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Prisoners of War

Jacob Davis & Jeannie Alexander

The majority of this collaborative piece was written by Jacob Davis, a Tennessee prisoner. Edits were by Jeannie Alexander, who served as the head chaplain at Riverbend Maximum Security Institution for three years and as the volunteer chaplain for two years prior, and her own comments are at the end of the essay in italics.

Military veterans often find employment at prisons after being discharged. As a veteran struggling with the challenge of his son's eighteen years of incarceration, my father was horrified when he heard such a correctional officer state that the only difference between the prisoners he oversees and the Iraqis he fought against was that he could shoot the Iraqis. Our visit that day was ruined. My father could barely contain his anger, but he chose to do so, because while he would soon leave, I would have to remain in occupied country under the power of the officer, and retaliation is an officially denied everyday reality in our prisons. What price must be paid to always see and identify the human before you as the *other*? The prison institution does not encourage understanding between inmate and guard and, in fact, official policy dictates punishment for both if fraternizing with the enemy occurs. It is likely that the officer who fantasized about shooting prisoners had no specific prisoner in mind. Applying the easy logic of war, he identified the enemy and silenced further thought while he imagined putting the adversary against the wall. If we resist the urge to generalize and ask for the particulars—for names, faces, for actual lives—whom do we mark as the enemy?

Wherever it occurs, crime is not foremost a public, national, or state problem. It is certainly not a provocation for war. It is rather an intimate tragedy, a rupture in the fabric of our personal, familial, and communal ties. Crime should be understood locally as a signal that something needs fixing which local people should concern themselves about. By displacing these recognitions and abdicating our communal concerns, we are denying that there is anything wrong with *us* as individuals, as families, and as communities. The problem, we want to believe, lies with *them*, and we know that *they* are not part of our human fabric because crime proves *they* have a problem. We are willing to pay substantial sums of money (a billion dollars a year in Tennessee) to finance a public war, the ultimate object of which is to disappear and exile those flawed elements so we can pretend they have nothing to do with us, that they don't reflect our deeper sins.

Thus the entire operation of our criminal justice system in the era of mass incarceration has been thoroughly adversarial. The public and political discourse associated with the actual exercise of this power continues to tend toward generalizations connected to vague and politically enhanced fears, and away from specific people, places, and events. The statements of authority figures heading up vast operations are trusted at face value, and many believe the responsible choice for society is such a system. There continues to be a public consensus that whether we are tough on crime or smart on crime, the answer to the generalized problem of unacceptable behavior remains at best a more affordable version of the same policies: a heavily, even militarily, armed police force; an overloaded court system pumping out plea bargains (with a few drug courts and mental health courts tacked on); and a massive prison industrial complex which we can no longer afford

to expand at the rate of the past twenty years. This scheme displays no thought at all about what actually causes dysfunction or how to prevent it, and so we have still not gotten *smart* on crime.

I was an honor student graduating high school and an Eagle Scout candidate in a small town when I took the life of my rival for a love interest. After discovering her infidelity in a public manner, I slipped into a downward spiral of depression, repressed anger (my school, like so many others, had a zero tolerance policy for fighting), jealousy, insomnia and eventually psychosis. The forceful intervention of friends, family, and mental health professionals could have prevented a tragic loss of life in my case by making me realize what I did not know: namely, that I was a threat to myself and others in that aberrant state, even though no one could have imagined I could be violent prior to the incident, and no one who knows me now finds it easy to understand how it happened.

The commonality between my case and so many others I have learned about during the last eighteen years in prison is that if community resiliency had intervened effectively during these exceptional circumstances, these incidents would have been prevented. Preventing such ruptures requires us to be concerned for all the people involved. Pain and dysfunction signals that healing is necessary.

And yet, our criminal justice system amputates those parts of the organism it labels dangerous after the situation has already gone past critical. Those wielding the blade are numb to the further devastation such a large scale use of imprisonment causes only because there is such a tragic personal distance between those targeted most and those doing the targeting. Choose different targets and the same scale of operation would be deemed an atrocity. But with the criteria at hand—i.e., the legal definition of crime—putting millions of people in prison in the United States becomes necessary. A war on crime is a war on people, a war on the already frayed tapestry of souls that composes our society. And upon entering the prison, one enters the theatre of war.

Can the soldier on the battlefield stop to engage personally with the enemy and continue to kill him? Adversarial action depends upon the annihilation of personal interactions and understanding across the lines of war. The more violent and destructive the actions, the more necessary it is to transform the target in our imagination from a being created in the image of God into a warped monster who cannot be trusted, reasoned with, or redeemed. And prison, just like every other theatre of war, justifies its war as the necessary destruction of those who would destroy us. This justification does not depend upon truth or reality, only perception. There is a saying amongst prison staff repeated over and over again like a mantra, “Perception is reality.”

The prison environment itself is used as a weapon to limit and frustrate the natural and innocent aims of life. This occurs through the ongoing and ever-changing practice of arbitrary deprivation. Prisoners inside the increasingly militarized Tennessee prison environment can no longer receive paintings from their children, and can no longer hang their children’s art on the walls of their cell or photographs of loved ones on the cell walls. Curtains are another example. Every cell has a window to the outside. Bright lights illuminate the compound through the night, and so it has been normal practice for decades for prisoners to hang a curtain on this window so they can sleep at night. The Department of Correction even provided such curtains for years. Now, the hanging of such a curtain is a class B write-up, the consequences of which can be several days in solitary confinement or transfer to an extremely violent gang unit as punishment for nine to twelve months. The only needed rationale is “security of the institution.” It is entirely irrelevant that no security risk is posed, and that those outside windows are never used for observation.

Nowhere is the “weaponization” of the environment more evident than the use of prisoners as weapons against other prisoners, such as when administrators group together the most troubled and violent prisoners into one unit, and then use that unit to threaten other prisoners with transfer to the unit as punishment for nonviolent disciplinary offenses.¹ Any disciplinary offense whether violent or non-violent may cause an inmate to be moved to the “punishment unit.” Because it is a violent war zone and the

1. A point of clarification is necessary here. One’s crime often has little to do with whether or not that person will be violent inside of prison. For example, it is not unusual that a person convicted of first-degree murder may well spend decades in prison without ever being written up for or committing a violent offense on the inside. On the other hand, an individual with a nonviolent charge may be written up multiple times for violent offenses once inside the prison. A number of different factors such as gang

center of the prison drug trade, the prospect of being moved to this unit is a threat that constantly hangs over the heads of the rest of the prison population. Minimum- and medium-security inmates without serious behavioral records are thrown in with those with the most serious gang- and violence-related issues.

Recently three members of a gang in the punishment unit were badly cut by an unaffiliated older man trying to defend himself, leaving one of the attackers in critical condition. The gang had received information that the older man, a quiet fellow moved to the punishment unit for a nonviolent write-up, had a cell phone. Another young, unaffiliated man threatened by the gang had agreed to help them obtain the cell phone to avoid being charged a fine by gang members or being assaulted himself. When the young man asked the older man to use his phone, the older man denied having a phone. Next, a gang member came to the older man's cell and claimed he needed the phone for business and would give it back. The older man still denied having a phone but by this time knew what was going to happen and he warned his cellmate to go to the gym that night and stay out of the cell.

Going to the staff was not an option because it would make him a target for a gang that has the power to reach him anywhere in the system, and thus would ensure that he would have to spend the rest of his life in solitary confinement, a fate worse than a death sentence. So this man had one of two choices: show himself to be a vulnerable target and therefore a slave to anyone, or make a stand to defend himself the only way possible.

When the gang members came back that night to beat him and take the phone by force, three men stepped into the cell and one man remained posted by the door both to prevent anyone from coming in to help and also to keep the door almost shut but not actually closed. The older man was prepared to defend himself with a weapon, presuming his attackers would also be armed, and in the scuffle that ensued, the older man quickly overcame his attackers.

In the confusion, the door got closed and could not be opened. All three attackers were badly cut. Since retreat was impossible, the men were pressed against the door bleeding badly and screaming for help. The officer was not in the pod and ten minutes of urgent pleas by other inmates fell on deaf ears, nor could anyone get the door open remotely. The buttons inside the cells which allow the inmates to open their own doors are disabled, ironically, for security reasons. The blood sprayed and spilled out of the attackers' bodies so heavily that it covered every surface in the cell, and finally seeped from under the door before the officer arrived. Once the officer finally arrived, he called an emergency on the radio, but left the door closed.

Unofficially the staff approves of the man's stand against the gang members. I have heard it from them personally. But such tacit approval outrages me because officially the narrative is entirely different. Officially the man will be blamed for his own predicament: "he should not have received a write-up to be placed there, and he should not have had a phone. It's his own fault." And the actions of the gang members explain themselves. "That's what gang members do, right?" "They are out-of-control madmen—what can we do?" No one will acknowledge the chronic scarcity of the prison environment that lacks jobs and programming, an environment that by design pits desperate people against one another in an often violent clash for resources.

The official rationale for the practice of creating such a violent punishment unit is ironically "security of the institution." The absurdity of the rationale is exposed when we consider how easy it is to be thrown into solitary confinement or the punishment unit for weeks—failure to walk in a straight line, an untucked shirt, failure to have your cell ready for daily inspection, saying good morning to a friend who walks past you on your way to work—all instances deemed worthy of putting an individual's life at risk.

Once inside the punishment unit, stripped of programming, employment (if you are one of the fortunate inmates to have a job), and possibly visitation with your family—all things which contribute to the safety and stability of the prison environment—the human heart easily begins to lose hope. Inside the prison environment, punishment unit or elsewhere, all sense of proportionality is lost. Prisoners feel terrorized, occupied, and like we can never feel secure or find some sense of normalcy. In these militarized prison war

activity, addiction, unstable and dangerous environment, or mental illness contribute to an individual's violent behavior once that individual is in the prison environment. This is a salient point to keep in mind when you hear someone speak of violent prisoners/offenders. A violent prisoner is not necessarily the same as someone who was convicted of a violent crime.

zones, prisoners are not torn down to be rebuilt into stronger better members of society; we are simply torn down in a purely adversarial, destructive, and continually punitive way. There is no rebuilding phase.

We can justify such treatment only by exclusively focusing on the wrongful crime that brought the offender to prison, and ignoring the humanity of the person immediately present. In short, this is blatant dehumanization in action, and future generations will condemn us for this disastrous period in history.

In the war against prisoners, violence is also embodied by deprivation. Every prisoner understands with what begrudged resignation and resistance he or she can expect to get medical care. Aside from the shining souls who have enough integrity to practice the profession of doctoring and nursing against the grain in our prisons, the dominant undercurrent associated with medical care for prisoners is resentment. I cannot remember how many times I have personally heard employees, even medical employees, complain about the obligation to treat inmates who they feel have an undeserved sense of entitlement.

This adversarial undercurrent serves to provoke prisoners into a defensive posture, feeding even more resistance back into the scenario. When a prisoner has a disease, a broken bone, or is in severe pain, and is met with a resistant attitude, the result will naturally be a bitter assertion of his right to treatment. The bitterness is interpreted as entitlement, and the cycle plays out over and over again. But for constitutional mandates by courts and a history of federal oversight in the South, prisoners would undoubtedly be left to suffer. The continually rising cost of medical care, particularly for the growing population of elderly and chronically ill prisoners (a growing population due to the doubling and tripling of sentences during the tough-on-crime era of the 1990s) has exacerbated the climate of resentment.

Medical services in the Tennessee prison system, like so many other state prison systems, are now administered by a private contractor. These private-for-profit companies specialize in one thing: stretching the bounds of medical care to their absolute limit with regard to a captive population courts are extremely reluctant to help and toward whom people are generally unsympathetic. Watchdog publications like *Prison Legal News* reports on horrific cases of abuse and malpractice regularly.

Prisoners are well aware of their position. I myself have battled debilitating chronic migraines over a decade since my mid-20s. Until recently the inability or unwillingness of the medical staff to find a cause or even provide an effective treatment has been a constant source of grief for me. Many times my cellmates have resorted to calling staff to our cell in the middle of the night after I was reduced to screaming pain on the floor for hours at a time. Not one time have staff come to my cell to administer emergency treatment. Only after leaving the private CCA facility where I served my first twelve years was I able to obtain effective medication.

Privatized service providers are masters at techniques calculated to delay and discourage patients from actually receiving treatment, even emergency services. Many men I have known have been carried to the clinic with fractured or broken bones and found that even an X-ray to assess the damage was delayed for weeks.

A gentleman who has served over thirty years in prison recently shared with me his tragic story. He contracted hepatitis C in the 1980s and was diagnosed with the disease during that period. However, he was never notified of this diagnosis. Only when his condition was recently discovered to be beyond treatment did he learn he had the disease. Now this elderly man only has a few months left to live and is being denied a medical furlough. He now faces each day with even more dread, because he knows what I know, what we have both bourn witness to for decades: prisoners in the last stages of terminal illness suffer mostly without palliative care in these prisons.

Several years ago I watched daily as another older prisoner died a slow tortuous death from hepatitis C. Another prisoner on a quest for personal redemption attended to this dying man, even bathing him and helping him to use the bathroom after he was no longer able to help himself. I have no idea what the dying man did to be in prison. It must have been part of his memory, but when a man dies, the gravity of all his life's experiences—the love and the sadness, the tragedy and the laughter, his essential humanity of the thing before you—is undeniable for anyone.

The American prison system is in no way designed to recover the lost prodigal daughters and sons from our communities. Instead we have sent them off into the desert as scapegoats, all too often in permanent exile

because we cannot bear to look upon our social sins and failures of poverty, racism, and a culture that embraces violence as sacrament. In my years of experience as the chaplain of the men's maximum security prison where Tennessee's death row is housed, I learned that the terms victim and offender, like terrorist and occupier, are slippery at best. The majority of prisoners I have known were victims of physical and/or sexual violence before they were ever offenders themselves. The mantra "Hurt people hurt people" played in my head day after day. The gospel narrative of Jesus is unapologetically about redemption, and yet in the place where we should be living and striving to return the beaten, broken, and socially damned to their families and communities, the place where we should be living and breathing redemption to "re-member" our daughters and sons, mothers and husbands, to the living body of Christ, there is a stark absence of hope and compassion, of redemptive love. Instead pain, rage, silence, and a growing sense of loss and instability permeate the very atmosphere of what my coauthor accurately refers to as the American Gulag.

We are self-righteous in our claim to exercise retribution upon the bodies and communities that frighten us and incite our basest nature. But what of our responsibility to be scandalous in our love and willingness to practice community and welcome home those who have wronged and injured us? You see, the gospel either means what it says, or it does not. Of what good news is it if when the Gerasene demoniac is healed, Jesus nonetheless wraps him once again in chains for his past actions, for the fear he once inflicted upon the community?

Neither our culture nor our souls can continue to bear the weight of the lie of retribution, the war of incarceration. Just as one cannot both pick up the cross and the sword, we cannot reach out with the hands of Christ while locking the door to the prison cell. We are losing the light and the yeast. Prison walls protect us not from those condemned to live inside of those walls, but from the truth of how far we have fallen, and how we have failed individual human souls, families, and communities. I have born witness to every atrocity my coauthor has described. If our prison ministries do not begin to take seriously the call to set the captives free, to do more than visit the prisoner but to heal and restore the prisoner; to do the hard work of transformative justice, then our faith is dead. The notion of permanently exiling a single human soul, despite and especially when that person is no longer a threat to themselves and their community, is the exact opposite of the teachings and life of Jesus of Nazareth. Either we are the body of Christ, or we are servants of fear, violence, and retribution. Either we will welcome home the prodigals, who are indeed humans wounded as we are wounded, or we will not. But if the American Prison Industrial Complex reflects the values and beliefs of what Christianity has become, then any future hope for our redemption lies with the death of the church.

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