean a lot.

EMPRESS: That's my mom, without me, she's not she and without she, I'm not me. So I can't be me to the fullest extent, without my mother. And it's like, she can't be her to her full extent without her daughter. So, it's like I am her I'm her creation, she would want me she would want see how I would grow. She would want to see how I would build myself and how what she did to mold me and how I took the way she molded me to build a statue and how I painted myself and what colors I use. And like her, she's the base. And I added on to what she gave to me.

JESSICA: So let's hear more about Shamika's story. She actually had an ankle monitor on when she was sitting down with us here at the law school. And she got out about two years ago. And yesterday she actually texted me a picture of her ankle monitor being removed. When she got out it was the height of the pandemic. And this is what she told us.

SHAMEEKA: When I came home, I had plan a, b and c, none of them worked. I knew that I needed to reach out to some organizations. I didn't have a place to live. And again it was COVID so I chalked it up as you know these organizations were actually trying to be remote versus inside the buildings. I called every, every organization that was. And even though I did get an opportunity to probably live in a shared building, but it was COVID. In my mind, I couldn't wrap my mind around having my own room but sharing a bathroom with somebody, like I literally went to the, to the halfway house with bleach, I stopped and got bleach, and gloves and masks and everything because I'm like, uhn-uhn, I think about I go so hard today because I think about the woman who is a substance abuser. That woman who had her children waiting for her for four

years, she's gonna go back into a place of comfortability. So those kids that were waiting for her, they would bury their mother, you know, they would buried their mother. And I do that, my daughter's my motivating factor. I'm going every and anywhere except back, and I'm grinding on the strength of that, you know. Team no sleep.

JESSICA: So, this is a family that really cares about their mental health, which can be a really stigmatizing thing in racialized communities. It is in mine anyway. But Shameeka and Empress have been so vulnerable with us, since we met them back in December. Shameeka told us what it was like for both of them when she got arrested and the fear that sticks around. But one of the stories that really stuck out to us was when their house got broken into. She said that she was outside talking to the police. And she said that Empress just ran outside.

SHAMEEKA: So I was outside talking to them. And Empress saw me just talking to detectives, and she ran across the street in the middle of the street. She just ran. And I said, Empress what's wrong, and she's like, no mommy what was going on. That was her reaction. Yeah. And I realized it then, you know. I think about it. This right here is helping me to understand that it's so much more. It's... I gotta let her heal. You see, at the end of the day, me coming home, knowing that uh... my actions affected my daughter in a way that I have to be mindful of certain things that's a trigger. So me just bringing her back to the place of being arrested in front of her. That's a trying time for her. And, you know, I, that's why I do everything that I can do to make sure that she doesn't see the law the way that she did. She did. She did. And it has affected her. But the only way that I feel that I can make her heal is for me showing her now, you understand? I do the events in my in my community. I show her the police, come here, listen. You know. On the other side of the fence today.

It was important for me to bring Empress to law school because there's a lot of things that's going on in the world today. Umm... We was watching, you know, Judge Jackson, and, you know, she seen me arrested. And she saw, umm, so much disparities in my community, you understand? So I don't want to just stay on the focus on one frame of the law, you know what I'm saying? It's, it's important that she sees all around, you know, every different angle.

JESSICA: Empress had some pretty critical ideas about law and lawyering already that she brought to the law school for us.

EMPRESS: I feel like it's important for lawyers to know where the person is coming from and trying to build personal connection with the person or try to build like a specific relationship outside of business because I feel like when it's too much... when it's business oriented, I feel like people start to draw off and they start to just not care and they think it's only about the case.

SHAMEEKA: My hope is that we can end recidivism, so many people are released from prison and they go back within a certain amount of years of being released. I know I'm going every and anywhere except backwards.

JESSICA: We think about this in our work all the time. It's our job to guide people through their involvement in the legal system. And we become consumed with legal reasoning, limited set of facts, rules, application. But Empress and Shameeka are basically saying that lawyers need

to expand their legal analysis to include the real-life aspects underlying the case, racial identity, racialized experiences and histories of trauma, a person's family and community life, mental health, how we care and relate to one another, or else the root causes of the issue continue.

EMPRESS: If I was a judge...

JESSICA: Okay, so personally, we would love to be working with Judge Empress one day. But she also told us that she wanted to be a heart surgeon. She said she wanted to change people's hearts. All right, back to Judge Empress.

EMPRESS: If I was a judge on a case, I would care about their feelings, the reason why, and their freedom. Because as a judge, I don't just want to judge your case based what's written off a paper. I mean, yes, I ask questions on why you commit the crime but I actually have to care and know where you're coming from to actually understand what made you feel that way for you to be able to actually think that you have to commit something like that, or make somebody feel... Because it's a statement that I have heard my whole life, hurt people hurt people. So I want to know, what made you feel that way to hurt somebody else because of your pain. So I want to help you with your pain. I'm not just going to be your judge, somebody that you feel intimidated by. I want to be somebody that you feel like you can talk to like I've been saying this whole time.

JESSICA: Now that we got to hear from future Judge Empress, we asked her, if she could influence policy next, to support family members of people who are incarcerated, what would be most important to her. And she brought us back to the same idea of going beyond the material issues at hand.

EMPRESS: I feel like I would give people making sure that they're mentally correct. Making, like, the biggest thing for me was feeling like I wasn't loved. So I feel like I want them to make sure that even if their parent really doesn't love them and that's really the case, I feel like I want them to know that other people are here for you and other people really love you. And other people, you can come to other people. To let other people know that I'm here. And hello. Like I'm here. I want to be here. I want to help you in your problems, your trials and tribulations that you're going through. Because it's not just you and I want them to know they're not alone and not the only one that has been through something like that. Because there are multiple people who has been in your problem who has felt how you felt.

SHAMEEKA: If you're rooted right, we have these branches. If we all come from that root, in our lanes, we will all be fruitful. I think that it needs to be more like sitting at the table and really like let's do the work together.

JESSICA: Shameeka is part of the Columbia community and having her share even a bit of her truth with us is shifting how we engage in critical legal education. And we hope that Empress' personal experiences and insights are bringing us even one step closer to a version of justice that can be healing and more unifying.