

Punishment & Prison: A Bibliography (2019)

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“San Quentin is where I became an artist,’ Alfredo Santos says now, more than half a century after he painted the mural at top and five others in the dining hall while an inmate there.”

Preamble:

“When we return to the search for a more humane and rational response to crime, we must keep in mind that the prison is tied to other social and political arrangements that limit what changes are possible. The criminal justice system in general is at least partially involved, directly and indirectly, advertently and inadvertently, in repressing groups and classes of people and in maintaining unfair social, political, and economic relationships. Fundamental changes in its operation are impossible unless some higher degree of social justice has been achieved and the criminal justice system is relieved of these tasks. [...]

One of the important obstacles that must be removed is the public conception of the prisoner. Presently, this conception is formed from the rare, but celebrated and horrendous crimes, such as mass murders by the Manson cult, Juan Carona, or the ‘Hillside Strangler.’ Whereas prisoners like George Jackson, viewed as a heroic

revolutionary fighting back from years of excessive punishment for a minor crime (an eighty dollar robbery), shaped the conception of the prisoner in the early 1970s, persons like ‘Son of Sam’ do so today. These extraordinary cases distort the reality. Most prisoners are still in prison for relatively petty crimes, and even those convicted of the more serious crimes must be understood in the context of society in the United States. What we need is a new theory of crime and penology, one that is quite simple. It is based on the assumption that prisoners are human beings and not a different species from free citizens. Prisoners are special only because they have been convicted of a serious crime. But they did so in a society that produces a lot of crime, a society, in fact, in which a high percentage of the population commits serious crime. Those convicted of serious crimes must be punished and imprisoned, because it is the only option that satisfies the retributive need and is sufficiently humane. Knowing that imprisonment itself is very punitive, we need not punish above and beyond imprisonment. This means that *we need not and must not degrade, provoke, nor excessively deprive the human beings we have placed in prison*. It also means that we must not operate discriminatory systems that select which individuals should be sent to prison and, once incarcerated, who should be given different levels of punishment.

Since we assume that convicts are humans like us and are capable of myriad courses of action, honorable and dishonorable, we also assume that they will act honorably, given a real choice. This means that we provide them with the resources to achieve self-determination, dignity, and self-respect. This theory continues to be rejected not because it is invalid, but because it challenges beliefs and values to which large segments of the population comfortably cling. [...] In pushing this theory, I admit that many prisoners, like many free citizens, act like monsters. But they are not monsters and often choose to act like monsters when their only other real option is to be totally disrespected or completely ignored, while being deprived, degraded, abused, or harassed.” [emphasis added] — John Irwin, Prisons in Turmoil (1980)

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Charles White, *Trenton Six* (1949)

Some websites and blogs:

- [California Coalition for Women Prisoners](#)
- [California Correctional Crisis](#)
- [California Prison Focus](#)
- [Center for Justice and Reconciliation](#)
- [Criminal Justice Information and Assistance for Victims, Juveniles, the Incarcerated, and the Accused \(Pace Law Library\)](#)
- [CrimProf Blog](#)
- [Critical Resistance: Beyond the Prison-Industrial Complex](#)
- [Death Penalty Focus](#)
- [Death Penalty Information Center](#)
- [Decarcerate PA](#)
- [Detention Watch Network](#)
- ["Evolving Standards of Decency:" A Prisoners' Rights Law Blog](#)
- [Grand Jury Resistance Project](#)
- [Harvard Prison Legal Assistance Project Blog](#)
- [Human Rights Watch Prison Project](#)
- [Justice Policy Institute](#)
- [The National Center on Institutions and Alternatives \(NCIA\)](#)
- [Life Sentences Blog \(Michael O'Hear\)](#)

- Prison Activist Resource Center
- The Prison Arts Coalition
- The Prison Enquirer (global in scope)
- Prison Legal News
- Prison Moratorium Project
- Prison Radio
- Prisoners' Rights Law Resources
- The Real Cost of Prisons Project
- Sentencing Law and Policy (Douglas A. Berman)
- The Sentencing Project
- Solitary Watch
- Students Against Mass Incarceration (SAMI)
- Vera Institute of Justice
- William James Association: Prison Arts Project
- Women's Prison Association (WPA)



A prison painting by Al Black

“If you traveled by way of Florida’s Route 1 in the 1960s, you might have encountered a young, African-American artist, selling a lushly painted oil landscape from his car. They weren’t allowed in galleries during Jim Crow segregation—but motels, office buildings

and tourists would buy their vivid works. Together, they formed a loosely associated band around Fort Pierce, Florida, that came to be known as The Highwaymen. At \$20 a painting, they made their way out of agricultural jobs like citrus-picking and defined the cultural look of an era.

Their paintings departed from an earlier tradition of landscape painting in Fort Pierce. A.E. 'Beanie' Backus, considered the father of the landscape movement there, caught the clouds and savannahs and inlets that were falling to developers in the mid-century. He would teach many youngsters who came to his studio, including the teenage Alfred Hair, leader of The Highwaymen. These artists would take off in their own direction. But success has brought enduring tensions on their home turf, raising questions about art, race and cultural legacy.

The who's who of The Highwaymen can be tricky. (A curator named Jim Fitch coined the name in the '90s and it stuck.) Gary Monroe, author of *The Highwaymen: Florida's African-American Landscape Painters* (2001), counts 26 original painters—18 of whom are still living. That's how many were inducted into the Florida Artists Hall of Fame in 2004.

Al Black is one of them. He's a smooth talker who could 'sell a jacket to a mosquito in summer,' says Mary Ann Carroll, 71, another of the 26 inductees. But Black had humble origins. He was born on a plantation in Mississippi and moved to Fort Pierce to pick fruit in his early teens. Art would eventually be his way out of that life. He started out as a salesman for The Highwaymen in the 1960s, trawling Route 1 on their behalf—often raising the price tag and pocketing the difference. 'Of the many salesmen, Al Black was in a class all his own,' writes Monroe. 'Signs prohibiting solicitation or those banning Negroes did not intimidate him.' 'A salesman is a con man,' Black readily admits today, smiling.

Business was strong for years. Then came the fateful day in 1970 when one of the group's leaders, Alfred Hair, was murdered in a bar. After that, the organization gradually declined, but Black kept at it – and when he needed more paintings to sell, he became a painter himself.

Tastes change, though, and by the '90s, demand for the paintings had all but dried up. And in 1995, Black had his own crisis. 'I didn't know what to do with myself, so I was introduced to crack cocaine,' he says. 'It led to a conviction.' And that chapter of his life led to prison, where he spent 12 years and, once again, picked up his paintbrushes. When it was discovered he was a Highwayman, Black was given unprecedented

permission to paint murals throughout state correctional facilities, like the Central Reception Center in Orlando, where they remain to this day. Author Gary Monroe has taken pictures of Black's prison portraits and compiled a book, *The Highwaymen Murals: Al Black's Concrete Dreams* (2009). Now out of prison, Black still paints. 'I can be down and out,' he says, 'feeling bad that morning. But if I can make it out to where I paint, everything picks up ... and makes me feel real good.'"