

**Punishment to Power: Moving the Justice Pendulum to Square One**  
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I walked into the conference room for the morning meeting. With a nod of greeting to familiar faces, I took my seat and resumed worrying that comments I was about to make would drift, making sense only to the unruly thought generator that is my brain. Such anxiety had kept me awake the previous night, prompting this journal entry:

May 10, 2018, Midnight— *Square One, is not the same for all of us. We didn't start from the same vantage point. When there was no CJ system, my ancestors were property. We can't simply clear the slate. Look at how fast democratic norms are fading since the 2016 election. Not enough people are repulsed by this climate of vitriol and hatred... We are at risk of allowing white supremacy to destroy the democracy the founders professed to envision but failed to create. We may create something much more sinister. Threats to Black lives loom all around us but the only evidence I have is reflexive fear.*<sup>1</sup>

For three years, I have participated in a conversation about violence, racism, and social inequality in the US criminal legal system. Questions about values, how they apply to the legal system, and their relationship to the social contract have been themes. No set of practices or list of values will magically guarantee justice if embedded in a new system of law and order. However, there are groups that work together toward a specific radical shift in practice that will build power and self-determination among harmed communities: Center those who have been harmed by the systems failure.

At the intersection of criminal legal reform and civic engagement there stands a collection of entities built by people with criminal convictions, many of whom have served decades behind bars. The organizations they built exist in the shadow of large-scale reform efforts. This labor encompasses a cornucopia of models, issues, localities, and structures. Advocates react in real time to real needs. They respond when the coffers are full and when they are bare. Perhaps they are invisible because they are so nimble. Theorists may find no logic by which to diagram the abstract design of this work plan we call, “the struggle.” The work progresses through community, transforming the lives of people who have been harmed by injustice, creating wellbeing through self-determination, knowledge, and collective power.

After years of working one way, I began to move in step with leaders whose existence seems linked to mine in ways that overrule the neat logic model contained in a strategic plan. I learned the values and principles embraced by movement work through interactions in practice, in dialog and dispute, and in perpetual mourning interrupted by occasional celebration. I posit that the urgent, loving, soul-wrenching labor of movement building, fosters change by embracing radical values amid pressure to do otherwise. Its challenges are real, but not insurmountable. The growth and healing that social movements bring to oppressed people and communities is worthy of consideration.

### **What Does Square One Success Look Like?**

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<sup>1</sup> Two years and twelve days after the night I felt impending doom, George Floyd was murdered in broad daylight.

Walking out the prison gate in 2001, I wanted more than transitional housing, low-wage work, and sobriety. I came across one organization that led with aspirations over limitations. [College & Community Fellowship](#) (CCF) expects women who join the program to earn a college degree; an uncommon step in reentry plans at that time. I signed up immediately.

CCF students are adult women, 87% BIPOC, 70% Black, average age 35. At intake, 83.3% are low income.<sup>2</sup> The average cohort graduation rate is 62%. Fourteen percent pursue graduate degrees. CCF envisions thriving communities where all people have access to fulfilling careers and relationships, generational wellbeing, prosperity, decreased exposure to trauma, and increased civic participation.

As a senior, I enrolled in a year-long Conviction Seminar. The cross-disciplinary syllabus included essays by Michel Foucault, Ruthie Gilmore, Gustavo Gutiérrez, Kimberly Crenshaw, Frantz Fanon, Patricia Hill-Collins, Paulo Freire, Loïc Wacquant, bell hooks, and W.E.B. DuBois, among others. During the course, my perspective on the US criminal legal system and the purpose of education underwent a radical change. At the same time, CCF was in search of a new leader. I lacked experience so they changed the title to “Lead Organizer.” I saw past the slight and sensed it was an opportunity to shape the budding project. Armed with the syllabus that changed my life, I took the job in September of 2004, the organization's fourth year.

CCF now provides a range of academic, mentoring, financial and career services, technical assistance, and advocacy training. Most critically, it brokers social capital, helping students stack skills and resources and connect to networks while they pursue personal goals. As Mario Small argues, “People’s social capital depends fundamentally on the organizations in which they participate routinely.”<sup>3</sup>

People also influence organizations. And, moving collectively, people and organizations influence systems. [Collective Impact](#) was the buzz in 2011, the year I joined the steering committee of a movement. Initially, I joined in response to a growing demand to frame every idea in the language of collective impact and scale. However, I would learn that collectivity and scale look different through the filters of conviction status, race, gender, and responsabilization. The network I joined had been 13 years in the making.

Beginning in 1998, a group of people with ties to the criminal legal system began to meet on the sidelines of conferences. They set out to build a movement to dismantle the prison industrial complex and to do so by channeling the collective power of people harmed by that system. The justice pendulum, which had been stuck in retribution since the civil rights era, began to swing toward rehabilitation in G.W. Bush’s second term and has, ostensibly, continued in that direction.

[Dorsey Nunn](#), [Susan Burton](#), [Kenneth Glasgow](#), [Norris Henderson](#) and others who had been meeting for decades, used the momentum to recruit comrades and allies. By 2011, it was clear that the work needed a home base. A clarion call went out on a Monday: [Meet us at the Edmund Pettus Bridge in Montgomery Alabama](#) on Thursday! People showed up. The name Formerly Incarcerated and Convicted People’s Family Movement ([FICPFM](#)) had iterations. Despite its unwieldiness, it stuck.

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<sup>2</sup> 200% of federal guideline.

<sup>3</sup> Small, M. L. (2009). *Unanticipated gains: Origins of network inequality in everyday life*. Oxford: Oxford University Press.

The intent is to expose how widespread the damage has been. [All of Us or None](#) shared the mantra that captured the moment, “Building a movement, not another non-profit.”<sup>4</sup> The [Steering Committee](#) was formed and began monthly meetings.

## **Operating Values and Principles**

Each member leads separate work, but the collective goal of the movement is to mobilize the untapped potential of 100 million people who are directly affected by the U.S. criminal legal system, “We are waking a sleeping giant.”<sup>5</sup> [Daryl Atkinson](#), Founder of [Forward Justice \(FJ\)](#) explains:

*We support the movement, not issues. Movement-building transcends any one issue. It [the work] is about: 1. Changing laws, policies, and practices to build power; 2. Shifting culture, values, and narrative; 3. base building and mobilization.*

Guided by self-determination, collective power, and accountability, FICPFM relies on the exchange of social capital, individual, organizational, and political education to carry out the work. The values and aspirations of FICPFM are reflected in this summarized statement of purpose:

*We are committed to the full restoration of our civil and human rights. Society’s reliance on prisons and punishment does not make our communities safer. The warehousing of human beings, disproportionately people of color, is an unacceptable substitute for social programs. We do our work to develop political power and healthy communities.*

The steering committee functions as an anchor, providing infrastructure and guidance. Responsibilities are shared through subcommittees and rotating fiscal sponsorship. [A New Way of Life](#) (ANWOL), the current fiscal sponsor is building on principles of self-determination and accountability established by previous fiscal sponsors. The steering committee ensures that work FICPFM takes on as a collective does not center dominant culture or neglect the needs of those who have received the harshest punishments and suffered the greatest losses driven by decades of retributive justice. Constituent organizations of FICPFM exercise their right to self-determination, but work done as a collective is subject to an internal democratic process.

## **Accomplishments 2018-2020**

Expanding on the work of AOUON, FICPFM launched a fund to support organizations led by directly impacted people. The [Quest for Democracy](#) (Q4D) fund has granted \$2 million to 34 organizations. Two [national organizers](#)<sup>6</sup> coordinate education, training and support for grantees. The organized

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<sup>4</sup> Unless otherwise noted, individuals quoted in this essay are members of the FICPFM Steering Committee, whose names and affiliations are listed [here](#). The author acknowledges the hard work and contributions of the FICPFM Steering Committee members not quoted or mentioned by name in this essay: [Hamdiya Cooks-Abdullah](#), [Ingrid Archie](#), [George Galvis](#), [Manual La Fontaine](#).

<sup>5</sup> Norris Henderson, Founder of VOTE.

<sup>6</sup> FICPFM is grateful for the hard work and contributions of David Ayala and [Mike Biggs](#), the national organizing team. To learn more about FICPFM please reach out through [this contact link](#).

constituencies of active<sup>7</sup> and reserve<sup>8</sup> steering committee members united with Q4D created a social and political base. When that base mobilizes around common goals maximum impact is achieved.

For example, FRRRC hosted the FICPFM 2018 National Convening. More than 900 people put boots on the ground to reach 82,000 voters, to support FRRRC on Amendment 4, a ballot initiative to restore voting rights to 1.4 million Floridians. [In North Carolina](#), FJ won voting rights for disenfranchised constituents. A FICPFM sub-committee hosted now Vice President Kamala Harris, Senator Cory Booker, and Tom Steyer at [Justice Votes](#), a candidate town hall exclusively for people directly affected by the criminal legal system. The base mobilized nationally on voter education, registration, and Get Out the Vote efforts activated members on the ground in Georgia during the Senate run off.

FICPFM constituents changed draconian laws, increased opportunity, and shifted narrative.

- VOTE celebrated the [U.S. Supreme Court ruling on unanimous jury verdicts](#) in state felony trials, **abolishing a remnant of Jim Crow**.
- ANWOL launched [Safe Housing Network](#) with 7 reentry homes in California and training for impacted leaders to replicate the model nationally.
- [Ban the Box](#) campaigns give job applicants with criminal records a fair chance. Coined by AOUON, Ban the Box now exists in over 33 states and 150 localities. Higher Education admissions policy has begun to embrace these practices.
- Upon taking on executive leadership amid active opposition, DeAnna Hoskins led JLUSA's coalition work in New York City to [#CloseRikers](#), launched [#JustUs](#) nationally to mandate emergency preparedness in carceral spaces, and released a [2020-2024 Roadmap](#) to guide broad change at the federal level
- Daryl Atkinson and Vivian D. Nixon co-edited "[What We Know](#)," essays by incarcerated and convicted people. We published quality essays whether authors were aligned with FICPFM or not. The goal was not uniformity, it was narrative shift and a platform for those who have been silenced.
- CCF created [#equityisjustice](#), a rebrand of its 14-year campaign to restore Pell grant eligibility to students in prisons. Access to FICPFM's base expanded the geographic diversity of testimony to legislators [helping make college possible for 2 million incarcerated people](#).

FICPFM invests in efforts that are not centered in solutions sanctioned by the dominant culture, but in the collective power of the people. The movement does not seek to elevate one organization, but to increase the visible civic participation of a massive and growing constituency. FICPFM brings new and diverse voters to the electorate. We will work to diversify the United States Congress until investment in communities to whom a reckoning is long overdue is the norm. That's scale through a different lens.

## Challenges

When legislative victories are won, and new officials are elected, implementation and accountability require continuous effort. Movements apply the pressure that protects victories, thus sustained

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<sup>7</sup> [All of Us or None](#), [JustLeadershipUSA](#), [College & Community Fellowship](#), [Forward Justice](#), [VOTE](#), [The Florida Rights Restoration Coalition \(FRRRC\)](#), [A New Way of Life](#), [Communities United to Restore Youth Justice](#), [Haywood Burns Institute](#),

<sup>8</sup> [The National Council of Formerly Incarcerated Women and Girls](#), and [The Ordinary People's Society](#)

support is needed. Every victory invites a new struggle. As Miriam Kaba has said, “You want more freedom? Join with others. Fight like hell. Understand that the struggle is eternal. Roll up your sleeves and do your part.”

Getting support from allies who use traditional measurements is also a challenge. Movement work can appear unmeasurable, but it gives power to the people—the energy that fuels change. Partnership is welcomed. Self-determination is critical to the work that we do. None of us can do it alone, but allyship does not look like exploitation, cooptation, or domination.

## **Recommendations**

There are many ways to support movement work.

Practitioners, researchers, and philanthropists should intentionally center people who belong to the communities most harmed by injustice at the earliest stages of theory, policy, or praxis.

Inclusion must occur in all spaces and at every level of leadership. We do not believe that inclusion requires tokenization or patronizing. Our comrades are as accountable, credible, and skilled as the rest of the workforce in America. Inclusion does not require a change in standards, it requires a willingness to remove dominant culture from the center and offer equitable education and opportunity to all.

Infatuation with conventional knowledge production and quantitative research to the exclusion of narrative, ethnographic, and experiential wisdom can produce solutions centered in the dominant culture. These solutions are likely to be ineffective. Moreover, they do nothing to contribute to a reckoning of historic damage. Given a nearly universal understanding that the criminal legal system is a storehouse for remnants of white supremacy and structural racism, recommendations might best be framed as questions.

- Why aren't directly impacted leaders in decision-making roles in the largest organizations that seek to transform the criminal legal system?
- Why aren't directly impacted people represented at the executive or board level of corporations that profit off consumer activities driven by the existence of carceral systems?
- Why are there no permanent faculty positions designated for system impacted educators given that students will undoubtedly interact with system impacted people in their lifetime?
- Why isn't there leadership, at every level of government, that is reflective of the experiences of those who have been disparately harmed by injustice both as invisible victims and dehumanized defendants?

If these seem to be unreasonable questions, think of other movements in history. Can you imagine a board with no women, a faculty with no members of the LGBTQIA community, a government with no BIPOC representation, or differently abled people?

A final recommendation is to prioritize the long-term impact of base-building and voter education for this population. Some of the change we need will require the power of the electorate. That the 13<sup>th</sup> amendment still permits enslavement casts an ominous shadow over our lives, and our children's lives, it will do so until we are totally free.

## **Conclusion**

The justice pendulum has steadily swayed between retribution and rehabilitation in the history of the U.S. criminal legal system. Square One is beyond rehabilitation: It demands the reclamation of power that has been denied to some and concentrated in the hands of others. Abolition work seeks to abolish systems and practices that create the conditions in which injustice thrives. Unequal distribution of power is a condition that feeds the roots of injustice. Movements that employ self-determination, education, and collectivity, build power.