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Abstract

Using Kimberlee Crenshaw's concept of intersectionality, the author argues that how incarcerated Black women are treated because of how others perceive their identities lead to certain traits of theirs being rendered invisible or hyper-visible. Their humanity and needs are rendered invisible while stereotypes of criminality, insanity and hyper-sexuality are hyper-visible. Because their humanity is not fully seen, while their criminality is seen as hyper-visible, state violence is used against them as a tool of control and domination. Due to the fact that incarceration and the state violence that comes with a prison sentence, prison abolition should be considered as a solution to this problem.

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Introduction

A lot of research has analyzed the causes of the rising rates of Black men within the U.S. carceral system. Although this is necessary work, there is not the same amount of time given to examine the unique challenges that Black women face within the same system, even though they are considered one of the fastest growing populations within U.S. prisons (Boodman, 571). This thesis will examine how incarcerated Black women are both invisible and hyper-visible in different ways because of their social positioning, the label of criminality and the intersectionality of their identities. State violence in the U.S. prison highlights these notions of invisibility and hypervisibility, because it is used as a tool to dominate those that do not fit the norms of U.S. society. Because state violence in U.S. prisons further excludes those that are already marginalized, the abolition of the prison should be considered.

Although I do suggest the U.S. consider prison abolition as a solution, this thesis is written to articulate the problems that incarcerated Black women face to better understand what is needed to address the ever-growing U.S. prison population rather than offering explicit solutions. The problem of rendering Black women's humanity invisible due to their criminal conviction highlights how broken the U.S. prison system has become. This work is necessary because the state should meet the needs of all its citizens, not just the majority. It is clear that the needs of the U.S. prison population are largely not being met, especially the needs of incarcerated Black women. The state is not only failing to meet their needs but also using violence to control these populations. My hope is that by highlighting this neglect and violence, this thesis will help move the conversation towards a possible solution – one where all citizens are respected and supported. This is a huge task, which will definitely require the changing of minds and public opinion, but it is an important one.

Terminology

In order to make claims about how incarcerated Black women are seen as invisible and hyper-visible and how state violence perpetuates this notion, some terms I use need to be defined. These terms include the theory of intersectionality, oppression, invisibility, and hypervisibility. This thesis will use the term intersectionality coined by Kimberle Crenshaw, that describes the unique challenges that individuals face due to the multiple identities they have, which include race, gender, sexual orientation and ability. These individuals are met with oppression and marginalization that look different because their identities intersect to shape how they are seen by others and how they experience the world. This term will be discussed in greater detail in the Intersectionality section.

I will use the terms, defined by Iris M. Young, within her work *Five Faces of Oppression.* Oppression consists of these five different actions, including exploitation, marginalization, powerlessness, cultural imperialism and violence. These five aspects are systemic and can be daily instances in which individuals from the group are treated unfairly, by individuals and by the system. Oppression's "causes are embedded in unquestioned norms, habits, and symbols, in the assumptions underlying institutional rules and the collective consequences of following those rules" (Young, 4). This is why it is so challenging to break down the barriers that restrict oppressed communities; it is not just overcoming the comments or actions of the individual but rather the policies and institutions that are oppressive. These terms are used to label the instances of oppression that marginalized groups experience. In this case, I will state how incarcerated Black women are marginalized and powerless. They also experience cultural imperialism and violence because of their identities. These terms will be applied to what incarcerated Black women experience in prison and after their release, and how this ultimately leads to oppression of this group.

The other terms I use are invisibility and hypervisibility. I use the term invisibility to show that incarcerated Black women are physically not able to be seen with society because they are locked behind the prison gate. Not only are they physically not seen by the public, but this notion of invisibility also reflects the fact that their specific needs are not being met, their humanity is not being 'seen', and the barriers that they run into are seen as their problem to fix. I use Michelle Alexander's notion of an under-caste to touch on the invisibility that incarcerated Black women face. Being a part of this under-caste, formerly incarcerated individuals are unable to move up the economic ladder or receive social supports because the crime they are convicted of remains on their record for the rest of their life, interfering with their chances of getting a job and supporting themselves (Alexander, 13). There is separation between this under-caste and the rest of society.

Hypervisibility is a term used to highlight the aspects of incarcerated Black women's personhood that are highly visible. These hyper-visible aspects of their identity are intensified by racist stereotypes and the public's perception of these individuals. I highlight incarcerated Black women's criminality, insanity and sexuality as hyper-visible traits. As I will later argue, only highlighting these traits reduce an individual to less than their full humanity.

The Historical Context of the Prison

Now that there is an introduction to the important terms that are being used, it is critical to understand the historical context of the prison even though I situate this analysis in the current-day conditions of the prison system. This will show how past policy decisions have created these prison conditions that are seen today. A reflection of the history is necessary to understand the reasons why the prison system was created, as it was largely a system instituted to control Black men and women from its very inception. Once slavery was abolished and could no longer be used as a system of control, many states passed laws very similar to Slave Codes that made many actions illegal if the individual was Black. These racist laws combined with the loophole in the Thirteenth Amendment, in which slavery could be used as a punishment for crimes committed, led to Black people being locked away and used as labor yet again (Davis, 28). This led to the creation of the convict leasing system, which is when the United States saw a shift in who was being incarcerated from white people to Black people.

Although the stereotype that Black people are seen as criminals did not begin during this time, Black people were locked up at higher rates as one of the only ways to ensure they were controlled after slavery was abolished. This system of convict leasing unleashed terror onto the individuals who were incarcerated. Prison guards and the plantations that leased these incarcerated Black bodies did not have a vested interest in the wellbeing of these inmates, and therefore, would not provide them with the basic necessities and punished them severely.

The prison was itself a reform for the severe abuse that the convict leasing system and corporal punishment brought. Instead of holding the individual in prison until their punishment, time in prison was now their punishment. When U.S. prisons were instituted in the 1800s, it was seen as a more humane treatment because criminals were no longer physically punished but rather were left to rehabilitate (Davis 42). This was seen as radical and progressive when it was established, yet we now see how traumatic the prison can be.

Although the main target of the prison system were Black people, most families were not affected by the system until later on. The prison population skyrocketed shortly after the previous system of control, Jim Crow, was falling out of fashion. A new system needed to be established to control the Black population and keep them in their second-class status. However, this system needed to be constructed in a manner that was not as explicitly racist as the previous systems; it was believed that Black people were not getting locked up in prison because they were Black, but because they were criminals. This system was insidious because it was colorblind (Alexander, 2). Leaders used coded language like 'law and order', 'tough on crime', 'state's rights', and 'Black-on-Black crime' to continue their racist aims of rendering Black people to second-class citizenship. This made it difficult to label this system as racist because it was seen as purely combatting drug crime and protecting communities, even though it disproportionately affects Black communities.

The demographics of the prison population were very similar to the victims of the previous systems of control; "although this new system of racialized social control purports to be colorblind, it creates and maintains racial hierarchy as much as earlier systems of control did. Like Jim Crow (and slavery), mass incarceration operates as a tightly networked system of laws, policies, customs, and institutions that operate collectively to ensure the subordinate status of a group defined largely by race" (Alexander, 13). The only difference is the number of individuals affected by mass incarceration today. Most inmates are Black and Brown, poor and locked up for petty, nonviolent crimes, which is not too far off from the composition of past prison populations. Large swaths of the Black community were being locked up because of the declaration of the War on Drugs by President Reagan and other conservative politicians.

Although President Nixon was known to stoke the racial fears white people had, the War on Drugs was President Reagan's creation. Reagan was able to stoke racial resentment of poor white people, confirming their suspicion that Black families were a burden to them, where Black women were 'welfare queens' and Black men were 'criminals'. He was strategic in the way he

spoke; he did not speak in explicitly racist terms (Alexander, 48). Once Reagan was able to stoke these fears, it was much easier to establish the need for extreme policing in the communities where drug crime was.

He declared the War on Drugs in 1982, when statistics showed that drug use and overall crime was on the decline (Alexander, 49). Public opinion at the time even showed that drug abuse was not even seen as an issue (Alexander, 49). Yet, it was a coded way to alleviate the public's fears about race and it was seen as favorable once the war was established. It was only three years after the War on Drugs was declared that crack cocaine flooded into Black neighborhoods, which inevitably led to drug abuse and crime. These communities were already vulnerable because of rising unemployment due to increased globalization during that time (Alexander, 51). The Reagan administration created the conditions for the destruction of Black communities and the high incarceration rates we see today in the United States.

By the end of the War on Drugs, the U.S. prison population ballooned to seven million Americans who are currently serving their sentence, either in prison or on probation (Alexander, 60). The demographics of today's prison population have not changed from the populations of the past; an overwhelming majority of the people caught up in the carceral system committed a non-violent drug offense, are poor and Black. Although many of these inmates are non-violent, they are still perceived to be dangerous and are met with aggression by the police and prison guards (Davis, 50). These are the conditions the analysis situates itself in.

Intersectionality

Although Black men have been the main targets of the prison system historically, Black women are currently one of the fastest growing prison populations. There are nuances in every individual case but there are a few generalizations that can be made about Black women's experiences, both inside and outside of the carceral system. As discussed in Crenshaw's work, these women experience oppression differently than both their white and male counterparts. Crenshaw argues that race and gender interact with one another in order to shape the oppression that Black women experience. Crenshaw argues, "Black women are protected only to the extent that their experiences coincide with those of either of the two groups. Where their experiences are distinct, Black women can expect little protection" (Crenshaw, 143). When one only looks at the experiences of white women or Black men, the oppression that they face is different than the oppression that Black women face, as Black women experience a unique combination of both racism and sexism.

These intersections become even more salient when the individual is incarcerated. Incarcerated women are not seen as feminine, because it is so entrenched within societal norms that crime is considered to be masculine. However, there are gendered expectations on what crimes are committed by women and men (Enos, 4). Women are more likely to be convicted of crimes like prostitution and drug possession. In most cases, women commit crimes for economic reasons, where they try to make it possible to care for their families (Boodman, 580). Men are more likely to commit crimes that are more violent in nature, such as rape, murder and armed robbery. If a woman commits a crime that may be inconsistent with these trends, the individual is considered deviant as they do not fit into the stereotypical mold of feminine criminality. Women are less likely to be seen as violent and are typically not charged for violent crimes. Female criminality is considered taboo.

Incarcerated Black women, however, are seen as more masculine compared to their free counterparts. This is because of the societal notion that women are not as likely, or able, to commit crime, due to stereotypes that women are not as intelligent, capable, or rational as men. Therefore, if a woman is able to commit crimes, they must not be as feminine as their free counterparts. Because women are seen as masculine when they have interactions with the prison system, incarcerated women tend to live in harsher conditions than what is required. Many are not classified correctly, and in many cases, are classified at a higher security level than is needed. They are typically not given the care they need, whether that be reproductive care or mental healthcare. Incarcerated Black women disproportionately experience sexual assault or domestic violence before they are incarcerated (Enos, 6). Then, they are retraumatized, as they are just as likely to experience sexual assault within the prison, by actors of the state or by other inmates. Not only are they retraumatized, but they are not given the mental and physical health care they need in prison to address the sexual assault they have experienced before and during their time while incarcerated.

Black people have extremely different experiences with the police and the prison than their white counterparts. Black communities tend to be heavily surveilled due to the stereotypes that they are more dangerous and criminal. Because of these deeply held stereotypes and the heavy surveillance in Black neighborhoods, Black people are more likely to be policed and incarcerated. The United States has seen time and time again that there is serious police misconduct in instances where they brazenly arrest Black individuals for very minor offenses. The officers lash out on the Black person they are arresting when the individuals calmly asks why they are being arrested. In many cases, the police use extreme physical force while they are arresting someone in a heavily policed community. Sometimes this force can be deadly. This is in stark contrast with the reality of police surveillance – or lack thereof - in predominantly white communities. The high incarceration rates the U.S. is seeing is partially due to the extreme policing Black communities face which inevitably leads to more arrests and more police violence.

Black women uniquely experience the state violence because of their intersecting identities. Black women experience much of what white women and Black men experience, but then face other instances of discrimination unique to their identities. More analysis should be done on the context in which Black women specifically end up incarcerated as much of the current research include "accounts that tie mass incarceration to slavery tend not to include black women in that narrative, while many mainstream feminist approaches to violence ignore race" (Boodman, 574). They are much more likely to have poor interactions with the police and experience prison compared to their white female counterparts because of their racial identity and the communities where they live. They are perceived as dangerous compared to white women. Black women are more likely to juggle both being the caretaker and working full time to support their families. When they are incarcerated, their families are much more likely to struggle compared to those that have an incarcerated father because of the role the mother plays in the family (Enos, 19). The fear of not knowing if your children are doing okay or if you will still have custody of them after your release can lead to chronic stress and anxiety. This distress builds on the pre-existing mental health issues that these women are much more likely to experience. Incarceration become anyone's reality if they are not getting the support they need to make sure they are able to survive, including substance abuse treatment, adequate childcare, a living wage, affordable housing and safety from all types of threats (Boodman, 577). This seems to be the case for many low-income Black families.

Oppression and structural obstacles are intersectional in the way in which they affect individuals; "the same discussion has also led to the recognition that group differences cut across individual lives in a multiplicity of ways that can entail privilege and oppression for the same person in different respects" (Young, 5). These obstacles get in the way of individuals being able to thrive, in which their needs are being overlooked and they are not respected. These are the conditions where an individual is rendering invisible.

Visibility

In order to explain how incarcerated Black women are rendered invisible and hyper-visible, one must understand why visibility within society is important. Visibility as an individual is necessary for their social positioning within the world. It provides individuals an opportunity to exist in the world as fully realized human beings who have aspirations, wants and needs. Others see them as who they really are, rather than be reduced to stereotypes or their own mistakes. Visibility in this context provides individuals with rights such as representation within the government and in the community. Individuals are supported when an issue arises in their lives, and individuals are respected by the community when they are seen as their full selves.

If incarcerated Black women were to be considered visible by their community, they would not be reduced to negative stereotypes, but rather they would be provided the nuance that comes with being a human being. They would be respected within U.S. society, and not be reduced to the crime they are incarcerated for. Instead of serving lengthy sentences for non-violent drug offenses, these women would receive the help they need that caused them to commit these crimes in the first place. Unfortunately, this is not the reality for most incarcerated Black women. Not only do they have to deal with racism and sexism, but they also must deal with the stigma that comes with the prison sentence in all aspects of their lives. They are not awarded the benefits that visibility provides which inevitability leads them to fall through the cracks within our system, whether that be intentional or unintentional, and harms them because their needs are largely not being met. In the next two sections of this paper, I will examine the ways in which incarcerated Black women are not awarded this visibility in society.

Invisibility

As one can see, incarcerated Black women are not fully seen for who they are. Rather, Incarcerated Black women are rendered invisible due to their identities and social positioning. This invisibility is heightened the moment that they are labelled as a criminal and told to serve their sentence. This label of criminality, and the invisibility that comes with it, follows them for the rest of their lives. They are unable to escape this under-caste, where their needs are not addressed, and their humanity is not respected. These women are invisible because they are physically unable to be seen, their needs are being ignored and are reduced to the crime they are incarcerated for.

Once those that are labelled as criminal are inside the prison gate, most in mainstream society largely forget about them. Those that are incarcerated are physically shunned from the mainstream, making them literally invisible from society. They are no longer considered a 'danger' by society because they are in a physical institution of control where they are not able to be seen outside of the prison, except for those that choose to keep in touch with the inmate. Most prisons are in rural areas where many are not confronted by the prison and everything that happens there in their daily lives. This physical distance between the prison and individuals within the public allows individuals to not consider the violence that occurs within these institutions.

Because of this distance, incarcerated Black women are marginalized from the mainstream society, where "a whole category of people is expelled from useful participation in social life and thus potentially subjected to severe material deprivation and even extermination" (Young, 9). They are seen as the under-caste, made to disappear (Alexander, 13). They are not able to be upwardly mobile within mainstream society and in the economy because they are labeled a felon after their release. Rights and benefits as U.S. citizens are taken away once an individual is a convicted felon. Similarly, they are largely not able to access the social supports

that are available when they are labeled. They are responsible for their survival after they return to society. On an individual level, this is made even more salient when the incarcerated person is a Black woman.

Incarcerated Black women have different needs compared to their male counterparts, which are largely ignored within the prison. They typically are not labeled correctly in terms of their security levels, where they are classified at a higher level that is actually needed (Enos, 22). They are perceived as more dangerous than they actual are, which may lead to harsher punishment or more security measures. These security measures are more punitive than what is needed to control these women. Additionally, Black women are not given the adequate support they need in prison, particularly mental healthcare and reproductive healthcare. In many cases, Black trans women especially are not provided the hormonal treatments and other healthcare they need. In addition to the lack of healthcare available, Black women in prison are not provided with the same recreational and educational opportunities that are provided in male prisons. If they do, these programs are not adequate for the size of the prison population. Women's prisons lack enough funding or are too small to have comprehensive programs that meet the needs of the population (Enos, 22). Although these programs are not as vital as healthcare, these programs are extremely helpful to incarcerated individuals after their release.

Without these programs, life in prison is even more miserable which can deeply harm those that experience it. Boodman in her article discusses that the prison system and U.S. government completely misses the mark as far as making sure Black women's needs are being met; that there is "the lack of gender-specific services, ignorance of the 'social causes' of women's criminality, which feminist criminologists say involves a combination of underemployment, abuse, and drugs" (Boodman 574). More attention is paid to perpetuating the stereotypes of incarcerated Black women than to alleviating the social conditions that have led to the crime, like poverty, heavily policed neighborhoods, and lack of economic opportunities. The

needs of the Black female population within the prison system are largely not being met because their struggles are not being seen and incarcerated Black women are not being advocated for.

This invisibility does not end after a Black woman serves her sentence and walks out of the prison gate, due to the fact that she is still seen as a felon long after the end of her sentence. The crime she was incarcerated for remains on her record for the rest of her life. She is rendered invisible because she is not allowed to advocate on behalf of herself. When she is in prison (and even after her release in some states), she is not allowed to vote for her government representatives, she is not counted in the Census in her own communities, but rather in the community where the prison is. Therefore, she has no power within the system and cannot change their position within it. Because of her conviction, she has very limited opportunities for housing, employment and social supports because of the restrictions placed on who is able to take advantage of welfare programs like the Housing Choice Voucher Program and the WIC program (Enos, 30). Most employers even have restrictions on who they will hire, a felony conviction being one of them. Even if an employer is willing to hire someone with a felony conviction, the applicant is still required to inform the employer of their conviction. This can lead to very serious consequences for the formerly incarcerated, as many who are on probation are required to get a job as a part of their reentry program. This restriction can put their freedom in jeopardy, as one has the threat of returning to prison if they do not 'follow' the rules of their parole agreement. There is an interesting paradox here between ensuring the formerly incarcerated can re-enter society as individuals who are able to take care of themselves while also refusing to hire formerly incarcerated individuals because it would not be financially advantageous. Although most who have been formerly incarcerated are ineligible for these programs and struggle to find a job after their release, this struggle is felt differently among the demographics of the formerly incarcerated population.

Formerly incarcerated Black women, especially those that are poor, feel the impact of no longer being eligible for these social welfare programs more than their Black male or white

female counterparts. This is heightened when the woman has dependents to take care of, especially when she is the sole caretaker. It is not surprising to find out that when a woman ends up being incarcerated, the family and the whole community is deeply affected by the loss, more so than when male members are incarcerated (Enos, 19). This is largely due to the caretaking role that women typically take within the family and the community. Incarceration tends to become a cycle, because these communities do not have the support they need.

These restrictions were created due to a stigma against incarcerated Black people. This stigma comes from the fact that society thinks that those incarcerated are a threat to the community, regardless of what crime was actually committed. This stigma perpetuates the popular notion that the individual's incarceration is their fault, even when there are external conditions that led to the crime. With the label of criminality, comes stereotypes, like being lazy, dangerous, impulsive, and lacking self-control. When people believe that incarcerated individuals deserve their punishment because there is something wrong with them, they do not believe that incarcerated individuals deserve compassion, empathy or even rights. Those that are incarcerated are seen as less than full human beings. They are perceived to be criminals and that is the extent of their character; Young states, "the culturally dominated undergo a paradoxical oppression, in that they are both marked out by stereotypes and at the same time rendered invisible" (Young, 12). Their mistakes and the stereotypes they are believed to represent are hyper-visible, where their needs, their character, and their positive traits are invisible. Although these stereotypes are commonly held, they do not show the full picture. Like other individuals that are incarcerated, incarcerated Black women are harmed by this stigma as they are denied their rights because of it.

Because of the conviction on their record, incarcerated individuals are typically not seen as victims of sexual assault, especially when this assault occurs behind the prison fence. This does not match up to the actual reality, however; those that are incarcerated disproportionately endure sexual assault, whether that be before they were incarcerated, during their sentence or after they are released. In many cases, they survive multiple instances of sexual assault. This is

especially true for women who are incarcerated. In some cases, women are re-traumatized when they are yet again victims of sexual violence within the prison. Some prison guards abuse, assault and rape incarcerated women as part of their punishment. They do this to wield power over the women they have in their care. Although this is not institutionalized, there is an absolute lack of accountability when it comes to these cases which makes it seem as though the institution will, at the very least, look the other way when it occurs.

Not only does sexual violence occur at an individual level, those that are in prison also are subjected to routine and institutional sexual assault. Each individual at the beginning of their sentence is required to be stripped searched. Angela Davis describes this as a violation that tends to be overlooked because of its perceived security benefits and the frequency in which it is used:

> *"Sexual abuse is surreptitiously incorporated into one of the most habitual aspects of women's imprisonment, the strip search. As activists and prisoners themselves have pointed out, the state itself is directly implicated in this routinization of sexual abuse, both in permitting such conditions that render women vulnerable to explicit sexual coercion carried out by guards and other prison staff and by incorporating into routine policy such practices as the strip search and body cavity search"* (Davis, 81).

Incarcerated people are not allowed to deny being stripped searched because if they do, they are locked away in solitary confinement until they finally consent (Davis, 63). This can never truly be considered consent because it is coerced. Solitary confinement is one of the most severe punishment inmates may endure due to the lack of human connection and intellectual stimulation. Therefore, most individuals would consent to the strip search in order to ensure that they can avoid solitary confinement. This is not deemed to be sexual assault to mainstream society because it is done by the state. Although this is done by the state and may be considered necessary due to the perceived safety benefits, it still should be considered sexual assault because of the absolute lack of consent and autonomy that the victim has in the situation.

This label of 'felon' lives with them for the rest of their lives, making this the most salient thing about them, where their humanity and their individuality is not. Society does not see them as fully realized human beings with wants, needs, and dreams. We create this distance, both physically and mentally, between us and those incarcerated because we choose to believe that they are different from us and that they must have flaws that lead them to commit crimes. We choose to ignore the environment or circumstances they may have lived in, that are caused by society and political leaders, because we refuse to believe our role in the conditions that led formerly incarcerated individuals to commit 'crimes'.

Hyper-visibility

This section will analyze three aspects of an incarcerated Black woman's character that are usually the center of the debates about these populations: criminality, insanity, and sexuality. Those that have been convicted of crimes are reduced to the crime they are incarcerated for. They are only seen as a criminal, where people do not consider the external condition that led the individual to commit the crime. This can open the door for our mainstream society and our political leaders to dehumanize and justify the state violence used against this population.

It is hypocritical that the criminality of Black women who are caught up in the system is hyper-visible while the cases of white men who are domestic terrorists are provided the benefit of the doubt. When we see full-fledged articles and stories committed to seeing the nonviolent and vulnerable sides of white domestic terrorists or mass shooters, claiming to say that they are mentally ill or that they truly 'did not mean' to commit violence, nonviolent Black men and women who are charged with criminal offenses, usually having to do drugs, are often labelled as criminal and dangerous (Levin, 2019). Incarcerated Black people are demonized in the mainstream media and are subjected to outrageously long sentences relative to the crime they have committed because of the War on Drugs and the laws from that era that have remained, like the 'Three Strike' rule and general mandatory minimum laws (Alexander, 88).

The 'Three Strike' rule outlines that once a person has three drug offenses, they are sent away for life after the third offense regardless of the crime. Mandatory minimum laws require the defendant to be sentenced a minimum period of time, which is usually much more severe than the crime requires. These laws do not allow the judge to consider the facts of the individual case but rather sentence the defendant to the mandatory minimum. The coverage of their crimes usually does not allow for the nuance that is given to high-profile cases of domestic terrorism or mass shootings, where the perpetrator of the crime is a white man. The judicial system does not help this perception, exacerbated by the media, where we see time and time again that Black and

Brown people are locked away for decades for nonviolent drug offenses. Domestic terrorists and mass shooters, who are typically white and male, are provided more lenient sentences than what the crime requires. Incarcerated Black people are not seen through the media or in the courtroom as individuals who have just made a mistake, as this is reserved for white men.

Even those who are victims of police brutality, like Sandra Bland or Breonna Taylor, as well as those who are subject to violence in prison as they are awaiting trial like Kalief Browder, who should be presumed innocent *until* proven guilty, have their character and their past completely torn apart by those that refuse to believe that they have been victims of state violence (Levin, 2019). Some believe that individuals like Sandra Bland, Breonna Taylor, and Kalief Browder *must* have done something that necessitated the force and violence that was used against them. They *must* have some flaw that led to the fatal incident with the state. They *must* have been criminals and nothing else. On the other hand, those that are mass shooters and domestic terrorists are given the benefit of the doubt, especially by the media. They *must* have a troubled past or a mental illness. They are viewed as more fully realized human beings that are 'more' than the crime that they committed.

Another aspect of incarcerated Black female identity that is hyper-visible is their perceived insanity. Most women who are incarcerated within the prison system have committed drug crimes or prostitution. However, there must also be consideration to those women who have been sentenced to psychiatric facilities because of their crimes. Both of these incarceration experiences lead mainstream society to label these women as not only criminal, but insane. As Angela Davis has said "masculine criminality has always been deemed more 'normal' than feminine criminality" and that "deviant men have been constructed as criminal, while deviant women have been constructed as insane" (Davis, 66). This is even seen within the prison system, where women are more likely to be controlled by their guards by using psychiatric drugs, whereas men are typically controlled by violence from the guards. Because incarcerated women are more

likely to be perceived as insane, guards are more likely to use extreme measures to control them because of their 'unpredictability' and the guard's inability to react calmly to the situation.

Because of calls for better living conditions in prisons, officials have encouraged women's prisons to be even more punitive to be able to keep up with the severity of male prisons for the sake of 'equality' (Davis, 76). Incarcerated women are therefore treated with even more violence and punitiveness than what their crimes and behavior demand. Labeling them as insane and criminal can be used as an excuse to increase the punitive measures being used on them. This perceived insanity also has a racialized distinction between Black and white women. Black women's 'insanity' leads society to believe that they are criminals, whereas white women are more likely to be seen as struggling with a mental illness. This is reflected in how punishment can look different for women depending on their race. Black women historically are punished through the carceral system whereas white women are punished through admission into psychiatric facilities. Although this does not negate the very real abuse that can come from these mental institutions, Black women are treated more punitively when labelled insane.

Insanity and criminality, for both Black and white women, are hypersexualized within the prison system through the notion that the prison is a male space. An incarcerated woman's gender become hyper-visible because it is clear that space is not for her. This is due to a stereotype that men are seen to be criminals and more likely to commit crimes compared to women. Therefore, when a woman is incarcerated, the mainstream view about her shifts; she is then perceived as immoral and deviant. If they are criminals, then they must also be hypersexual and unable to control their desires and the desires of the men around them.

When prison guards see the inmates as hyper-sexual and do not respect their autonomy, prison guards are much more likely to rape inmates. Once female prisoners are hypersexualized, objectified and dehumanized, it is much easier for the prison guards to justify their behavior towards the prisoner and justify the extreme sexual violence that is done by the state, by fellow guards and by other inmates. It has been shown that there will rarely be accountability for the

guards that take advantage of their power. Prison guards use Black female bodies for their own pleasure and encouraged to do so in order to dominate and preserve power. These women are powerless in these instances, because they are unable to have autonomy over their bodies and are not given the opportunity to consent (Young, 10).

In addition to sexual assault of prisoners by prison guards, there have been instances of female prisoners being coerced into performing sexual acts with guards in exchange for privileges for the inmate, or guards exploiting their power to watch or touch the prisoners inappropriately (Davis 79). The institutionalization of sexual abuse through the strip search, along with the complete lack of accountability when guards commit acts of sexual abuse on those they are looking after, makes it seem as though sexual abuse is accepted by those who hold power within the system. This apathy perpetuates the notion that this sexual abuse is what these women deserve.

These notions of Black women's criminality, insanity and sexuality that are hyper-visible emphasizes the fact that mainstream society does not see incarcerated Black women as fully realized human beings. Incarcerated Black women are perceived to be inferior and deserving of the things that happen to them during their incarceration because of these stereotypes. Like Michelle Alexander has stated, these women are considered to be in an under-caste (Alexander, 13). Black female inmates are subjected to state violence before and during their period of incarceration through their interactions with the police, the carceral system and individual guards because of their perceived inferiority.

State Violence

Incarcerated Black women are victims of state violence, because of their intersecting identities that lead to certain traits to be invisible or hyper-visible. This victimization looks different than the victimization that Black men or white women experience when they are incarcerated. State violence tactics include institutional acts, like the strip search and neglect, as well as individual instances of sexual abuse and violence. These tactics are detrimental to incarcerated Black women when these strategies are used to control.

Violence is intended to be systematic, and it is used against individuals because they have a certain identity (Young 13). This violence is tolerated and supported by both institutional and individual acts. These violent actions are not stopped by individuals in positions of power. In some cases, those in power are the perpetrators of this violence. These perpetrators are not confronted with consequences for their actions. Young states, "often third parties find it unsurprising because it happens frequently and lies as a constant possibility at the horizon of the social imagination" (Young 14). These acts of violence are seen as ordinary and unsurprising. State violence within the prison has these characteristics, that is used against marginalized groups.

Incarcerated Black women are not protected by the state. This is especially true when they are victims of violence before they are incarcerated. The state does not address the systemic causes of the abuse incarcerated Black women are subject to. It does not consider that abuse can lead victims to commit crimes themselves, but rather criminalizes these women, leading them to even more violence, this time by the state. The state continues to harm these incarcerated Black women by not providing them with the mental healthcare that they need in order to address the severe trauma they have from their abuse or the external circumstances they have faced. Boodman discusses the difficult situation that incarcerated Black women are in, stating "once they are incarcerated in detention centers, which are under-resourced, have little mental health or

trauma support, and frame aggression as a form of criminality, young women and girls often cannot extricate themselves from a criminal justice system ostensibly meant to promote 'safety'" (Boodman, 585). Prison guards are not well equipped to handle those that have trauma and are not well informed about ways it manifests in behavior. Therefore, incarcerated Black women are met with violence and aggression when they act out due to the trauma and mental illness. This violence, and the lack of action to address the harm caused, is institutionalized within the prison.

Not only does the prison system neglect the needs of those in their care, the institution and those that uphold it use violence against incarcerated Black women to control. As discussed before, they use the strip search and individual acts of sexual assault to show who is in power, to blatantly get what they want without repercussions, and to show the threat that these women have to face every day. These acts are institutionalized in the sense that they are either a part of prison policy (the strip search) or the state looks the other way when they are committed (individual acts of sexual assault and rape).

Incarcerated Black women also experience violence as a form of punishment. Prison guards become aggressive when inmates 'lash out' and are not being cooperative. The guards are then surprised when these women finally fight back (Boodman, 584). These women eventually decide to fight back because they know the guards will be aggressive towards them regardless of their own behavior. In another way, solitary confinement is a form of state violence that is used as punishment. This can be damaging for the individual undergoing the punishment due to the absolute trauma that isolation brings about, especially when the inmate has a pre-existing mental illness. Inmates are verbally abused by prison guards and spoken to in a way that is dehumanizing and cruel. These are the conditions that create this terrorizing environment. Violence, through sexual assault, physical abuse, and neglect, is largely accepted within the institution as it is used under the guise of 'maintaining order'.

Power is exploited because many guards feel as though they are able to do so. They know that they are not being closely watched to make sure they do not abuse their power, and therefore,

they take advantage of the lack of accountability. People in the public likely are not surprised to know what is happening inside the prison, due to how Black women are treated in mainstream society, by other citizens and by police. Violence is used to make sure incarcerated Black women remain a part of the under-caste and are not able to advocate for a better social and economic positioning.

Why Abolition?

A lot of the conversation should point towards the reasons why we have the prison as an institution in the first place. We should also examine if the prison is meeting its aims. The prison is intended to mean safety for the society at large, where those who commit crimes are taken away from society to make sure that they are held accountable and individuals within society are safe. This is the ideal of the prison, however, this is not the reality. When we look at safety in the context of the prison system, one must wonder: safety for whom? It is clear that the prison does not mean safety for all victims of violence. The state subjects inmates to acts of violence within the prison without accountability. Similarly, those who are victims of sexual assault before their prison sentence are not being protected. They are re-victimized when they enter the prison, as they are subjected to more sexual violence by those who are meant to look after them. Lastly, in most sexual assault cases, the victim is not protected by the judicial system as it is more often than not the perpetrator will walk free or have a less severe sentence than what they were supposed to receive. The victim is forced to live in constant fear that their perpetrator will find them again. The prison does not provide safety for everyone, even though it is intended to do so.

Then who is the prison providing safety for? The prison is providing safety for those who the system listens to and believes. This means that Black women and men, those who are both victims and perpetrators of crime, are not safe within this system. The prison system is largely providing safety for white communities, especially white men. The goal is to preserve white communities and make sure that they are 'safe' and 'without crime', which is coded language for keeping low-income Black families out of the community. It is a way to uphold racist institutions. The state has shaped the judicial system and the prison as colorblind, although it is clear that Black people are the main targets of this system. We may think that this institution is acceptable because it works; it is assumed that the prison and judicial system holds perpetrators accountable and ensures that they are reformed once they finish their sentence. However, that is not the reality

as perpetrators that should be held accountable are not. Many incarcerated individuals are likely to return to prison after their release because they are not being reformed and the causes of their crime are not being addressed. In many cases, victims do not feel as though the system brings about justice.

Prisons seem so deeply entrenched in our society that it is difficult to consider life without it or imagine an alternative. However, Angela Davis argues that history in the United States has shown otherwise. Past generations could not imagine slavery, the convict leasing system or the Jim Crow era being abolished yet organizers have successfully fought for these systems to be taken down (Davis, 10). Because of this, we should open our minds to different possibilities beyond prison reform. The prison targets already vulnerable groups and creates distance between these groups and system. This is not far from what occurred during the eras of slavery and Jim Crow, which makes it clear that the United States is just repeating the past with new institutions. Perhaps we should look towards the future and think about the ways we can reimagine accountability that we are better equipped to rehabilitate offenders rather than punish.

It is clear that the system, although working as intended, is not working to meet the needs of society. Then what is the alternative? There have been countless calls to reform the system for decades as the prison population grows, yet the violence still continues. As Angela Davis points out, the prison itself was a reform (Davis 14). I would suggest that the United States considers the possibility of prison abolition as a legitimate solution. It will take creativity and perseverance to make this solution as possible reality but may be necessary in order to right the wrongs that the prison system has created. Because the prison has harmed already marginalized groups within society, the state should reconsider its ties to this institution. It should think about how we can restructure our future so that the state does not oppress these groups further but rather works to ensure responsibility and compassion to all those involved. Although I am not clear on what abolition of the prison would look like and what would be put in its place, I believe it is necessary to consider this as a legitimate solution to this problem we are facing today. Although this would

be seen as a limitation of this thesis, more research should be done on what abolition would look like in the United States.

In conclusion, this thesis argues that the intersectional identities that incarcerated Black women have led some aspects of their identities that are invisible and hyper-visible in some ways. The prison wields violence against these women because they are purely reduced down to the hyper-visible aspects of their identity, like their criminality, sexuality and perceived insanity. The prison is able to use state violence on these groups because these Black women are not seen for their full humanity. This is perpetuated by the notion that it is the individual is also responsible for the socioeconomic conditions that have caused their incarceration. Because this continues this cycle of oppression and violence on marginalized groups in the United States, prison abolition should be considered as a possible solution to this ever-growing problem. This will be the issue of our time, as these institutions continue to wield power and as there continues to be movements demanding for a different future.

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