Musical introduction

Alyssa Curcio 0:12
Welcome to a new episode of CRT2. This show is dedicated to exploring the effects of white collar crime sentencing women of color. We're your hosts, Alyssa Curcio — that's me — Imani Thornton, and Alex Mendoza.

Imani Thornton
Who do you think you think of white collar crime–what race, what gender and what class?

Alyssa Curcio:
There's way more to white collar crime than Enron, Martha Stewart and the rich white male executives that you might see on some sort of media.

(MUSICAL CUE)

Alyssa Curcio:
We've got a few things on the agenda today. First, we'll discuss the basics of white collar crime and the racial disparities that often show up in sentencing. Then we'll take a look at some problems in the federal prison system, where people convicted of these kinds of crimes typically serve their sentences. And finally, we'll interview Tanya Pierce, a Black woman who served time in a federal institution for a white collar crime and who now runs an advocacy organization dedicated to reforming restitution sentences.

(END MUSIC CUE)

Imani Thornton 9:27
But first, what is white collar crime?Like a lot of people talk about it, there's a lot of buzz about it, especially if you're maybe a law student.

Alex Mendoza
Well, there's some pretty intense myths out there about white collar crime specifically, the media has a role with that. But to define it, white collar crimes are financial crimes that are usually prosecuted at the federal level, and they include charges like mail fraud, securities fraud and bank embezzlement.

Imani Thornton
And there is of course a racial component at play here when it comes to white collar crime. It's really in the name. White Collar Crime is often distinguished from quote unquote street crime, which is considered more accessible for people of color. In contrast white collar crime is associated popularly with rich, white men.

Alex Mendoza

True. I mean, that sounds pretty unnuanced. I mean, how would that therefore, or we might ask ourselves, how does that affect women of color who are charged with white collar crime? How many people are actually paying attention, you know, to the person of color in the system and actually cares?

Imani Thornton 10:33
Yeah. Those are good questions. A 2006 article discusses racial disparities in sentencing when it comes to white collar crime. The authors write that the presence of significant alternative punishments such as fines, leaves much, much, much more room for judicial discretion than in the case of more, say, street crimes. So maybe it's not surprising, but people who are Black, men and/or have access to less education are given longer sentences than their white counterparts sometimes.

Alex Mendoza
The article also says that since the Sentencing Reform Act of 1984, which set standards for sentencing of those charged with federal crimes, judges are told to impose a fine in all cases unless the defendant is unable to pay a fine. Also, after the guidelines, disparities between black and white defendants are increased.

Imani Thornton
So although there are sentencing guidelines, a lot of sentencing comes down to what the judge thinks is appropriate.

Alex Mendoza
Yeah. I mean, in some ways, and the sentencing guidelines tend to be pretty harsh. I mean, it's not super clear how often judges stick to those guidelines, but what they impose seems very harsh.

Imani Thornton
It also looks like from the data that there is a relationship between how much prison time you're sentenced to and how much you pay in fines.

Alex Mendoza
We might ask ourselves, what does that mean?

Imani Thornton
Well, the article notes that if judges make an assessment that for example, a black person can't afford to pay certain fine, they get more prison time. So as the author's note, white defendants can essentially buy themselves out of serving time in prison.

Alex Mendoza
Damn. But can we go back to the restitution thing? What is that?

Imani Thornton

Yeah. Restitution is, in the criminal context, about making a victim whole.

Alex Mendoza
So in other words, it's a legalese for putting someone in the position that they were in before the alleged crime happened.

Imani Thornton 12:13
I mean, the question is, how does that actually work in practice, like how does restitution work?

Alex Mendoza
So in 1982, the Victim and Witness Protection Act was passed. Essentially, it requires someone convicted of certain federal crimes to pay restitution to any victims. These victims include actual people or corporations.

Imani Thornton
The law says that if a person was convicted of an offense where someone's property was also damaged, then the person convicted must return that property to the victim–repay the equal amount of that property.

(MUSIC CUE)

Alyssa Curcio: Since most women of color who are convicted of a white collar crime end up in the federal prison system, let's spend a few minutes discussing the impact of receiving a federal sentence.

MONTAGE:

AJ+: (Link) More women than ever before are locked up in America. "I was in jail for 2.5 months, away from my kids. I lost my apartment. I lost my job."

The Atlantic: (Link) The rate of incarceration is so high, so socially concentrated, we're no longer incarcerating the individual, but we're incarcerating whole social groups.

MadameNoire: (Link) Black women spend longer times in jail, often for crimes they didn't commit, most times because they don't have money for bail.

Imani Thornton
For decades now, activists and advocates have demanded reform and even abolition of prisons. These calls have only grown louder in the wake of a cascade of state sanctioned violence, racialized policing and increased understanding of the damage mass incarceration has waged on the lives of Americans in prison. Critical Race Theory offers us a powerful lens to analyze the American criminal punishment system from a historical, legal and social perspective. In particular, critical race theory helps us understand that America's policing and prison systems are the modern descendants of the age of chattel enslavement.

Alex Mendoza 1:09
So I think I can speak for a lot of people by asking, how do federal prisons fit into conversations about abolition and reform?

Imani Thornton
Mhm.

Alex Mendoza
You know, why is there less interest and attention to federal prisons?

Imani Thornton
Yeah, and I think to answer this and to kind of address that curiosity, we must get some stats on the federal prison system itself.

Alex Mendoza
True. Here are some quick facts. The federal prison system, which is run by the Bureau of Prisons, includes 122 prisons across the United States. They range from minimum to complex security levels. As of 2022, there were 208,000 people locked up in federal prisons and jails, according to the Prison Policy Initiative. The majority of those individuals are incarcerated on drug charges. As of this podcast, more than 7,000 individuals, however, were incarcerated in federal prisons based on white collar crimes.

Musical transition

Imani Thornton 2:11
So earlier, we mentioned reforming abolition in relation to federal prisons. But, you know, I think folks would like to know what is it about federal prison specifically, that's so bad.

Alex Mendoza
Well, you know, I mean, like all prisons, perhaps, federal prisons mirror and exacerbate the issues that you would encounter outside, including, you know, discrimination.

Imani Thornton
Yeah. And there is a really telling history. 1891 was when the first federal prison was established in the United States. And that year, Congress passed the Three Prisons Act. It was kind of meant to be a unifier or unify the prison system across the nation. And this Congress that passed this Act was actually the first northern Republican controlled Congress since the end of Reconstruction 14 years earlier.

Alex Mendoza
Yeah, this time period is what Black studies scholars call the “nadir of race relations in the United States,” which is when the few rights that Black people have won during Reconstruction

were ripped away. And, you know, other legislation like the Chinese Exclusion Act was passed and Jim Crow laws were really solidified and bolstered.

Imani Thornton
Since that era, the federal prison system has expanded by more than 40%.

Alex Mendoza 3:22
But just because the numbers in federal prisons are lower, does that mean that they aren't as terrible as prisons or something?

Imani Thornton
Yeah, the numbers may be lower but if you are a black, male, haven't had access to college education, and/or–intersectionality–are low-income faced with a federal charge, you may be given a much longer sentence than others.

Alex Mendoza
I mean, to put into perspective, as of this podcast, more than half of the 44 incarcerated people on federal death row are Black or Latinx.

Imani Thornton
And it also turns out that the Bureau of Prisons segregates incarcerated persons in federal prisons based on citizenship.

Alex Mendoza
So what they're really doing is creating a second class system of punishment for non citizens. Right?

Imani Thornton
Yeah. And like in addition to that those incarcerated in federal prisons, brought in nearly $472 million in net sales.

Alex Mendoza
What? How do incarcerated people bring in money?

Imani Thornton
Well, many incarcerated people are not simply idle while in prison. Many people have jobs. Some incarcerated people consider these jobs opportunities to learn new skills, but several others are forced to do these jobs.

Alex Mendoza 4:24
True, at the federal level, the Federal Prison Industries Inc, or UNICOR is a governmental agency that operates prison labor and federal prisons. Generally incarcerated people with jobs do all types of things–firefighting, working call centers and cleaning up national disasters.

Imani Thornton
The ACLU found serious worker violations–which I mean, are we really surprised–those with prison jobs faced serious worker violations. For example, there was a lawsuit filed by an incarcerated person working at a federal prisons electrical shop who was refused a mask despite being exposed to mercury in an unventilated room. This isn't just one person though: incarcerated people enjoy basically no workers rights or protections, so they can't unionize. And they have no guarantee of being protected in their workplaces.

Alex Mendoza
Yeah, I mean, the pandemic I mean, during the pandemic, I think things have even gotten worse. I mean, the federal government used federal labor to make masks, gowns, sanitizer for like what? 23 cents an hour? Even worse, like these incarcerated individuals were often denied the use of the very PPE that they made.

Imani Thornton
Yeah, 23 cents an hour is wild. And I think it can be maybe even lower in certain places. If you can't unionize, then it's hard to change the conditions.

Alex Mendoza 5:40
Yeah, I mean, historically, prison strikes are possible, especially within state prisons, but many strikers are threatened and faced with brutal and even deadly punishment.

Musical Transition

Imani Thornton
In 2020, The Marshall Project reported that the Bureau of Prisons had denied compassionate release for 1000s of incarcerated people, leading to more than 100 COVID deaths and more than 15,000 cases of COVID within federal prisons.

Alex Mendoza
So we might ask ourselves, why does the Bureau of Prisons deny so many petitions for compassionate release?

Imani Thornton
Yep, and the answer is that it's complicated and it's also not. The Department of Justice is the agency responsible for the prosecution of federal crimes. These offenses include everything from human trafficking and murder on federal land to mail fraud and bank embezzlement. The Department of Justice is another role though. They also advise the President on pardons and commutations.

Alex Mendoza
So we also might ask ourselves, what happens when the Department of Justice's interests conflict with the interests of those incarcerated?

Imani Thornton
The Department of Justice, also known as the DOJ has an incentive to take actions in the interest of the prosecutors who run

Alex Mendoza
And that means?

Imani Thornton 6:56
Well, it means that a prosecutor may be less likely to advise the President to pardon too many people because it makes the department look bad. It can destroy the public's faith in the “justice system”. Generally, when it comes to prosecutors, there's virtually no transparency as to how they make certain decisions, and they also receive blanket immunity for any actions related to their jobs.

Alex Mendoza
So TLDR or simply put, the DOJ does not want to be perceived of as doing their jobs badly. Not to mention that there is a correlation between the number of people that they prosecute incarcerate and their bottom line.

Imani Thornton
Yeah, and that's not even speaking to the defense side of it, right?

Alex Mendoza 7:32
Yeah, there really aren't too many formal training and like continuing legal education opportunities on, you know, on the issues that specifically affect federal criminal defendants, particularly related to white collar crime. That can make it difficult to find effective legal counsel.

Imani Thornton
Yeah, and there aren't many options for getting out early from federal prison in the first place. You have compassionate release or home confinement. Home confinement is when a federally incarcerated person gets the option to finish their sentence outside the prison, but they're still technically under custody. And we'll hear later about the long, long process it takes to fully be kind of out of the prison officially. For many people, though compassionate release is not only the better option, it is also extremely difficult to get. And during COVID, the BOP’s bias against compassion release has proven deadly.

Video clip from Ava DuVernay’s 13th begins playing:
…Over 40,000 collateral consequences for people that come through our criminal justice system. It’s that question, “have you been convicted of a felony?” that appears on the job application. In some cases, it can affect your access to student loans. You can’t get many business licenses. Food stamps, if they’re hungry. Private rentals in regards to housing. It’s that question that appears on life insurance. The scarlet letter follows you for the rest of your life in this country. March of 2015, we had tens of thousands of people come to Selma to celebrate the 50th anniversary of the crossing of the Edmund Pettus bridge. And very few of those people

realized that nearly thirty percent of the male population of Alabama has lost the right to vote as a result of a criminal conviction. If you do something wrong, you should pay it back and then move forward with your life. Yet in America there's absolutely zero closure. We actually tell American citizens when they pay back their debt to society, their citizenship will still be denied from them. So many aspects of the old Jim Crow are suddenly legal again once you've been branded a felon. And so it seems in America, we haven't so much ended racial castes as we have redesigned them.

Imani Thornton
That's a clip from Ava DuVernay's film 13th. The film focuses on the prison system generally, but it definitely applies to all prisons–private, state and federal.

Alex Mendoza
So the clip discusses collateral consequences, which we later talk at length about with our guest speaker. What exactly does that mean?

Imani Thornton
Well, collateral consequences are the non-carceral repercussions of having been charged for a crime.

Alex Mendoza
And what repercussions might those be?

Imani Thornton 8:48
There are a lot of repercussions. A well known one is being barred access to voting, but there are other ones as well: not being able to work in certain industries for a set number of time, like in the airport, losing veterans benefits and being excluded from participating in federal and state health care programs.

Alex Mendoza
Damn. I mean, what types of programs would they even lose access to?

Imani Thornton
Yeah, it's things like Medicare and Medicaid, for one, which can be life saving programs for so many people, especially when an individual may already be having trouble getting a job post incarceration.

Clip from Remission Now Sizzle Reel plays:
Somber piano music plays
I served 84 months in federal prison. I served 77 months in a federal prison camp. I served sixty months in federal prison. I was sentenced for wire fraud and served fifty four months in federal prison. I served eight years and seven months for conspiracy to commit [fraud]. I was sentenced to thirty years in federal prison for mortgage fraud.
sound of prison bars closing

My restitution is thirty million dollars. My restitution is eighteen million dollars. My restitution? 7.3 million dollars. I have a restitution of five million dollars. My restitution amount is 26 million dollars. Twelve and a half million dollars in restitution. My restitution is 6.1 million. My restitution amount is 500,524,882 dollars. My name is Elise Roper. My name is Alina Pias. My name in Brenda Tez. My name is Katherin Kissick. My name is Ivy Wolfterk. My name is Shalena McFarland. My name is Jessica Ron Oberan. My name is Gertrude Parker. My name is Victoria Hunt. My name is Katanya Spencer. My name is Gloria Harper. My name is Hope Herman. My name is Galenique Moroa. My name is Diante Martinez-Brooks. My name is Dr. Carmen Johnson. My name is Kelly Obeshaeken. And I am serving a life sentence. And I am serving a life sentence. And I am serving a life sentence. I'm serving a life sentence. And I'm serving a life sentence. I am serving a life sentence. This for me is a life sentence.

Imani Thornton
Tanya Pierce, our guest speaker for today, served almost 22 months of federal time. She started her re-entry while on the Danbury Federal Prison Camp, where she became the first legal secretary. Upon release, after completing her ABA Paralegal Certificate from Queens College, Tanya was confronted with the lack of employment opportunities for individuals returning from federal prison in New York City. She then co-founded Life Unbolted, Inc., or LU, located in Brooklyn, New York. LU seeks to dismantle systemic barriers that perpetuate reentry disparities in programs, housing, and employment opportunities for men and women impacted by the federal criminal justice system in New York City.

Alex Mendoza
Joining us today is Tanya. Like we mentioned, she's actively involved in the movement to reform remission sentencing. Thank you for joining us today, Tanya. How's your day going?

Tanya Pierce
Great. I'm glad to be here

Alex Mendoza
So we specifically wanted you to join us so that you can talk us through your work as well as the issue of restitution as it relates to federal white collar crime. Why do you think the effect of restitution on women of color specifically is often so brushed over?

Tanya Pierce
Well, the perception of restitution, what I found in the women that I work with and that I am sisters with in this restitution reform, we feel that it's brushed over because people assume you can't afford it. Why bother? You're not going to pay it the rest of your life. But in reality, we are paying with our lives. Most of us never had our day in court. Most of us have no victim. Why should we pay something or be forced to pay something that we don't owe?

Alex Mendoza 13:53

Can you talk us through the concept of not knowing or not having a victim? Because, as we know, like or as we've discussed, like restitution is to make somebody whole right. So what do you mean by the fact that you may not know or there may not be a victim?

Tanya Pierce
Okay. We will work on, we will discuss my case. And I have permission to discuss someone who took a plea because there's two different avenues. One is going to trial. I went to trial. I was convicted of defrauding three banks. Yet the only victim on my judgment is one conviction, which is $36,000. But my judgment of conviction has four victims on it, which amount up to $2.4 million. And only $36,000 of it is for crime that I was convicted of. The two other lenders that I was convicted of, the loss was zero.
So how do you go from being convicted charged–I'm not going to discuss my conviction, but being charged convicted by jury, and then you get to the sentencing phase of the case, and now you have the one entity that you was convicted of, and three other entities that were not a part of your case. And now you owe almost $2.4 million to victims that did come to your trial, never submitted a declaration of loss, and you had no opportunity to know where or how these numbers were generated.
So that's the impact. And this happens time and time again. Now you would assume someone like myself, who went to trial–that this wouldn't happen. Because the victims, the alleged victims had a chance to be part of the conviction or make a victim impact statement. It never happened. The other side is people take a plea because of prison sentences. You know, most people hear 10, 20 years, 30 years, some even hear 90 years. And they say take a plea and you're going to get 20 months, 30 months, or five years. At that time you are so much under stress and pressure. You will take any amount that they say that you owe whether it's correct or not, because you're looking at the prison sentence. And I believe that's also what attorneys and criminal defense attorneys look at. Not that all of them are ineffective, but they look at the prison sentence and not the life sentence of restitution.

Alex Mendoza
You mentioned the difference basically between going to trial as well as the pressure of a plea bargain. I'm wondering as like a woman of color in the US, how did you feel in that situation? Were you yourself under pressure to just take the plains of going to trial? And how rare is it really to just go to trial in these sort of cases?

Tanya Pierce
Well, I think for a woman of color, it's very rare. I think I'm probably a one or two percenter that actually went to trial in a case like this. I don't, I don't know why–I mean I know why I went to trial because I knew that I wasn't guilty of the charges. But I also knew that the government had so many resources that you're going to be wiped out no matter what. But for me it was worth the try to have, to find counsel that will represent me even though it didn't happen. But it was worth the gamble for me. And most people are not willing to take that risk. Women have families, women have small children. I had a small child. What happens is, especially with mothers, they will accept anything that will allow them to get back to their children faster.

Alex Mendoza 18:31
Earlier you mentioned that you took the gamble, you took the risk partially because you believed in the system, following your experience with the criminal legal system and all that–all of the ghost numbers that have followed and all of the hearings and whatnot, how it's affected your family, your life, your child–would you say that you still believe in the system? Do you still think it can be it can be fixed?

Tanya Pierce
Yes, I think it can be fixed today. Starting with this class. Because the students in this class here have first hand knowledge. You are the next prosecutors. You are the next justices. You are the criminal defense attorneys. You are the next bankruptcy attorneys. And once you get it, it becomes a domino effect. And I believe that you know you are going to ask questions going forward with your colleagues. When people talk trash about white collar–oh, just forget them… if you know if you are CJA attorney or a paid attorney, I believe that things will change.

Alex Mendoza
I was wondering if you could talk to us a little bit about the work that you do and the type of awareness that you're trying to bring beyond this class as well.

Tanya Pierce
Well, the work that I do currently, I started an organization called Life Unbolted. Currently, we're in the research stage because we are researching the disparity of reentry services in programs for people returning from the federal system and we started as a pilot in New York. And what we found is that once again, people returning from the feds–and this has nothing to do with white collar or restitution–do not receive the same services in reentry from people that are returning from the state and local jail.

Alex Mendoza
If you don't mind me asking, how did that disparity play out behind the wall as well? You know, as I understand it, there's Innocence Projects, there's also just like, abilities, you know, for people to gain an education, gain work skills and whatnot. At least that's the fiction that's told to us. Would you say that that's true for the federal system as well?

Tanya Pierce
Absolutely false. There's no education in the federal system besides a GED unless you have resources where you pay for correspondence course for higher education. So you do not have reentry programs. You don't have Ted Talks coming in and doing workshops and all of those beautiful things. You do have an opportunity for some apprenticeships, but those are like a piece of paper because they're not transferable to anything outside of here. The Department of Labor or no one looks at those certificates, so to speak. But what they do, cause you to do is to maintain a prison. Because electrical apprenticeship, what are you doing in prison? You're fixing the electric. If you're in the culinary apprenticeship, what do you do with cooking in the kitchen? So it is slavery. Because if you can't transport them skills to anything and you spent years–and I think the least amount of an apprenticeship is 6000 now within 4000 hours.

Alex Mendoza 22:26
Yikes. I mean, it's almost–it's not funny, but there is some weird irony to that like, not only are you like behind the wall, but you're also like forced to maintain it, right? Like you're forced to cook, clean, as you say to keep up electricity and whatnot. Not only are you just confined but you're also building your own confinement. There's a weird irony to that.

Tanya
And it's under the false pretense of an apprenticeship, but that's not true.

Alex Mendoza
Why don't you talk to us a little bit about what Danbury is.

Tanya Pierce
Well, because I guess it's considered a federal camp and people consider it a camp because you don't have cells, it's minimal security. But it's also prison. It's real prison. You don't have your liberty. I mean, you don't have access to education. You don't have access to programming. So you just there.

Alex Mendoza
Yeah.

Tanya Pierce
What's really the difference there than other forms of solitary confinement–you're doing nothing!

Alex Mendoza
Yeah. So what is the type of individual that would get Danbury?

Tanya Pierce
Non-violent. Everyone there is non-violent.

Alex Mendoza 23:44
What is like the diversity at Danbury? Because if it carries a connotation of like "camp" and whatnot, I would think, I don't know maybe excuse "white", but like, is there a fair amount of people of color in Danbury?

Tanya Pierce
Yes, yep. The amount of women of color is very diverse. It's very diverse. But you have to look at the level of what people are there for.

Alex Mendoza
Right.

Tanya Pierce 24:08
I've seen people there, especially another heinous place outside of New York, is Pennsylvania…I've seen women there for not reporting their husbands on their Section Eight application sentenced to you know, 60 days in prison but 10 years supervised release. You know, this is white collar. You know, this is white collar. I've just seen an array of things that people just wouldn't even imagine that people are in prison for. And then the collateral consequences: 10 years supervised release, five years supervised release, you know, restitution for monies you never received. All of this labeling, destroying women's lives.

Alex Mendoza
This is all super enlightening. And Tanya, I mean, hearing your story is really powerful. And I guess I just wanted to ask a few more questions. Specifically, I guess, what is one thing you wish more people understood about federal prisons and white collar crime?

Tanya Pierce
One of my biggest learns, that I want people to understand is that we are victim sensitive. We do believe that a victim, that you know, it's taken advantage of, or lost any good money in properties, they should be compensated. And I think that's one of the biggest misconceptions– that people from white collar don't want to pay any money, they got away with it. On the flip side is people like myself, who don't owe anyone anything and we're stuck in this life sentence because of ghosts numbers, because of what the prosecutor and the judge and your attorney just let happen to you.

Alex Mendoza
Yeah, I mean, like, honestly, the more I talk to you, the more I learn about this stuff, the more unreasonable, literally, prison is, like honestly. But we want to thank you so much, Tanya for joining us and sharing your story. Where can people find you and your work?

Tanya Pierce
My organization's Life Unbolted. Right now because of the man, we are research at this point. And also, if anyone has an unjust restitution, please reach out to us. We are proposing legislation around restitution reform. Please reach out, let us know we'd love to hear your story.

Alex Mendoza
Life Unbolted. That's for everybody out there who would like to reach out.

Musical transition

Alex Mendoza
Welcome back from our break. Federal prison collateral consequences of white collar crime have received a lot of attention recently. But more is definitely needed.

Imani Thornton 27:28

At the same time that the Biden administration has expressed interest and increased enforcement against white collar crime, Biden has also said that he plans to work on quote unquote criminal justice reform.

Alex Mendoza
Honestly, many of his promises have yet to be seen, but I think that criminal justice reform can't really ignore the federal prison system anymore. Nor should it use white collar crime as its scapegoat.

Imani Thornton
And you know what's really interesting, some scholars have noticed a democratization of middle class crime. Essentially, the argument is that as more people of color become middle class, white collar crime will get less and less “white.” And considering that Biden is saying that he wants to increase enforcement of white collar crime, I think that's just a really interesting coincidence.

Alex Mendoza
Yeah, and honestly, I think one of the main takeaways–like even though the common perception of white collar crime tends to be like this rich white man, I think we hope that the podcast shows that it's a lot more complicated. Like if you're a law student listening to this, whether you're going into public interest, working for a big law firm or pursuing some sort of government role, ask yourself, like, what sort of assumptions are making, bringing on these issues and you know, whose struggles are being raised by making those assumptions?

Imani Thornton
Absolutely. Our guest Tanya, I think, really highlighted for me, that it's so important not to kind of lump people together and not to necessarily look things in a non-nuanced way. I think there's gray areas everywhere. And I think it's a mistake to, you know, otherwise feel very strongly about ending the carceral system *except* in the case of white collar crime. And especially when we know that federal prison can have such an adverse effect on people's lives. So I've just learned a lot through this podcast, and I think we all hope that you all learned something too.

Alex Mendoza
Totally. I mean, what jumped out to me the most is just generally how little the carceral system makes sense. Doesn't make sense morally, it doesn't make sense philosophically, does not make sense, economically. Like there's virtually almost like no merit to it. And wherever you may fall on a political or ideological spectrum, I mean, if people educated themselves about this, I think they could reach the same conclusion– it does not make sense.

Imani Thornton
Yeah. And I think, especially just wanted to highlight what Alex just said, you know, we know there are a lot of people who may be listening to this who may be going into different types of law firms. Big law, medium law, in-house counsel, whatever. And, you know, there are opportunities to engage with your colleagues on this issue. I'm sure there's many people,

individuals like Tanya who would love to have talented law students who care about this issue and care about this cause to be engaged in it. So this is definitely a call to action. And I think this is just the start of I think a larger movement that Tanya and her colleagues and all of us can take part of, and are already taking part in.

Alex Mendoza 30:46
Yeah, and if you're in law school–I mean, I've been guilty of being very passive sometimes, but especially during 1L if you're in law school, question your professors. Like in crim law in con law, like, Professor so and so, what about white collar in the context of the person of color being across America? Yeah. What about you know, you're in con law, like, what about the punishment clause in the 13th Amendment where, basically, you know, servitude still exists if you happen to be convicted. You know, it's always it's great to educate yourself. It's always never really enough, right? You should just question this entire system, the entire legal system, the entirety of legal education and how it turns a blind spot on these issues.

Imani Thornton
Yeah, and I think that's actually another thing that critical race theory does for us, it kind of gives us the language to ask those questions. And there's a whole body of work that you can draw on and you know, make your own questions and conclusions of, but I think it's important that we never take as-is the stuff we're learning in these institutions, given their very violent and racist histories.

Alex Mendoza
Yeah, no, I mean, one of the central tenets of critical race theory is literally, you know, challenging the notion of equality under the law, like, you read cases like this, you read, or you listen to Tanya's story–a very real person who's gone through this, and I mean, you just have to question like, is there equality under the law?

Imani Thornton
Yep. I think if you're interested in getting involved in a direct way outside of your legal education, we're going to link the websites…one website is the LOHM.org/remissionnow. And if you want to get involved, donate, I'm sure they can use legal research. Check it out on our website.

Alex Mendoza
I want to thank all of you listeners for tuning in for this episode of CRT2. We hope that you learned a lot through this, and we hope that you're more willing to get involved. If you have any questions or anything, feel free to reach out to us. See you later.

Imani Thornton
See ya.

Musical outro