Trey Robinson: So I’d like to introduce my colleague and friend Professor Dizard.

Jesse Dizard: I have to admit it was a curious honor when Trey asked me, what back in, must of been November to consider speaking with you about this issue. Because Trey took a seminar with me a number of years ago, a graduate seminar and he actually made me, he’s one of the few students I’ve had at that level who really made me earn my monthly ducats as it were because Trey always had questions. Not only did he read the material but he posed interesting questions and then pursued them well beyond the classroom. So I felt like it was something I really owed Trey and the Institution to maybe pose some questions of my own for him and for you to consider in the context of the remarks that I want to share with you this afternoon. Now some of you may say what in the wide world of sports is an anthropologist doing talking about prison at all, let alone race and prison being a white male anthropologist. And my response is that the premise of cultural anthropology is that regardless of what perhaps contemporary popular discourse might hold, which is that if you're not one of us you can't possibly understand our experience. Cultural anthropology says no actually if you spend enough time, and learn the language, learn the symbols, learn the codes, learn the rituals, then maybe you can’t see the world through the eyes of the other but you can certainly come to a pretty good understanding of what might appear unintelligible from the outside, if you spend time inside a culture. And I was always really interested in the world of prisons because I thought that it's something, well, anthropologists hadn't really looked at. Sociologists had considered it and I had studied a lot of sociology as a graduate student. And so found it kind of interesting that anthropologist hadn't.

There were few anthropologists who had begun to do work on various forms of incarceration. Most notably the Japanese internment camps during World War II.
There were anthropologists from my alma mater UC Berkeley who went and worked among Japanese internees generating reports about what the experience for them had been like. But as a graduate student I said I want to do that. Japanese internment camps not so much, there aren't any. But there are plenty of prisons. And when I was a graduate student it was just beginning to be the case that the war on crime had really ramped up. There was beginning to be a lot of money flowing toward the construction of prisons. Because the moral panic of the era was such that upstanding solid citizens needed to be afraid very, very afraid of these rapacious criminals running wild throughout our countryside and urban skates. I found that moral panic to be a little unconvincing. And wanted to see what in fact the prison institution actually was like. And so I said to my graduate advisor that I wanted to study this and he said "Good luck kid they don't let us study that sort of thing". I said "Oh come on. The sociologist did it". So I called John Erwin who's the sociologist in San Francisco who wrote the seminal work called The Jail. And I had long conversations with Prof. Erwin which essentially amounted to him saying the same thing as my advisor "Kid you're never going to get permission to go into prison and study them", "Damn, what am I going to do because I was really interested in this sort of problem". Plus my cousin married a man who had done significant amounts of time earlier in his life and I spent a lot of time talking with him and was fascinated. He partook of a program, helped generate a program in New York State. It came to be known as Scared Straight. The idea was for inmates to, who were suddenly released to talk to younger people who had high potential to become offenders try to convince them don't do it. "Wow well that's kind of cool. What am I going to do about this? How am I going to find out about this?".

One day in Berkeley I saw little sign it said volunteers needed and I had strange sort of contradictory thoughts about volunteering. So I called the number. And it was a
professor at a Community College, Peralta Community College in Oakland who had gotten permission to teach a college-level series of courses to inmates at San Quentin State Penitentiary. I was a graduate student at Berkeley and said "Okay I will do that" because that way I can get inside the prison on a regular basis. And so for three semesters I volunteered and taught my class which was essentially introductory anthropology, basic social science to general population inmates once a week at San Quentin. And the lecturers I gave were videotaped and then rebroadcast through closed circuit TV to death row inmates who enrolled in the class as well. So for three semesters I taught general population inmates in the classroom somewhat smaller and more secure than this room right here. And to death row inmates who all of who had to complete the assignments, the readings, and the essays. They just couldn't come to class physically.

By virtue of that experience I learned a number of things. First of all never go visit anybody in the big house or any prison in jeans. Don't dress in jeans. You have to wear other clothing which separates you from the inmate population. I also learned that every prison is different. So that it's very difficult to generalize across prison facilities. Every prison has its own culture. So for example Pelican Bay the model for the hyper maximum-security prisons that have been built all around the world since Pelican Bay in North Western California was constructed, a totally different culture there. I had the privilege of taking students in my class one time on a field trip to Pelican Bay. And we spent the whole day wandering around Pelican Bay on a guided tour with the former Sheriff of Del Norte County. I also had the privilege of visiting Angola State Penitentiary in Louisiana because a friend of mine came from a family that was well known in Louisiana, well connected in Louisiana. And he said "Hey Jesse what do you want to do?", and I said "Can I go to Angola State Penitentiary?", he said "Sure". So I had a guided tour for a whole day of Angola State Penitentiary. That's the
place where they still have corrections officers on horseback with sawed-off shotguns and chain gangs of laborers out in the fields. I was able to see the security housing unit in Pelican Bay, the security housing unit they call the SHU in Louisiana State Penitentiary.

I had a long personal conversation just one-on-one with Wilbert Rideau who was the editor of the Angolite Prison newspaper, one of the most famous prison papers in the United States. He was sentenced to life in prison for allegedly murdering a police officer. He was only released just a few years ago. And one of the things that I learned from Mr. Rideau was that we have in the what he calls, basically he said this when I asked him what he thought about the popularity of concealed carry permits and how now we are seeing the result of it right where places like Texas, Colorado have said that students can carry firearms on campus. And Mr. Rideau as I say a convicted murderer, when I asked him about this he paused a moment. And then he looked at me and he said "You free people have gone crazy", "What? What do you mean?, says "When I was a kid we were bad. We did bad things but we knew that if we got in trouble, if we got into situations we couldn't handle we can go to any adult and they would help us. And what you free people are doing is making it so that everybody is afraid of everybody else and this is a recipe for essentially community disintegration". And I must say that Mr. Rideau's observation has proved prescient and revelatory and in fact we begin to see the results of this. And some might take it so far as to say these kinds of resentments that come from disintegrating communities may well be the engine that drives the kind of anger that supports the kind of politicians who assert the kind of things that say we have to keep them out, we have to build a wall and keep them out. When Mr. Rideau who was imprisoned in sidewalls was saying these walls are the problem. We have to ensure that we can speak with one another. So again when Trey offered me the opportunity to share some remarks about the
prisons, prison and race in America I thought well yeah I may have a few things to say. So I decided I would just title my remarks, The Prison Industrial Complex.
So first of all a little bit about prisons. I mean the question is how many it's hard to find out it turns out maybe some of you have tried to look into how many prisons there are perhaps just in this country is kind of ambiguous but it turns out that United States number one and depending on how you count prisons because maybe it's a jail may be at the immigration detention facility maybe it's the county jail maybe it's a police sort of lockup we have approximately 4500 maybe as many as 5000 prisons in the United States which is well more than our closest rival in this regard which happens to be rushed we in the United States and prison more people than any other country or at least we have more people involved with the prison industrial complex because sometimes the matter of becoming RUR used you're not really in prison if you're on parole but nor are you outside the ambit of the prison industrial complex and I'll explain a little bit about I called back in a moment California loan enjoys the benefits dubious may be of at least 40 of these parcel facilities the question then is what with all these prisons is a photograph by the way from Angola State penitentiary Louisiana always prisons this is this is no small cost I must say that that day I spent Angola was extraordinary for a number of reasons not least of which was because I had lunch just me and the warden Burl K was the warden at the time who was the famous are perhaps infamous for instituting the Angola rodeo the prison rodeo maybe you read about this in which prisoners compete for small prizes by doing things like wearing dressing all in red sitting at a card table they releasable into the ring and the last man sitting at the card table gets hundred dollars for or maybe they tape a piece of, of a claim to the fore head of a ball and then a prisoner dressed in red get the opportunity to try and remove that coin from this bowl and if they do so gets hundred bucks which they can then give to their family or spend on themselves and the inflated prices, some brocade and I sat there for lunch and we are waited on by prisoners all them African-American wearing white gloves black ties and it was
great that Julia situation Mr. Kane all you want to talk about were archaeological artifacts that have been found around the prison and this was fine with me archaeological artifacts all day long but nonetheless the prison itself is this kind of interesting problem in terms of socialization but much are they while that lunch was delicious and I'm sure it wasn't she prisons it turns out our rather spend up to 8 billion in 2010 the most recent complete data I was able to find eight alien in California so that essentially if we do the math that approximately equates to the tuition for a year and Stanford 2000 different perhaps you have this kind of statistical comparison before maybe you can appreciate this expense being here at a state institution it's, it's hard to generate that kind of income and one wonders if we were able to perhaps reduce that cost maybe more state fund to be available for students to get an education in more complex ideas perhaps rather than a graduate education in crime and deviance so we hear a lot about how private industry is much more efficient than public industry so perhaps privatizing prisons might help matters in fact let's make prisons for profit is this possible we hear a lot about this model that somehow private enterprises much more efficient much more lean and mean in the public enterprise.

I mean the question is how many are there? It's hard to find out it turns out. Maybe some of you have tried to look into how many prisons there are. Perhaps just in this country it's kind of ambiguous.
We’re Number 1!

- 4,575 prisons in the US (this number varies, depending upon what is considered a jail or prison). This is 4 times more than the world’s second highest: Russia has 1,029.

- The US imprisons approximately 7 adults per 100,000 residents; this is the highest ratio in the world.

- California boasts 40 prisons.

But it turns out that the United States is number one. And depending on how you count prisons because maybe it’s a jail, maybe it’s an immigration detention facility, maybe it’s a county jail, maybe it’s a police sort of lockup, we have approximately 4,500 maybe as many as 5,000 prisons in the United States. Which is well more than our closest rival in this regard which happens to be Russia. We, in the United States, imprison more people than any other country. Or at least we have more people involved with the prison industrial complex. Because sometimes the matter of, I mean are you, you’re not really in prison if you’re on parole but nor are you outside the ambit of the prison industrial complex. And I’ll explain a little bit about why I call it that in a moment. California alone enjoys the benefits, dubious to they may be, of at least 40 of these carceral facilities.
The question then is what with all these prisons, this a photograph by the way from Angola State Penitentiary Louisiana. So all these prisons, this is no small cost. I must say that, that day I spent at Angola was extraordinary for a number of reasons. Not least of which was because I had lunch just me and the Warden, Burl Cain, was the warden at the time who was sort of famous or perhaps infamous for instituting the Angola Rodeo. The prison rodeo maybe you read about this in which prisoners compete for small prizes by doing things like wearing, dressing all in red, sitting at a card table, they release a bull into the ring and the last man sitting at the card table gets a hundred dollar prize. Or maybe they tape a piece of a coin to the forehead of the bull and then a prisoner dressed in red gets the opportunity to try and remove that coin from this bull. And if they do so gets a hundred bucks which they can then give to their family or spend on themselves in the inflated prices of commissary. So Burl Cain and I sat there for lunch and we were waited on by prisoners all them African-American wearing white gloves, black ties and it was a very peculiar situation. Because Mr. Cain all he wanted to talk about were archaeological artifacts that have been found around the prison. This was fine with me we could talk archaeological artifacts all day long. But nonetheless the prison itself is this kind of interesting problem in terms of socialization. But much how much are they?
Incarceration is expensive

- In 2010 California spent $7.9 Billion on its prisons.

- The average annual cost per inmate was $47,421.00

- Total cost for one year of undergraduate study at Stanford University in 2010 was $50,576.00

Well that lunch was delicious and I'm sure it wasn't cheap. Prisons it turns out are rather spendy. Up to 8 billion in 2010, the most recent complete data I was able to find. 8 billion in California alone. So that essentially if we do the math that approximately equates to the tuition for a year at Stanford in 2010. Not much different. Perhaps you have seen this kind of statistical comparison before. Maybe you can appreciate this expense being here at a State institution it's hard to generate that kind of income. And one wonders if we were able to perhaps reduce that cost. Maybe more state funds would be available for students to get an education in more complex ideas perhaps rather than a graduate education in crime and deviance. So we hear a lot about how private industry is much more efficient than public industry.
So perhaps privatizing prisons might help matters. In fact let's make prisons for profit. Is this possible? We hear a lot about this model that somehow private enterprise is much more efficient, much more lean and mean than the public enterprise.
Well how much profit? Turns out quite a bit of profit. And unfortunately that profit is rather problematic because the contracts that states sign with private prison industries tend to have clauses that guarantee occupancy rates. And if those occupancy rates are not met well then taxpayers owe these private companies for their empty beds. So in a sense we find taxpayers subsidizing an ongoing hunger for prison inmates. Which means we then have to generate people to fill those beds. We being all of us. According to the LA Times 1 out of every 10 of our inmates in California is in a private prison. And some of them are not even in California it's just that California subcontract with these prison facilities that are outside the state. So maybe the lean mean efficient model is not so lean but terribly mean and also equally inefficient. So we may need to rethink some of the so-called benefits of private industry certainly when it comes to correctional facilities.
So what are the overall rates? Well it turns out that when we break them down by ethnicity they are troublesome perhaps from a certain perspective. As you can see these statistics and I'm going to share with you now all come from the Prison Policy Initiative of the Bureau of Justice Statistics. These aren't generated by some I don't know political scientist who's [Inaudible] incarceration in all its forms but rather by very so nonpartisan bean counters. So the numbers speak for themselves.
In California we more or less near the national average with over 3,000 in 2010 African-Americans. And you can see the other ratios. Perhaps it's hard to read them. Not quite 1,000 Native Americans, 750 Hispanic, roughly 450 Caucasian.
So what we see here is an underrepresentation of some ethnicities. In this case an underrepresentation of white this is at roughly 26% with a 40% of the population. It should be more or less equal but apparently not. Now is this because Caucasian people offend less than others, that's what some might conclude. But I would suggest that's perhaps an erroneous interpretation of the data.
We seem to have an overrepresentation of Hispanics in California. 38% of the total population 41% of the incarcerated population. Maybe that's a little closer to what we might expect for other ethnicities but still it's not even.
And extreme overrepresentation when it comes to African-Americans in California. Roughly 6% of the population in total and yet over a quarter 27% of the inmates. Now again, I would caution you to not lead to conclusions because there's a lot of research suggesting that when economic opportunities are not evenly distributed and available then the consequences for those communities that are excluded from economic opportunities entail really quite creative although occasionally perhaps more than occasionally illegal efforts to make money. Or essentially get over one way or another. And you probably have heard another context about how certain offenses have been regarded with more leniency depending on the race of the offender. So that for example in the 80s and 90s particularly if someone was caught with cocaine and happen to be Caucasian the sentences that were imposed tended to be much less than someone who was caught with much less expensive though more perhaps powerful and addictive crack cocaine and they happen to be African-American. They would face much harsher penalties for essentially comparable offenses.
I want to compare California and other states. Maybe California's unique, maybe other places are more in line with the population statistics but it doesn't appear to be the case. So I chose Alabama and Texas just to see what would happen. And we see very similar patterns repeat themselves. Extreme overrepresentation and extreme underrepresentation by virtue of ethnicity.
So in Alabama whites underrepresented at 67% of the population in the state and 42% of the incarcerated population.
We see extreme overrepresentation in Alabama when it comes to African-Americans. A quarter of the population over half the incarcerated population in Alabama.
We also find when it comes to Texas a very similar pattern. Perhaps even more extreme. 768 in a Caucasian category, 972 Hispanic, 2,855 African-Americans.
Again underrepresentation of whites. Roughly half of the population, the free population, roughly a third of the population incarcerated.
Extreme overrepresentation of African-Americans at 12% of the Texas population and damn near three times that incarcerated.
What about executions? I mentioned to you that I had students on death row. And that was an interesting experience for me because I never taught under circumstances where I only met my students through their textual production. I must say that despite some pretty creative uses of the English language they were no less sharp and intelligent than other people. And people have always asked me "Well why would someone on death row want to take a college class", well because they're still alive and it's interesting. They want to learn just like anybody else. Why not? Besides being in prison, and this is one thing I think that can be generalized across carceral institutions is flipping boring. So anything you can do to pass the time would be attractive. So here we have the race of defendants that are actually executed. And we might say "Oh well this is more approximately approaching some kind of ethnic parity". Well this is true.
Death row inmates by race roughly equal between Caucasians and Blacks and then much smaller proportion of others. And yet African-Americans make up less than 20% of the overall population. Some numbers put it closer to maybe 15%.
By the region you can see that the Southern United States is by far more interested in execution than other parts of the United States. With the numbers speaking more or less for themselves. Texas and Oklahoma are in a category of their own. And one might say "Gosh, the death penalty it's supposed to be a sanction. The idea is that if you do certain crimes why then you are subjected to this ultimate sanction i.e. you lose your life. Therefore it should be an ultimate deterrent". And it turns out that in states with death penalty legislation there are more crimes committed eligible for the death penalty than in states without. Which might suggest that the sanction doesn't really work as its intended at all.
So how many are on death row? Well California again not only are we number 1, we're way ahead of everybody else. Highest number of inmates on death row. Here's Alabama, here's Texas, my other index states.
Race as of this July this year in the three index states that I chose. You can see that the figures remain relatively skewed again with almost equal numbers of African Americans and Caucasians.
Radically different from the population. So nationally compared to whites it seems that Hispanic Americans are roughly twice as likely to be incarcerated. African-Americans five times as likely as whites to face some period of time in prison.
Many of these people face prison sentences thanks to wrongful convictions. This is Michael Poventud who was exonerated of the crime he was convicted of killing an officer. And turns that he didn't do it. He won a settlement of two and three-quarter million dollars from the state of New York after serving eight years. He is one of the lucky ones. There are a number of reasons for wrongful convictions.
Most of them involve a mistake. Turns out that eyewitnesses which used to be, or perhaps in popular imagination represent the gold standard of proof. Well our memories are really fallible. And I took a number of classes from a professor at Berkeley who subsequently served on my dissertation committee who wrote a book about how people can be convinced that they did it when in fact they didn't do it. So that we are uniquely susceptible to being convinced of something. Psychologists perhaps those of you who've taken psychology have run innumerable experiments proving this right. So that if you take somebody out of the room and then all of us, lets send Trey out of the room, this won't work because I am explaining. But if we did we would send Trey out of the room then we all agree. I draw three lines on the board one of which is obviously longer or shorter than the other two. And we'd all agree ahead of time like "When Trey comes back in we're all going to say those lines are the same length. Then we are going to ask Trey. So we are all going to say same length, same length. Trey what do you think?" Trey knows they are not the same length but because he's a human being and subject to group sanction he's going to go "Oh yeah they're the same length" just to agree with everybody else. He knows they are different but he's going to agree. Well that same phenomenon accounts for these kinds of eyewitness errors. For instance we know that if someone is faced with a person wielding a firearm we remember very little about the person. We remember only the fact that they had this honking huge gun in their hand. So what we tell our students in anthropology is to practice not only listening to what people say but watch what they do. Train your memory so that you can remember what people were wearing. Watch, look at the world as it passes you by. Take some practice and actually see the world you live in. See what you can remember so that you're less likely to make these sorts of mistakes. Doesn't mean you won't, just means you're less likely.
Roughly a quarter of these wrongful convictions are false confessions. And as I said before you might think oh how can someone be so stupid as to confess to something particularly a capital crime that they didn't commit. Well tell me this do you remember exactly where you were at this time six months ago? Can you demonstrate beyond a shadow of doubt you know exactly where you were at 12:33 six months ago? No. Oh well so there is a shadow of a doubt. Oh come on that's ridiculous no one would go for that. Well let's just spend some time together shall we. We're going to put you alone in a room with a bunch of gruesome photographs of the murder. And we're going to leave you in there for a wicked long time. Particularly because you didn't insist on your rights to an attorney because the police said oh just come in we have a few questions and you didn't do anything, you want to be helpful. And all of a sudden you find yourself confronted with all these photographs, you don't know exactly where you were at this time six months ago. So I mean really, this is how cults work. Cults convince people to join them and be with them because they continually bombard the individual with their own perspectives and essentially break individual psychology down and then rebuild it in the image that they want. The police do the same thing. And anyone of us is vulnerable to this kind of persuasion.
Almost half of wrongful convictions involve scientific fraud.

Fraud in the Scientific Literature

A surprising spate in the number of scientific papers that have had to be retracted because they were wrong or even fraudulent has journal editors and critics wringing their hands. The retracted papers are a small fraction of the vast flood of research published each year, but they offer a revealing glimpse of the pressures driving many scientists to improper conduct.

Last year, Nature, a leading scientific journal, calculated that published retractions had increased overall over the past decade— to more than 300 a year— even though the number of papers published was only 4 percent. It attributed half of the retractions to embarrassing mistakes and half to "scientific misconduct" such as plagiarism, taken data, and altered images.

Now a new study, published in the Proceedings of the National Academy of Sciences, has concluded that the degree of misconduct was even worse than previously thought. The authors analyzed more than 5,000 retracted papers in the biomedical and life sciences and found that misconduct was the reason for three-quarters of the retractions for which they could determine the cause.

Half wrongful convictions involve fraud, out right scientific fraud. This is from the New York Times from October 2012. You can read the title Fraud in the Scientific Literature. You might think "Oh come on this is ridiculous. We just learned last year that well over half of the articles published in the leading psychology journals were fraudulent". Based on fraud well over half published peer-reviewed articles based on fraudulent research. Now this doesn't mean that all psychology is bunk, it just means that we are often much more interested in a good story than the truth.
Finally a third, at least a third involve malfeasance. So that sworn officers of the law are behaving badly. There's all kinds of reasons it's not just sort of oh perhaps racist hatred. Maybe it's a promotion on the line, maybe it's the regard that one requires from one's fellow officers on the line, maybe it's any number of things or a combination of them that would make people behave badly and become corrupt. Maybe it's profit. In any case it's widespread. This data is sort of hard to read in this way. The darker the red the higher the number of misconducts per officer reported. So we find the southwestern part of California particularly egregious in this regard as is the southern tip of Florida with a few, maybe more than a few isolated examples elsewhere around the country. By the way just because the place is great doesn't mean there isn't malfeasance it just means that we don't have the data. There's a widespread phenomenon which accounts for perhaps some of those prison beds being filled when they otherwise need not be except if we've constructed need in terms of profit then we're in a whole new set of circumstances. So that maybe it's not malfeasance maybe it's feasance because well we have to fill these beds. Who's most likely to be convicted? Who's most convictable? People that are upstanding, perceived to be upstanding or people that are perceived to be maybe more shady. So for example we know that an archaeological context there's a case not too long ago of a doctor, a physician a prominent community member who happened to just like to loot Native American artifacts from graves and stuff. Had thousands of them in his home. There was also a poor Mexican-American guy who looted Native American grave artifacts to sell not because he was a collector but he wanted the extra money that he could make selling these things. Both of these people were caught. At trial the physician happened to be white was regarded with a great deal of respect. Whereas the Hispanic fellow was regarded with sort of an equal and opposite amount of opprobrium. So even though the offense was perhaps not even comparable, the
position was far more culpable. It was the person who appeared to be less trustworthy less normal who ended up suffering the more severe sanction as a result.
So essentially what can we conclude from this? Well clearly there are problems that are at the structural level and they are persistent. So in particular we know eyewitness testimony is very persuasive and remains admissible in court. Some interrogation methods are likely to produce false confessions but no national standards exist. All states allow interrogators to lie to suspects and only half the states require interrogations to be videotaped. Most forensic tests are unscientific and there is no independent way to verify results.

So essentially what can we conclude from this? Well clearly there are problems that are at the structural level and they are persistent. So in particular we know eyewitness testimony is very persuasive and remains admissible in court. This is a problem. Some methods of interrogation produce, we know they produce false confessions. They have a very strong likelihood of doing so and yet there are no national standards for how interrogations are to be conducted. Every single State of the Union allows interrogators to lie to suspects and only half the states require that these interrogations be recorded. Audio, video or both. They all allow interrogators to lie. Finally forensic tests, we teach forensic anthropology here. Forensic tests are unscientific, not all of them but many of them. And there are no independent ways of verifying the results. We do our best in anthropology to only conclude what the data allow and that's way different from what you see on CSI or Bones or any of those other shows. So the scientific standards are problematic in and of themselves. Why? Well again the culture is something that we have all come to expect and are unwilling to change. It's hard to do that, it's hard to say, "Hey, look eyewitness testimony you saw it with your own lion eyes", is not reliable.
So what do we conclude from this? First of all racism is impossible to ignore and frankly difficult to overstate its impacts. We need to beware of this. Every generation is going to have to re-educate itself on the knee-jerk reactions that are entirely producible by virtue of phenotypic that is to say how we look differences. It's just something we have to deal with. We can't ignore it and say "Oh because we elected a black representative for instance or a pink one or green one, that we're all cool with that", no it's something we have to negotiate in an ongoing basis. We cannot ignore or overstate the enduring impacts of social class and endemic inequality. People often think that the opposite of poverty is wealth. So therefore we just need to make sure poor people get wealthier. When in fact the opposite of poverty is sufficiency, just enough. And that it's not poverty that's deviant it's extremely wealth that's deviant. It is difficult if not impossible to ignore the power of large groups of people who demand a change. We have seen this over and over and over and yet large groups of people demanding change require a great deal of effort. Boring effort it's not like revolutions are wicked fun. Revolutions or at least small incremental changes take place because large numbers of people are willing to speak up and stand up.
So thank you. I want to add one thing, it's kind of unfortunate at least for the dramatic structure of the remarks I wanted to share with you but Sen. Marco Rubio having recently dropped out of the presidential campaign. It may bode well it may bode ill depending on your political preferences but he is the single largest recipients of campaign donations from the private prison industry in the Senate. Just thought you ought to know that. The private prison industry is definitely down on Marco Rubio as a representative of their interests. The private prison industry is not going away if anything the private prison industry is likely to expand largely because of this notion that somehow private enterprise is more efficient than public bureaucracy. We happen to be in a public institution and I would yield to no one and claim that this public institution is extremely efficient and wise for the most part with its funds certainly when compared to various private institutions. If you have any questions I'd be happy to try and answer.

**Audience Member:** I mentioned it to my class this morning. I saw something in the news last night that during Nixon's time as president they learned that his war against drugs that publicly known as that in fact more against black folk with [Inaudible] part of his administration [Inaudible] particular crime but patience. See what else comes out on that.

**Jesse Dizard:** You know, it goes back to the brief remarks I made regarding the disparity between prison sentences meted out to people caught with substance A as opposed to substance B who happen to be of race X as opposed to race Y. And so there all kinds of code words for dealing with poverty and the underclass and one of them is drugs. Perhaps a new one might be gangs. So for instance we hear a lot about the problems associated with gangs, gangs this, gangs that. Well no one is talking
about the gangs of people that conspire to nearly destroy the United States not alone the
global economy. How come no one is patrolling the neighborhoods of say the 1% and
finding out why it is that they are so keen on displacing people from their homes in the
name of private profit. Those are gangs that are imposing very expensive cost upon the
polity. But yet when we say gang everyone thinks of I don’t know the Crips or the Bloods or
the Stone Rangers or pick your gang. And what's interesting is if you do research on gangs,
gang members themselves they don’t, they say they aren't in a gang, we are just a club.
They use all kinds of terms other than gang to describe themselves, even family. Because
well in many cases the institution of family in the community is deeply, deeply fragmented
and so by virtue of the fact that we’re Homo Sapiens Sapiens the structure of a family is
something we seek because it provides meaning to us. So we're going to form families, we
call it fictive kinship in anthropology. So in any case though war on drugs ,the war on
poverty, the war on war ,we ought of sort of declare peace and start rebuilding our
communities particularly if we want to achieve some kind of I guess rationality. And not
just in the economic sense of rationalization but in the humane sense of rationality when it
comes to the carceral state. Clearly there are people who do bad things and we need a
means of sanctioning them. We need a means of protecting people who don't tend to do
bad things. But we can pursue that in a much more reasonable way. And we have models
for this it's not as though they don’t exist. Anders Breivik the Norwegian who was convicted
of killing roughly what 70 Norwegians in the name of Norwegian Purity. He was murdering
people who were of the Political Progressive Party in Norway. They've convicted him,
they've sentence him to prison and he’s in a two room suite, and he says this is torture. He
should come down to Angola State Penitentiary to experience something more akin to
torture. So we have ways of dealing with this which may in fact be less expensive than 40
or perhaps by now even
$50,000 a year it takes to house an inmate in California and more humane. And with sentencing laws that are actually in line with what science has demonstrated to be the case when it comes to effective sanctions we may be able to make our communities stronger and thereby safer. And our prison costs will diminish. And instead of producing sort of higher education and crime we might produce more effective communities to prevent crime in the first place. Yes.

**Audience Member:** [Inaudible] towards improvement or?

**Jesse Dizard:** Well really it depends on how many people want to get involved with the circumstances right and I don't mean involved as inmates I mean involved as critics. And I don't necessarily mean just finger wagers but people who say look there are solutions we can propose. Given recent experiences with people being pissed off and not going to take it anymore like the 99% I don't think anything will change. If anything there will be more private prisons, more prisons built because one would have expected the whole 99% protests to go somewhere and they did it, they went nowhere. So how is this possible? Well because it's boring to get up every day and repeat yourself. Just ask any of my colleagues who are tenured. But nonetheless that's what it takes. And so it's really going to depend on people organizing themselves in communities. So for instance when the folks in Susanville were presented with the California Department of Corrections saying "Hey we want to build a prison here and it's going to bring a bunch of jobs to you guys", clearly the data is not supportive of that assertion. And yet people were convinced oh yeah well it's going to provide jobs. And there are some jobs provided but the net creation of jobs was actually negative and the benefits that the community was told they could expect by hosting a prison have really not materialized in the years since. And this is
been repeated over and over and over again in California. Communities are approached saying you're going to benefit from having this prison in your backyard and folks say "Gosh yeah we need jobs". But it turns out the cost of the prisons dwarf the benefits of what few jobs arrive. And so the point, I guess it would be necessary incumbent upon people in these communities to say "Look we don't believe you. We don't want this prison. And it's not clear that we need more prisons. We need sentencing reform.” Alright so one way to change that would be to say that nonviolent drug offenders don't need to go to prison because what we do know is that when nonviolent drug offenders go to prison they learn to be violent offenders. They learn to be very violent people. So do we want more violent people or do we want less violent people? I'm sorry that's not a very good answer but the pessimist in me is pretty convinced that we're going to see these kinds of things remain unaddressed because it's kind of politically profitable to say "Be afraid of those purple people. They're the problem". We've seen that many times before.

**Audience Member:** [Inaudible]

**Jesse Dizard:** Much easier.

**Audience Member:** I mean you went through 45 minutes of explaining data and giving us graphs and thing that seemed to be irrefutable but you can't convey that in a package in a report looking [Inaudible] way because you think you're coming off as intellectual [Inaudible] or a liberal when it's much easier to shift blame ground wise the problem as the other. And then you know wrong on platform. It's easy to build a wall. In reality what's going to happen is we're going to have more anti-immigration laws because those facilities need bodies to be deported. The wall is a smoke-screen
for big business behind deportation. But you garner the votes and then you build a policy.

**Jesse Dizard:** And that's one excellent reason for insisting that public education be of the highest possible quality and available to the widest possible numbers. But that's also an excellent reason for not doing that because if we make sure people are dumb well then yeah. If we make sure folks are dumb the elites will gain votes. The elites will always be able to ensure that their children are educated in order to take over the positions available. So it would really require large numbers of people insisting on doing things differently not differently from how they've ever been done. Differently from how they've been done roughly since the 1980s. California used to lead the country in terms of education. This institution used to be functionally free to attend as a student. So were the UC's that was the point.

**Audience Member:** [Inaudible]on the benefits and also the native impacts on hate crimes in.[Inaudible].

**Jesse Dizard:** I don't think there are too many benefits of any crime. Let alone one's based on racism but the notion of a crime based on someone's color creed, what have you strikes me as the logical consequence of widespread ignorance. Because it's as people have already noted very easy to demonize the other one way or another. One way or another and so if we can counter the kind of rage born of ignorance then perhaps hate crimes as such would occur less frequency, with less frequency. Well they, I don't think we can ever do away with the kinds of abuses that come with ignorance but perhaps we can ensure that there mitigated to a much greater extent than they currently are. And there's been great strides in that direction. I mean look
at the Freemasons, they've in Tennessee and Georgia decided that you can't be a Freemason and gay at the same time. Well other Free Mason organizations have said, “You know what Tennessee up yours. We're going to exclude you if you're going to exclude others”, and that's Free Masons. They're crazy weird mostly white people. So they're willing to say, "Look we got a deal with the world as it is not how we want it to be". If even they are willing to do that then surely other perhaps more broad-based organizations of individuals can do the same.

**Audience Member:** Do you have any information regarding recidivism rates for California specifically. And then also police strikes as well do you think..., how has that impacted obviously the incarcerated levels. But then you see a time when that can be amended?

**Jesse Dizard:** We're well on our way to undermining the three strikes law. Just like New York has won its way to taking away the really quite extreme and draconian drug laws that impacted their prison populations. So I think some rational intelligence is at least in the glimmer when it comes to this three strikes law. That totally takes, it ties judge’s hands and forces them to impose extremely harsh penalties that do no one any good except perhaps private prison industry. As far as the notion that the recidivism rate is really high because we provide very, very little in the way of re-integration efforts for the people who have been inside and gotten their PhD's in deviance and crime. We need to figure out how to ensure that these sorts of people can experience a much more seamless reintegration into normal society. They've learned to be very, very violent. We need to be able to teach them how to mitigate that knowledge and perhaps do something more creative and interesting like Wilbert Rideau right. He came out and started writing books. There are a number of prisoners
who have come out and managed luckily to survive the parole process and become spokespeople against the kinds of experiences they've enjoyed. "Enjoyed" in quotation marks. So yes recidivism rates are high but that's because we make it very, very difficult for people not to reoffend. Thank you.

Audience: [Applause]