

The Truth Will Set You Free:

Reflections on the Rhetoric of Insight, Responsibility, and Remorse for the Board of Parole Hearings

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A proliferation of scholarship, teaching, and activism in the field of rhetoric and composition attends to prison writing, as an ethical imperative to combat mass incarceration and its dire consequences (Jacobi, Hinshaw, Berry, Rogers, etc.). However, parole board writing—arguably the genre of writing within prison most closely tied to material liberation—remains largely unexamined, both in legal studies and rhetoric and composition. The authors of this article have been working together for the past three years in a weekly writing workshop for former “lifers”—individuals sentenced to life with the possibility of parole; in this setting, parole board writing comes up often in free writes, discussions, and formal compositions. In fact, some participants have brought the pieces they read to the parole board to workshop for discussion and even continued revision. The article analyzes this prison-writing genre with participants of the workshop who co-author the piece. We argue that the writing and rhetorical performance required of prisoners when they face parole boards enacts institutional and rhetorical constraints while simultaneously carving out new spaces for freedom and resistance.

We examine how the parole board has shifted to a standard based on evaluating an inmate’s “insight” into their crimes (as opposed to being evaluated solely on their originary

crimes), and we show the ways that this shift engenders new tensions between 1) writings that affirm existing power dynamics and narratives of responsibility, accountability, repentance, and transformation and 2) writings that subvert and resist dominant discourses and challenge existing power dynamics. Thus, this carceral writing process is at once coercive and subversive, oppressive and empowering, restraining and liberating for those who participate in it.

This essay includes multi-vocal reflections from former prisoners on the parole process alongside analysis produced by professors. These pieces inform one another and can be read in any order. Rather than reconcile or flatten dissonances, we explore how the writing and rhetorical performance required of prisoners before the parole board balances institutional and rhetorical constraints with spaces for freedom and resistance.

INTRODUCTION

Soon after his release from prison, Mo, one of the co-authors, was at a writing workshop in a transitional housing facility —Francisco Homes—reading the autobiography he wrote for the parole commission to four University of Southern California professors and several men recently released after serving decades behind bars. The writing was stark: a moving account of a childhood marred by violence, trauma and abuse. In it were the marks of the conflicting agendas at the heart of its production: on one hand the need to make sense of his life, and on the other the need to conform to the narratives available from the commissioners. In our discussion, these marks became fissures, with workshop participants recognizing how parole board narratives are largely formulaic gestures (“Getting you to fess up to whatever they found you guilty of”) and at the same time deeply meaningful processes that helped them arrive at genuine remorse and responsibility for their crimes, knitting together the past, present and future, and toggling between narratives of victimhood and agency, causality and determinism.

A proliferation of scholarship, teaching, and activism in the field of rhetoric and composition attends to prison writing as an ethical imperative to combat mass incarceration (Hinshaw and Jacobi 2015;

Berry 2018; Coogan 2015; Plemons 2013). However, parole board narratives—arguably the genre of writing within prison most closely tied to material liberation—remain largely unexamined in legal studies and rhetoric and composition. In our workshops, parole board hearings come up often in free-writes, discussions, and formal compositions. The men describe the work that goes into preparing, choosing, framing, and organizing materials for the portfolio they present to the board, which can include release plans, relapse prevention strategies, book reports, evidence of self-help, letters to the victims, and letters of support from outside advocates. Several participants bring some of the writing they read to the parole board to workshop for discussion and even revision; these pieces commonly include individual histories and reflections and are typically the most personal sections of the writing submitted to the board.

Although the parole process has changed in California over time, in general, eligible prisoners go up for parole at regular multi-year intervals; when denied, the denial includes the length of time the prisoners have to wait before their next hearing (which can sometimes be changed later). When approved by the parole board, prisoners with life sentences must still be approved by the governor. For this article, the authors decided to focus solely on the pieces and stories the Francisco Homes residents shared with us through workshop, whether it be pieces they read to or turned into the board or reflections on their experiences. For scholarship that analyzes the transcripts from hearings and provides an overview of the process, see Weisberg, Mukamal, and Segall (2011) and Victor Shammass (2019). We do not include transcripts from the hearings of authors or other workshop participants, and any references to the hearings and commissioners are based in the workshop participants' shared writings and retellings.

PAROLE HEARING INSIGHT—REFLECTION ON PAROLE FROM A FORMER PRISONER

Mo

Mo wrote this piece for the Francisco Homes writing workshop; it began as a twelve-minute free-write, and he then developed and revised it for this collection.

A parole hearing for an inmate serving life with the possibility of parole is conducted by two commissioners. They are seen as gods because an inmate's life and future are solely determined by the decision they render.

My hearing is conducted in a medium-sized room with an oak table where both commissioners are seated with computer monitors that are positioned in a way which at times can block their faces. A keyboard, tape recorder and several other electronic gadgets cover the table. Across the table from them sits my attorney and me. Directly behind me are two correctional officers. At the far-left end of the table sits the district attorney. At the extreme right of the room is an area reserved for the victim and/or his/her family.

I am asked a series of questions regarding my physical and mental health in order to make an assessment to determine whether or not I am capable of proceeding with the hearing. Now that protocol has been adhered to, the parole hearing begins.

After getting sworn in and promising to tell the truth and nothing but the truth, the first or one of the first things stated is that “nothing you say here today will change our minds about the facts as we understand them.” The facts in this instance are the verdict rendered by the jury, any and all reports provided by the probation and police departments, as well as all documentation provided by correctional staff.

I must pay close attention to those words. What the commissioner is actually saying is that even if there are discrepancies in the verdict, probation and police reports, or information provided by correctional staff, it doesn't matter. Whatever the jury, probation, and police

reports, or documentation given by correctional staff states, nothing I say will alter that. In short, it's etched in stone.

I want nothing more than to provide the commissioners with facts that the jury was not given. After serving several decades of incarceration and having been reformed, I want to be completely honest and nothing more. Why? Because it serves no purpose to not come clean and give myself the chance to rejoin society. I have participated in decades of self-help programming and have truly transformed. I have changed the way I think and perceive situations, how I respond to people—which when combined, changed my course of actions. I am no longer the same man who entered prison so long ago. These facts are also documented in my prison file and are on display throughout the hearing by way of my conduct and overall demeanor.

Now the games begin. A series of questions is asked, some with a purpose in discovering information pertinent to the finding of suitability for parole. Others are designed to establish or solidify the parameters already in place to reflect the correctness of previous verdicts and reports. However, other questions are asked to check the validity of what answers I gave at previous hearings. Some of the questions asked by the commissioners are redundant since they already have the answers to them.

Examples of a few questions asked of me are:

Q: Have you considered that you might die in prison without the opportunity of ever being granted parole?

A: My thoughts at the time were: *Is he serious, does this jerk actually think I've done all this work on myself to not be in a position to assist others in changing their lives too?* But what actually came out of my mouth was—"Sir, I wasn't sentenced to Life without the possibility of parole. I was sentenced to seventeen years-to-life in prison. However, I do know that life is the controlling aspect of my sentence."

Q: Was it your intent to kill Mr. F.?

A: My thoughts at the time were: *This is not a question, it's actually a statement.*

But he should know that I did not shoot anyone. All of the evidence points directly to my co-defendant Bobby, who was given a deal for manslaughter and has been out since 1987. Again, what came out of my mouth was—"Sir, although I take full personal and moral responsibility for everything that occurred before, during, and after the commitment of this senseless crime, I was not the actual shooter."

Q: When are you going to come in here and accept full responsibility for the murder of Mr. F?

A: My actual thoughts were: *Please, don't make me come in here and lie about what really happened.* What I said though was—"Sir, I've been honest about what really took place for the past 29 years." This response solicited a tirade of statements describing why I should spend the remainder of my life in prison—such as: *you are incapable of being honest, dishonestly is in your DNA, prison can be the final resting place for liars.*

Q: I asked was it your intent to kill Mr. F!

A: "I wasn't the actual shooter sir. However, I do take full personal and moral responsibility for everything that happened."

At this point I am given looks of sheer frustration, utter disdain, and outright anger. None of which could be recorded—because of all the electronic equipment present, none have the capacity for video.

Q: When you decide to come into a hearing and tell the truth, it will set you free.

A: "Sir, are you referring to the truth as rendered by the jury verdict, or as I seen it unfold during the actual crime?"

Again, if looks could kill, I would be a corpse. The commissioners looked at each other and gave an audible sigh and looked at me with disgust. I believe their expressions spoke loud and clear to me, saying, *are you that damn dumb and/or slow?*

Actually, I wasn't as dense as they thought. My question was designed to determine whether or not they actually wanted me to tailor my statement of what actually happened that dreadful morning to the facts rendered by the jury and other agencies.

At that instant I decided a lie was absolutely necessary to get out of prison. The truth at this stage was totally irrelevant.

In January 2018, sixteen months after receiving a three-year denial, I was granted parole. The documents used at my hearing to line up with the facts as rendered by the jury, police, and probation officer reports were a total fabrication. Although I am not proud of having to lie to obtain my freedom, I know without any doubt that I would still be there had I not conformed to the dictates provided by both commissioners by confirming THEIR VERSION OF THE TRUTH.

CONFESSION AND THE STATE: FROM AVOWAL TO INSIGHT

Stephanie Bower

Inspired by Mo's story, Stephanie explores the connections between parole board writings and Foucault's lectures on avowal.

Mo's reflection highlights the discrepancies between narratives produced for the state and those that seek the truth. It also speaks to how the state mandates that those who wish to be free conform to its version of the truth, since gaps between what the state proclaims and what is true undermine the legitimacy of the entire system. These relationships between power and knowledge are explored by Michel Foucault, in *Wrong-Doing, Truth-Telling: The Function of Avowal in Justice* (2014), a series of lectures in which he focuses on the evolution

of “avowal,” defined as “a verbal act” that ties “the individual to his truth,” and “to the power exerted over him” (19). Beginning with the Greeks, Foucault illustrates a blueprint for the truth-telling mechanism by which individuals constitute themselves within systems of power; that blueprint then becomes central to authorizing and consolidating systems of power. Within the rise of Christianity, Foucault traces an emerging “hermeneutics of the self,” an obligation to search within ourselves for the truth about who we are, which fundamentally depends on acts of verbalization and a written text, rooted within relationships of obedience and submission (148). Seeking evil thoughts—and verbalizing these thoughts—becomes embedded in Christian theology and practice.

In his last lecture, Foucault extends his genealogy of avowal by shifting from sacramental contexts to civil, judicial, and penal institutions. He argues that in the modern penal system, the practice of avowal embeds individuals within its authority by requiring that criminals effectively punish themselves. That is, by confessing their crimes, criminals accept the system’s truth claims that imprison them, and therefore affirm the legitimacy of this system, reintegrating them into the social order. As Foucault argues: “avowal consists not simply of recognizing one’s crime, [but] at the same time recognizing...the validity of the punishment one will suffer” (207). Such recognition shifts the penal system from one of punishment to one that is “corrective” (209). Within these evolving practices emerge new subjectivities and new theories of knowledge. For punishment to be more than retroactive, avowal is a means for the criminals to acknowledge themselves as guilty. But just as “the appetite for avowal” becomes central to mapping together truth and punishment—the “foundation of legitimacy” for the system—so too does it become inadequate to explaining criminality (210). With the introduction of “the avowing subject,” Foucault finds an “irreparable breach in the penal system,” (200) since this subject is “both indispensable to the functioning of the penal machine and at the same time somehow in excess” (200). What Foucault terms “the thorn, the splinter, the wound, the vanishing point, the breach in the entire penal system” (228) is this gap between the need for avowal and its inability to fully explain or map together crime and punishment.

These fissures—between focus on the crime and the criminal, between what happened and why, between the criminal as inherently depraved or containing the possibilities of redemption, between individual or institutional responsibility rooted in biology or society, between the past of the crime and the future of the risk—undergird the penal system’s evolution, toggling between poles of punishment and rehabilitation. After numerous attacks on the parole system in the 1970s—for example, California’s parole board shifted from a rehabilitative model towards one that emphasized retribution—parole boards could deny parole based on the originary offense, and offenses deemed “heinous, atrocious or cruel” were automatic grounds for denial. Under these criteria, virtually no one who had a life sentence and went to the parole board was granted release; parole board hearings were widely considered a sham, and many inmates refused to participate. As Mo suggested in our workshop, “any one in prison would leave in a pine box.”

The increase in prisoners granted parole, from 8 percent in 2008 to 30 percent in 2015, only occurred after two California Supreme Court decisions, *In re Lawrence* and *In re Shaputis*, which required the parole board to shift its decision-making basis from the “heinousness of the crime” to the prisoner’s “current dangerousness” (Young, Mukamal, and Favre-Bulle 2016, 270). While *In re Lawrence* identified the “nexus requirement”—the standard that in denying parole, the commissioners could not use the originary crime as sufficient grounds in and of itself—*In re Shaputis* added that “the presence or absence of insight is a significant factor in determining whether there is a ‘rational nexus’ between the inmate’s dangerous past behavior and the threat the inmate currently poses to public safety.”

This new criterion of “insight” is what resonates with Foucault’s idea of avowal, since it too shifts the focus from knowledge about the crime to knowledge about the criminal. It too requires a “hermeneutics of the self” as inmates seek to produce a version of themselves and their stories that persuades the board through hearings and writings that demonstrate they understand the factors that led them to “bad choices.” We see this dynamic play out in the case of Kevin, a former workshop participant. In his last hearing, Kevin finally gave the board what they wanted—to know the criminal. He had always

been truthful about what had happened, but with the help of another prisoner he decided, “I had to be completely and brutally truthful about *who I was* all those years ago. I had to shine enough light to reflect exactly *the man I was*” (2018, 23) [emphasis added]. In such writings, prisoners map past onto present, providing a narrative that knits two antithetical versions of themselves: the self that committed the crime and the self that seeks release. And the writings and the performance before the board also seek to project an interior self onto an exterior—performing an authentic and honest accounting of their interior landscape.

Researchers who have studied the way insight works within these hearings locate the same tensions that Foucault finds within avowal. Victor Shammass (2019) performed an “ethnographic observation,” gathering evidence from attending the hearings along with interviews with participants. He documents the way that the rhetoric of “rehabilitation,” central to determinations of “suitability” and usually framed in opposition to rhetoric of punishment, is itself caught up within “a retributive logic of austere punishment” (5). The rhetoric of rehabilitation, in other words, compels inmates to fit their stories to affirm false conceptions of their own agency, as well as an equally flawed conception of causality, locating what they are conditioned to identify as the sources of their “bad choices” (10).

But how do inmates perform “insight” to the satisfaction of the parole board commissioners? Shammass discusses the board’s reliance on the inmate’s participation in programs like Victim Awareness, NA, and AA. Commissioners not only ask inmates if they have gone through this programming but quiz them on the steps to assess the genuineness of their participation, effectively outsourcing the measurement of rehabilitation into a mechanistic recitation of steps (10). With limited narratives that conform to the commissioner’s expectations and individualist ideology, inmates must express their internal selves in language that the commissioners understand. As Shammass argues, this demand excludes inmates who haven’t had access to the socially dominant language the commissioners read as “natural” and “authentic.” It also excludes inmates who insist on their innocence or those like Mo whose truth differs from that rendered by the jury. Even the expectations of the genre impose exclusions—

speaking from the heart and speaking authentically are only read as truthful if they conform to formulas the commissioners accept.

The rhetoric of “insight” compels inmates to reflect on their transformation and perform this for the commissioners, using as evidence their participation in programs and recitation of familiar scripts. But embedded in the parole process are other forms of knowledge about the inmate that may override or contradict these routinized performances. Attempting to weigh the different materials most associated with decisions of “suitability,” Young, Mukamal, and Favre-Bulle (2016) found that the multiple types of “psychiatric tests” inmates take during their incarceration can play a “highly significant” role in these decisions (274), even though the supposed objectivity of these tests signals mostly our willingness to mask the inherent mystery and slipperiness of human behavior within the supposed authority of quantifiable data. In their study, the authors found that “an inmate’s expression of remorse or responsibility did not have a significant effect on his or her chances of obtaining a grant” (275). Rather, it was outweighed by in-prison behavior, age, participation in programming, and low numbers on those psychological assessments.

In this vein, even as more inmates are found “suitable” in California, some legal scholars have speculated that the new criterion of “insight” has become another excuse to deny inmates parole (Paratore 2016; Hempel 2010). From this perspective, insight becomes another fallible metric dependent upon the prevalent ideologies of crime and punishment and more designed to prevent risk than to assess genuine transformation (whatever that may mean). In this reading, narratives of insight may simply be a necessary, if ultimately futile step that wraps the state’s punitive function within more touchy-feely coatings of rehabilitation. Yet Foucault’s conception of the “irreparable breach” between the disciplinary mechanisms that produce avowals and the selves they seek to explain also gives room for different ways of inhabiting these spaces and understanding the value of insight.

RESPONSIBLE HUMANITY

Raymond P.

While the Board of Parole hearings can be an exercise in manipulation for some, they are a platform to confront self and reconcile trauma for others. Regardless of the hearing decision, the truth always surfaces in the aftermath. Raymond wrote the following piece in that space, four months after being found suitable for parole. He started the day he was told that the governor would “take no further action” in his case, and he was ordered to be released in three days. This is how he passed the time.

I spent a large part of my twenty years in prison struggling to make sense of that dreaded “R” word... responsibility. How do I take responsibility for something I didn’t personally do? This question tormented me from the moment I walked into prison as an emotionally illiterate seventeen-year-old kid through the process of maturity into the thirty-seven-year-old man I am today preparing to leave prison. I am by no means a victim, but the concept of responsibility is abnormal in my reference group, so accepting responsibility for something even my warped belief system could justify was a glaring example of cognitive dissonance.

I know majority tends to rule what acceptable behavior looks like, and common sense matters to behavior too. But more often than not, to those traumatized outliers, consensus seems like the opposite of healing and more like manipulation. So in this respect, race, culture, and subculture take on exaggerated importance for the individual. In other words, culture greatly motivates rationalization—it dictates how we make sense of behavior to our peer group, and thus makes our behavior and thought process acceptable to ourselves. If we traumatized outliers are lucky, art becomes a vehicle to express disagreement. If not, conformists become the target of bitterness.

Music has always been a cultural safe haven for me. Countless artists have been able to impact or influence my consciousness in some way or another, but none so much as Tupac Shakur. He wrote and delivered lyrics railing against marginalization and inequity so timely for me that his music became the soundtrack of my youth. I have a visceral connection to many of his songs because they gave

voice to my traumas and the feelings I didn't have words for. Certain songs took on different meanings over time, but the constant was Pac and the sense of companionship his music provided; somebody understood. Pac understood and encouraged me to face what had to be faced.

Music was a mirror, like a Rolodex for my feelings. My relation to it and the narrative Pac was weaving had only been building to an awful pinnacle. Whenever I found myself alone or confused about something, I turned to music, and more times than not, it was Pac who spoke truth to my experience, gave voice to my confusion, and reminded me that I wasn't alone. None of those songs spoke so directly and unapologetically to my thoughts and feelings as "Fuck the World" when I came to prison and began to ponder that question "How do I accept responsibility for something I didn't personally do?" His opening line is designed to shock and defy anyone audacious enough to doubt his indignation. He aggressively asks the rhetorical question "Who you callin rapist?! Ain't that a bitch, you devils are so two-faced, wanna see me locked in chains, blocked in shame and gettin' socked by these crooked cops a-gain..."

In my spree of senseless crimes, one of my cohorts decided to sexually assault a woman. He didn't announce his intention and I wrongly assumed he was a "good" criminal who only wanted to rob and beat people up. When he announced to the rest of us what he had done, it was far too late to intervene. From that moment forward, I decided I was a victim in all this. I told myself that *it wasn't my fault what he did. The justice system was targeting me because I had no parents to swoop in and bail me out with the legal support or money like the other three teens.* I believed I was in prison because I was scapegoated and sacrificed as an example in a tourist and retirement community.

It was a story as old as America, a black man/boy railroaded.

But even if all my theories were true, it wouldn't change the fact that I had no right to disrupt people's lives. If I don't look at the facts of my choices, I conveniently get stuck in a victim stance and not only deny the people I harmed their humanity, I also continue to defer my

own. The fact is, my choice to disrupt these lives changed these lives in ways I'll never fully comprehend or be able to undo.

What is responsibility?

Responsibility is not allowing myself to get stuck in the victim stance. It's shedding blame and recrimination. It's a willingness to experience the impact of my choices emotionally and learning to bear the shame. Responsibility is recognizing my choice to do harm, confronting why I made this choice, and taking an active role in the healing process. Responsibility is facing God, seeking forgiveness, and accepting myself as flawed so that I can live in my resolution to first make better choices and second, contribute to healing the harms I created.

So how do I accept responsibility for something I didn't personally do? With a clear understanding of what responsibility is and is not, it becomes extremely simple to answer this question. I accept full and unconditional responsibility for everything I did, enabled, and allowed. I stop distancing myself and trying to give myself an emotional alibi and broaden my understanding of impact to include everyone affected by my choices. I did this. In hindsight, I'm grateful for the opportunity to redefine myself and rediscover a sense of empathy and insight and become painfully reacquainted with humanity.

RESISTANCE, AGENCY, AND SOCIAL RESPONSIBILITY

Emily Artiano

Emily's approach applies code meshing to the rhetoric that prisoners create for the parole board and analyzes some of those writings and reflections on that work.

What forms of knowledge do prisoners gain and produce through writings and performances? Where do we see prisoners' agency

and resistance? Successful parole narratives are avowals predicated on truth and personal responsibility—narratives that “shoehorn a heterogeneity of contexts and experiences into predetermined forms while privileging individual character over social context” (Roy 2018, 43). However, within the genre of parole narratives, we observe how prisoners, specifically lifers, compose and revise parole board rhetoric and subvert dominant scripts that traditionally act as gatekeepers for release.

The processes by which these men construct and collaboratively revise parole board narratives do not necessarily constitute counternarratives to the institutional script required for parole; instead they suggest subtle resistance while adhering to the script. Rather than passively accept the genre as the singular measure of their transformation and suitability, the prisoners deny a narrative solely based on personal responsibility and use writing to enact agency and social responsibility to one another. When deemed “successful” by the board, their actions constitute a space in which former prisoners can critique the penal system with less fear of physical retaliation.

Workshop participants’ reflections reveal how parolees recognize the genre’s construction, as they cite key “buzz words” commissioners need to hear. Many are critical of the arbitrariness of parole decisions. Some say the success of their hearings seemed dependent on which commissioners they saw or the presence of a victim’s family at the hearing. In one case, a workshop participant relayed seeing the signed denial form for another prisoner who had not yet appeared for his hearing. Still, many of the participants take the truthfulness and authenticity of their writing seriously and identify their parole board pieces as deeply meaningful (although not always, as Mo’s story makes clear). Some still show reverence to the parole board; for example, in his reflection for *48th St. Anthology*, David (2018) recalls the emotion in hearing he was found suitable as such: “It is because someone believes me and believes in me...That’s as close to love as I have been in 28 years” (6).

These divergent and valid interpretations reflect individualized approaches to the genre, despite rigid conventions. Mo, for instance, demonstrates his intentional and strategic approach in his final and

successful parole hearing through the framing of his materials. In a “Letter of Introduction” to his inch-and-a-half packet of materials, Mo (2018) writes, “Due to a speech impediment developed after devastating experiences during childhood, [...] whenever I am anxious or nervous I have a difficult time verbally expressing myself” (1). Mo relayed to our group his concern that any deviation from expected voice, tone, or body language might be interpreted as “inauthentic.” Thus, he sets up a rhetorical barrier protecting him from such critiques. Citing his prior trauma as the reason why his oral delivery and demeanor might differ from the board’s expectations, Mo makes space for his own speech and positions the board’s potential critique as errant.

In contrast to his clear statement of introduction, Mo invokes intentionally ambiguous phrasing in his Statement of Stipulation. After repenting for “half truths” he told in previous hearings, Mo writes: “I completely agree with the findings in the Probation Officer’s Report, as well as the verdict handed down by the jury; that I murdered Mr. F” (17). Mo communicated to our group that having denied being the shooter in multiple prior hearings, he feared the commissioners could trap him in his Statement of Stipulation. Thus, in the passage above, Mo structures the sentence in such a way that he recognizes the findings of the court as the commissioners insisted in previous hearings, but leaves open for interpretation whether or not he claims responsibility for murdering Mr. F. The clause after the semicolon belongs to the finding and verdict; in one possible reading, then, Mo does not directly confess to the murder, he instead concedes that the findings and verdict conclude that he did. Thus, he creates a space to conform to the board’s expectation but leaves room to revert back to his position in previous hearings if necessary.

Code meshing is another tactic the men employ to meet the board’s expectations and transgress boundaries by simultaneously performing multiple identities (Love 2011, 186). While code meshing often considers the merging of different national languages or dialects and linguistic forms (Anzaldúa 1987; Canagarajah 2006; 2013; Smitherman 1986), we consider Suresh Canagarajah’s “‘contact zone textualities’” more broadly and discuss code meshing as “the blending together of diverse communicative resources in rhetorically

strategic ways” (Roozen 2011, 203) to achieve its purposes. One former lifer in our workshop, Ronnie, exemplifies this strategy in a twenty-page piece for his seventeenth parole hearing in forty-one years. In his first sixteen hearings, Ronnie (originally sentenced seven years-to-life) answered what was asked of him but refused to prepare writing or an oral delivery for the board, explaining that his record (programming, clear psych reports, work history, etc.) spoke for itself. This refusal is a speech act in and of itself—one in which intentional silence rejects avowal. This resistance resulted in decades of incarceration beyond Ronnie’s minimum sentence.

For his seventeenth hearing, Ronnie decided to put his experiences and the injustice of the previous sixteen denials on the record, even if it meant another denial. According to Ronnie, the questions the board asked during his final hearing were “soft balls,” indicating that they had already decided to grant him parole. When asked to speak, he presented each commissioner with his lengthy piece and said, “I plan on reading my version of what has happened to me the past forty years.” Ronnie explained to our group that because he planned to read the piece, he had edits with pen throughout the original copy and strikes through paragraphs he decided not to read. However, the commissioners adjourned temporarily to read the piece, depriving Ronnie of his opportunity to deliver his address orally and allowing commissioners to see the adjustments and deletions. Still, Ronnie recalls that he knew he had to be cautious and not blatantly critique or offend, and this is where the merging of language codes became crucial.

Language that engages the rhetoric of self-help and spirituality is often considered evidence of transformation by commissioners, and the former appears frequently throughout Ronnie’s piece. He titles the piece “My Self-Help Journey of Discovery” (2017) and invokes the term “self-help” sixteen times. He details his role as staff liaison coordinator for a self-help group, summarizes self-help books, and references AA and NA, James Allen, Ken Keys, motivation, and meditation. But even as Ronnie employs this discourse, he pushes on the narrative that credits prison rehabilitation as the nexus of self-help and transformation: “My self-help journey started long before I met any members of the board. It even started before my last full day

of freedom on April XXth, 1976” (1). Instead, he credits a friend in jail, JJ, with introducing him to self-help books, courses, and meditation. Ronnie begins with the accepted language of self-help but rejects the role of his forty-year prison term as central to his rehabilitation, demonstrating his strong sense of discursive expectations while implicitly questioning the “the efficacy of incarceration” (Davis 2003, 11).

In retaining his individuality, Ronnie integrates humor, prison lexicon, and computer vocabulary, performing his identity as a jokester, inmate, and a professional. The humor Ronnie integrates depends in part on his delivery, as he expected to read this piece aloud to the board. For instance, he describes looking at JJ’s business proposal: “Perusing the material, I came to the conclusion that this was the most asinine, ridiculous, absurd project ever conceived. After three days with JJ in the cell, the proposal started to sound viable” (2017, 2). While it might not translate in written form, his delivery of these two lines in workshop highlight the juxtaposition and elicit intended laughter. The jokes throughout the piece remind the reader of the writer’s levity, even in the context of incarceration. The writing also immerses the reader in language specific to prison, using acronyms to identify different jails and prisons (HOJJ, TI, CMC-East, FSP) and shorthand to describe prison positions and places (PWC, which stands for Permanent Work Crew, and “Fish Row” Porter), and he refers to his cell as “the house.” Ronnie later integrates computer programming language when describing his work in a unit office at Folsom State Prison: “The machine was an Amstrad-A pre-DOS first generation PC. It’s [sic] locomotion was provided by the J21ACPM3. I recognized the J21A as the guidance system for the first moon landing” (13). In performing multiple codes at once, he refuses a singular identity that can be either dismissed as a criminal not reformed or praised as an entirely new man.

Throughout, Ronnie integrates critiques of prison employees, the transfer systems, and the parole hearings, but couches these critiques within accepted discourses of responsibility and gratitude. For instance, he describes the hypocrisy of a sergeant instructing him to return (and incur the cost of postage) 300 copies of a self-help book he had secured from the author for the men in prison.

He concludes, “Some employees did not like happy inmates” (10). Ronnie was eventually able to donate the books to the chapel but “No one at California Medical Facility ever saw the books again” (2017, 10). Pages later, though, he concedes, “When I was a young man, I didn’t fully appreciate the Department of Corrections’ treatment. Now...I have found a new admiration for the Department” (18). Fully aware that parole depends in part upon legitimizing the system that imprisons, Ronnie expresses insight and gratitude. Three short paragraphs later, though, he invokes legal discourse and calls out the unfairness of being denied parole in his previous appearances for “the Serious Nature of My Commitment Offense”—a reason that no longer sufficed as the sole basis of denial as of 2008 (*re Lawrence and Shaputis*). According to Ronnie, a commissioner in his previous hearing, which took place after the shift in law, instructed Ronnie not to attribute his previous denials to the nature of his originary offense and “admonished” him for challenging the basis of those past decisions. Instead, his document for the present hearing recounts this exchange and suggests that even in that hearing, he believes his originary crime unduly impacted the board’s findings (19). He “talks back” to the system, questioning whether or not they used the proper legal standard in his previous denials. Couched between discourse expressing gratitude and responsibility, this legal critique becomes perhaps more palatable. In the original copy of this piece, Ronnie crossed out this section, intending not to read it into the record, perhaps in fear that this would be seen as “minimizing” or not taking complete responsibility. With the board’s decision to read the original document rather than listen to it, the commissioners encountered this critique.

To temper criticism, Ronnie ends his piece thanking prison staff for their “professional care and genuine humanity” (20) and in a handwritten addition that employs discourse of responsibility and remorse states: “I want you to remember that I acknowledge I was wrong. I accept full responsibility for everything that happened. I am really sorry” (107). Even here, Ronnie’s broad language calls attention to the perfunctory nature of the avowal, for how could he have “full responsibility” over everything that he did not have agency? In strategically meshing the language of self-help, responsibility, and gratitude to illustrate “insight” with discourses of prison, technical writing, and *critique*, Ronnie imagines an audience beyond the board

and enters into the record an account that disrupts the system's unilateral power.

Such power disruptions also occur within the processes of preparing for the parole board. Kevin, another workshop participant, describes going to his sixth hearing with documents he wrote to prove his responsibility and insight. Despite initial cautious optimism, Kevin received another denial. He describes how the commissioners asked him unfamiliar questions and prompted him to respond to difficult hypotheticals. He stumbled through his responses, answering as honestly as he could, and again, he received a three-year denial. The commissioners cited his lack of understanding and insight, the presence of which Kevin believed was clear in his writing. His state-appointed attorney had advised that he not deliver the writing to the commissioners, explaining that it would be more impactful if he were able to "speak to the issues" without text. He took her advice. After the hearing, his attorney assured him that documents wouldn't have made a difference, as his insight was clear, and that the commissioners had made up their minds (2018, 19-20). Kevin did not internalize the board's denial as legitimate commentary on his character and determined, "they just didn't want to let me go" (2018, 20). Still, Kevin felt hopeless.

Nevertheless, he prioritized social responsibility to his community—an attribute the genre fosters. Most prisoners have their applications rejected at least six times before they are found "suitable" and report identifiable failures to fellow prisoners to help others revise their writing. Kevin (2018) writes: "Even though I had nothing good to share with those on the yard, it was my responsibility to other lifers to talk about how it had gone" (21). In later reflecting on his successful final hearing, Kevin recounts the help that "came from a very unexpected source"—an African American lifer named Sam, who had been found suitable for the second time and was waiting for the completed review process after a previous rejection by the governor (21-22). Kevin writes, "I could write forever and never be able to put into words the emotions that stirred in me from this completely selfless act. That this black man would approach me, a white man, knowing we'd been on opposite sides" (22). Sam read over 100 pages of transcripts from Kevin's past hearings: "He pointed out

flaws in my answers, giving me alternatives to insights....He didn't judge, he gave me encouragement, and in that, strength" (23).

Kevin does not credit the board or their denials for the "new insights" or the revised approach that led to his suitability finding. Rather, he recounts the sense of community and knowledge sharing around parole board hearing preparation itself—a contrast to the way prisoners are "systematically excluded from knowledge that circulates among persons of power" or gain knowledge from an outside teacher or expert (Benedict 2018, 230). However, Kevin demonstrates the value of and access to systems of literacy knowledge circulating between the incarcerated absent outside facilitation, something specific to this genre. In reporting parole board "failures" and working with a fellow prisoner to revise parole board writings or prepared answers, knowledge comes from the prisoners themselves. Drawing on Lee Anne Bell's vision for social justice, Manthripragada (2018) describes one goal of prison education: "[to] help shape the transformation of prison students into both self-determining beings with a sense of their own agency and interdependent beings with a sense of social responsibility" (79). In this sense, then, the communal knowledge exchanged among inmates surrounding parole board writing and performances serves the larger goals of prison education.

With this genre and form of knowledge, it seems expected that those who have become experts through experience and practice will transfer knowledge to those in need, increasing transparency in a Kafkaesque parole system. Whereas we see many examples in which prisons systematically segregate and limit camaraderie, the process for parole board writing and hearing preparation can transcend divisions and prejudices, blur boundaries of authoritative knowledge, and claim agency in the process itself. Kevin, who was released in April of 2017, sends monthly letters to current lifers to encourage and support them through the parole process, extending the sense of community beyond bars.

TRIALS AND TRIBULATIONS: BOARD HEARING PREPARATION

William M.

William took on a more formal role as a parole literacy mentor inside prison for over ten years, feeling obligated as an educator to help prisoners master the dominant scripts of “insight.” His codified strategies leave room for individualized, meaningful writing, thus exemplifying conscious attempts to navigate the fissures within avowal and recognize the system’s coercive construction. For this collection, William synthesized and revised the preparatory materials he taught to prisoners.

The trepidation in anticipating a board hearing is palpable. Some approach it with ambivalence, expecting a denial, while others suffer many months before the hearing wanting to present the best face possible. They ask those who have been found suitable how their hearings went, trying to capture that “golden ticket” that will guarantee them a positive finding.

As a former educator, I decided to put together a sensible plan of approach. This plan would allow the individual to organize his thoughts into a rapid response. Understanding that there was a distinct difference in ethnicity, age, and level of education, as well as country of origin, I had to devise a digestible, usable method for each individual.

My eight-page summary included an introductory page and the method I would use to elicit relevant underlying subconscious information, long suppressed. This introductory page included the following information: practicing posture and attitude for the board; teaching the individual how to be relaxed but alert during the hearing; teaching how to answer questions without pause; helping in the preparation of the closing statement; and discussing legal rights and objections. I had to confirm confidentiality for each person and most importantly, they had to confirm they were committed to the process.

I also included two pages of questions most frequently asked by the parole commissioners. I had each individual read the questions and then identify the ones that would cause them the most problems

answering, such as: *what is the impact of your crime?* and *when did you fully accept responsibility and what was the process behind this acceptance?*

I would set up a timetable of weekly meetings with the individual no sooner than one-to-two months prior to the hearing. This was to practice answering questions, review precipitating facts causing criminality, and review all submissions to the board. I created different sets of acronyms to help each individual remember key points during their board appearance, such as “R.I.C.E.” to “remember emotions”—Remorse, Insight, Compassion, Empathy. In addition, I wanted to ensure that the information was fresh in their minds. I wanted them to know that each board had different commissioners and deputy commissioners, so what may have worked at one hearing may not work at another.

Finally, I reviewed their past board transcripts to identify their weaknesses.

My objective was to act out a real board hearing and simulate the level of intensity that the individual would be exposed to there. I formalized my presentation and was pointed, sometimes abrasive, when answers did not address the questions.

The most difficult part of the process was going back to early childhood and drawing intimate details of blame. What I mean by that was individuals, many times, were unsuspecting victims of their surroundings, which inculcated criminality as a norm. Anger, tears, frustration, and nerves were frayed at certain points of this exploration of the past. Denial was rampant, and facts had to be slowly culled from the individual.

Over the last ten years of my pre-board preparation, I was successful with most of those who went before the board. I charged nothing, and my reward came from the successful findings of suitability, and on occasion, I received a rice bowl.

FROM CONFESSION TO FREE EXPRESSION—OR NOT

Ben Pack

Originally, Ben wanted to create a piece mirroring the form of Mo's writing to highlight accidental parallels between the Francisco Homes writing workshop and parole board. It didn't work. So he wrote this instead. The following piece makes visible the power dynamics of the workshop and creation of this collection.

When writing in any institution, and in prison writing specifically, agency and resistance require mastering languages of power and dominant scripts. The presence of the former prisoners in our workshop suggests that they finally succeeded at adhering to institutional scripts, whether or not they recognized their power, and internalized them, performed them without acceptance, or something in between. Mastering parole board expectations has material consequences—the men go free and can engage in true counternarratives without fear of physical retribution. In workshop, we encounter many interpretations of the parole process, critiques of the penal system, rejection of labels and stigmas, etc. The discussions are often lively, and the men will agree and disagree and adjust, build on, and modify what others say. For these reasons, we decided to ask them more.

For the workshop on November 1, 2018, we ask the men to free-write about their experience preparing for the parole board. In order around the room this day, starting at my left, are Gary, Emily, Stephanie, Emily's student Sean, Mike, Ed, Ronnie, Doc, Dale, Mo, Steve, Stephanie's former student Colin, and then back to me (Ben). Everyone digs into the free-write for twelve minutes, and when the timer chimes, Emily hits record on her phone and people begin to share.

We pay close attention to the men's words—indeed, Stephanie, Emily and I have been waiting for this conversation, planning it with the men, because we think their insight is worth sharing. It is not the insight sought by the parole board though, nor the insight the men have into themselves. It's the sight into a world that remains murky to those of us on the outside.

But as the three of us draw up proposals for publications and presentations and discuss in private, we also think about the fine lines between encouragement and manipulation, between giving voice to the men's experiences and using those experiences for *our* ends, between pointing to a larger truth and recognizing that any such truth is at best a slippery construction.

So in laying several contradictions bare, we hope to think not just about avowal in terms of incarceration and parole, but the many other rhetorical situations in which individual truth is constructed to suit the power exerted from above. The way in which students can be tempted to mold their essays to conform to a teacher's expectation; the way writers (ourselves included) can be tempted to mold their work for publication; and the way that work can change how we think and perceive the very rhetorical situations we're in—what one of the workshop participants deemed “Stockholm syndrome”—even as we accept these conventions, because if we don't, will anyone listen?

In the workshop and in our writing, we have the luxury to experiment, but in the context of writing or preparing spoken answers for the parole board, these tensions between author and audience make it impossible to address unfairness in the system, as doing so appears to minimize personal responsibility—one of the very things that prisoners cannot do if they want to be released. In our classrooms, students can defy us and still get a passing grade; in publishing, the reader has the freedom to set us aside at any time. But in prison there is no choice. The prisoners must confirm the power of the state, even when doing so is otherwise untrue and illogical (such as with Mo)—and they must do so over and over again for as many parole hearings as the board demands. If prisoners refuse to speak or refuse to go before the board, they may demonstrate resistance and reclaim agency—but ironically, they still affirm the power above them by accepting their fate in prison. Despite spending hours upon hours honing their files, prisoners may be called upon at any time to “speak to the issues” without the text they prepared.

In these regards, the parole hearings are not really about “hearing,” but about ritualized performance—one so well practiced, it can be difficult to break even after parole is granted. Many residents bring

sections of what they wrote for the parole board to the Francisco Homes writing workshop—and while the authors share and everyone discusses how to revise the pieces for a new outside audience, they have rarely, if ever, been changed significantly; nevertheless, some men will return and re-read the same sections at another session, the only difference being that they read more than the previous time. However, this stubbornness does not extend to their other work, which is often revised heavily, even when highly personal. It's an unsettling thought but for all well-intentioned efforts, perhaps Emily, Stephanie and I resemble (at least initially) another kind of board granting approval and admittance—the three of us sitting around a table not unlike the one Mo describes for his hearing.

Unlike the commissioners though, we are inclined to push back and question the participants' writing that we feel falls into a transformation or conversion narrative—narratives that we do not ascribe to given the material and social realities surrounding the penal justice system. At the same time, we are sharp to the risks of coercion. Whatever the men say, we want to resist altering it, and we don't want to turn them into objects of study, but let them and their words stand. And yet we are still architects, planning our readers' first impression and the last; where cuts are necessary for length and expansion is necessary for comprehension. We work to create a polished product, but one that does not obscure the labor, materials, and people. So, we remind ourselves that the men's experiences and reflections will not and need not conform to our expectations to be valid, heard, or seen, lest they become overworked into a new set of performances. Rather, we record and let the men speak for themselves.

Therefore, a series of comments are offered below. Some have been selected with the purpose of discovering new information and new paths of inquiry. Others are here to more firmly establish the validity of the ideas we have already proposed. And still, others question the validity of our conclusions herein. Rather than reconcile these contradictions, we lay a few of these blocks here, open for construction, deconstruction and reconstruction.

Stephanie: Can you tell from how long the [parole board's] deliberation period is whether or not you're going to be successful?

Steve: No. There was a guy in my building who went Tuesday and got found suitable. And he said when he came back in from the deliberation he saw a cup of water and a roll of toilet paper sitting by his seat. So he knew he was going to be found suitable.

Stephanie: Why?

Steve: Just—he was going to cry. So when I walk back in I seen the same thing.

William: When you're faced with a fifteen-year, or a ten-year, or seven-year, or five-year denial, there's no light at the end of the tunnel. And so the inclination is to say to yourself "Maybe it's not all worthwhile." And that's the experience that I had with the intensity [...]. They finally took 'em, I think about three/ four years ago they finally started having these psychological examinations—but this is two weeks *after* the board. And by then you've already gone to the yard, and you've been hugged by your buddy and you're back to your old schedule and it's like: "thank God this is over with. I don't care if they found me suitable or not. I just want to get back to my normal life." And the normal life is prison.

Mike: The transcripts of my hearing were important resources preparing for my last hearing.... Before the final hearing I was in a locked-down medical area. I had my property, my transcripts, and my notes from my prior official hearings. After reading all the material carefully, I began to understand the commissioners' mentality and their apprehensiveness about giving me the opportunity to become a free citizen again. Understanding their mentality allowed me to see them as risk-averse civic functionaries. I was able to appeal to the partial certainty that they had in me as a result of constant past behavior.

Gary: Man, the first time I went to the board I literally had three little minor strokes. I was so stressed out. I had never been before. I was really under a great deal of stress. But the second time I went, I was just: “I’m going to tell you the truth,” and it turned out that’s what they wanted to hear. That’s exactly what they want to hear is the truth. *What made you a criminal? How come you became a criminal? Do you recognize how different your criminal behavior was from a regular human being? And what have you done to change your warped belief system and become that human being again?* And I presented that to them. And when they came out after the deliberation the cop rolls me back (I was in a wheelchair at that time) and he rolls me back and I say, “Well, how do you think I did?” and he said, “Well... I dunno. You know at first I thought it was going to be a three-year denial and then you kept talking, and you kept talking, *and you kept talking*, and *you kept TALKING!* And I think you talked your way out of prison.”

Dale speaks up and asks if the group wants to hear something different, but he’s unintentionally passed over, and Mo begins to speak instead.

Mo: For ten years I refused to go before the board during and after Grey Davis’s tenure as governor. He made a declaration that...anyone in prison for murder would be forever behind bars. This statement gave rise to some inmates serving life terms for murder to opt out of programs designed to resurrect character by way of self-discovery.... I just finally came to terms—*well, do you want your kids and your grandkids—if you leave this world, is this the legacy you want to leave behind?* So, I said no! You know, hey—I had to show them there’s more to life, even when you have nothing.... If I was going to be in prison the rest of my life, I was going to be the same person I am right now. You know, same person. Courteous, polite, kind, generous, and understanding. I’m going to be that same person.

And when we circle back to Dale and ask him to share, he refuses. Then a couple minutes later, he leaves the group and does not return.

Ronnie: So, what I've noticed about everyone's experience is that they are all different. No two people who went before the parole board ever had the same experience. They're all different. And it's because we have different people on the parole board, and we're different. So, I don't find any continuity in there at all.

Stephanie: That's a mic drop.

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Mo

The second of four children, I was born in Miami Florida with the help of a midwife during the time of segregation. My mother was born in 1918 and continues amongst the living, and is a month away from her 101st birthday. As a child, I grew up in an environment where Jesus Christ reigned supreme. I remember wanting the opportunity to see a movie without sitting up in the peanut gallery, the only area in the theater colored people were allowed to sit. As I got older and began to experience other forms of discrimination, my thoughts of “WHY am I subjected to this” began to take shape. I desired at this stage of my life (early teens) was what it would take for people to treat each other with respect, and like human beings.

Immature and gullible, I never thought in terms of social/political movements and their necessity in bringing about social change. Entering prison at some point in life sure as hell wasn’t a thought or for that matter, an afterthought. One year after release from prison, I speak of freedom and what it means to me. I refer to freedom as being something psychological rather than strictly physical. Today I work at the Veterans Affairs Office during the day, attend community college at night, maintain sobriety by attending self-help groups and hold down a part time job during weekends.

Stephanie Bower

For the last twenty-five years, I've taught writing and literature at different institutions in Southern California. For the last ten, I've also taught a community-engagement course at the University of Southern California. This course led me to the Francisco Homes, and the partnership that has been a tremendous inspiration and joy for me and my students. I'm very grateful to have such wonderful collaborators in the writing workshop we run once a week and in this article.

Raymond P.

I was born in Chicago and grew up in San Diego. My mother died young and I spun out of control. I went to prison and was forced to learn to control my feelings or suffer more consequences. I eventually cut the gang ties and explored my own creativity. I went to work on

a degree, learned to draw and started making amends for my choices. I've been working on myself and am a work in progress like everyone else. I live a productive life and work a lot now. I maintain healthy relationships and contribute to the community. I'm blessed.

Emily Artiano

I am an Assistant Professor (Teaching) in the Writing Program at the University of Southern California. My research interests include the intersections of early American literature and rhetoric and composition theories of translingualism as well as community engagement and pedagogy. Over my past four years at USC, I have been teaching writing courses with community partnerships and have become involved with several non-profit organizations focused on social progress including 826LA, Miracle Messages, and the Francisco Homes—transitional homes in Los Angeles for formerly incarcerated “lifers.” The weekly writing workshop I co-facilitate at the Francisco Homes has impacted my students and me in wonderful ways and led to my current research on prison literacies. I have published work in *Symbiosis - A Journal of Transatlantic Literary and Cultural Relations* and presented at several national conferences.

William M.

I was born in San Francisco in 1939 and returned to China in 1940. The Japanese bombed Pearl Harbor in December of 1941 and entered Shanghai the next day. I spent 3-½ years in a concentration camp. I then went to Hong King and lived there until 1954. I had PTSD and attention deficit disorder. I was a poor student because I couldn't concentrate. We then went to England and I lived in London for a year. My father got a job as an engineer in Canada. I was sent to San Francisco to live with my aunt to go to high school. I did okay in school but was a little above average student. I then went through 16 years of study in medicine, education, and psychology. My personal image was poor and I tried to compensate through study and self-development. I practiced medicine for 35 years, and was a medical educator. I have 8 children, 15 grandchildren, and 3 great grandchildren, my pride. What more can a man say?

Ben Pack

I began teaching in the University of Southern California Writing Program as a Master of Professional Writing graduate student in 2010, later becoming a Lecturer and Assistant Professor (Teaching). Along with Emily and Stephanie, I have co-led a creative workshop at the Francisco Homes for the past three years; my community engagement work also involves partnerships with Miracle Messages and 826LA. My creative work has appeared in literary publications such as Catamaran and the Los Angeles Review of Books.

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