

# 21ST CENTURY HARRIET TUBMAN?: AN INTERVIEW WITH SUSAN BURTON

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*Bryonn Bain\**

*Then the Lord said to Moses, Rise up early in the morning  
and present yourself to Pharaoh,  
as he goes out to the water, and say to him, 'Thus says the Lord,'  
"Let my people go, that they may serve me."*

—Exodus 8:20

Los Angeles is ground zero for mass incarceration. With an average of 17,000 people incarcerated daily (as of 2015),<sup>1</sup> LA incarcerates more people than any city in the world. The City of Angels is, in fact, the City of Incarceration.

I have worked in prisons for over 30 years. In the late 1980s, I began performing hip hop, spoken word, blues and theater in prisons on the other side of the country in New York. But it was only after I was racially profiled and wrongfully jailed by the New York City Police Department that I saw the power of my work as an artist to be used for activism. I have spent my career since working to build transformative learning communities by bridging prisons and institutions dedicated to the arts and education. After more than a decade of facilitating and teaching programs linking facilities like Rikers Island and Sing Sing prison to institutions like NYU, Columbia University and Carnegie Hall, I was invited to UCLA to develop a Prison Education Program linking the nation's leading public university<sup>2</sup> to those incarcerated in Los Angeles.

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1. Breeanna Hare & Lisa Rose, *Pop. 17,049: Welcome to America's largest jail*, CNN (Sept. 26, 2016), <https://www.cnn.com/2016/09/22/us/lisa-ling-this-is-life-la-county-jail-by-the-numbers/index.html>.
2. *See Top Public Schools: National Universities*, U.S. NEWS & WORLD REP. (2019), <https://www.usnews.com/best-colleges/rankings/national-universities/top-public> (rank-

While the carceral crisis in LA has led the United States' devastation of Black, Brown, working and marginalized communities, there are also extraordinary leaders, grassroots and community-based organizations here in abundance. From Youth Justice Coalition, Dignity and Power Now, the Anti-Recidivism Coalition and Inside Out Writers, Angelenos have long organized to fight for change in this city, and have developed visionary strategies and programs to move the national conversation and policies in the left direction: towards the liberation of those of us who are system-impacted, formerly incarcerated, and/or surviving what some refer to as *Post-Traumatic Prison Disorder*.<sup>3</sup>

On an unforgettable February morning, I walked into a busy office in South Central, Los Angeles. A half dozen ethnically-diverse women staffers gathered around a table, trying to reconcile speaking requests from both near and far. That legendary church in Atlanta. Some classroom at Princeton. Somewhere across the pond in Portugal. At the head of the table, the woman at the center of this avalanche of invites dons a vibrant orange dashiki with black and blue trim, and listened to the discussion with the warmest smile and most gentle patience.

I stood at the entryway in anticipation of her embrace. A week earlier, we just missed each other on separate visits to the largest federal detention center in the country, the Metropolitan Detention Center in Brooklyn, New York City — a facility that would soon come under scrutiny by human rights activists and the city council after a power outage left men inside without heat for four days amidst a freezing polar vortex.<sup>4</sup> As soon as we locked eyes, she welcomed me with a cool *hello* and warm hug. I was hoping I would not be an intrusion on the more important business of a woman regarded around the world as one of the great freedom fighters of our time.<sup>5</sup> Her name is Susan Burton.

Ms. Burton is the founder of A New Way of Life Reentry Project (ANWOL).<sup>6</sup> Since 1998, ANWOL has secured and provided housing, case management, pro bono legal services, advocacy, and leadership development for more than 1,000 women and children who are rebuilding their

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ing the University of California – Los Angeles the number one public national university in the United States).

3. See Shawanna Vaughn, *Post-Traumatic Prison Disorder (PTPD) Concept Paper* (forthcoming) (on file with the author).
4. See Associated Press, *Power restored at federal detention center in Brooklyn where inmates had no heat during polar vortex*, L. A. TIMES (Feb. 3, 2019), <https://www.latimes.com/nation/la-na-new-york-detention-center-20190203-story.html>; see also Transcript of Evidentiary Hearing at 165-89, *United States v. Segura-Genao*, No. J257 (S.D.N.Y. Feb. 5, 2019), <https://assets.documentcloud.org/documents/5728706/Federal-Court-Hearing-Revealing-Neglect-at-a.pdf> (describing an inspection of the Metropolitan Detention Center in Brooklyn, NY by Judge Analisa Torres of the U.S. District Court for the Southern District of New York).
5. Michelle Alexander, *What I Learned From Susan Burton, a Modern-Day Harriet Tubman*, NATION (May 11, 2017), <https://www.thenation.com/article/what-i-learned-from-susan-burton-a-modern-day-harriet-tubman/>.
6. A NEW WAY OF LIFE REENTRY PROJECT, <http://anewwayoflife.org/> (last visited Apr. 20, 2019).

lives after prison.<sup>7</sup> While countless voices in the rising movements for racial and gender justice call for “changing the narrative” around mass incarceration,<sup>8</sup> Ms. Burton and her organization are changing *the narrator*. Through her advocacy, a formerly incarcerated, Black woman has become a central voice in leading the conversation on mass incarceration. In her inspiring memoir, *Becoming Ms. Burton*, she shares her personal story of healing, redemption and resilience. *Becoming Ms. Burton* has received overwhelming acclaim since its 2017 release.<sup>9</sup> In fact, her publisher’s website crashed after the book received a shout out from Michelle Alexander, legal scholar and author of the *New Jim Crow*, causing her book release announcement to go viral.

This is the new normal for the formerly incarcerated *CNN Hero* who has quickly become regarded as one of the leading civil and human rights activists of our time.<sup>10</sup> Without any hint of hyperbole, her name is being compared today to legendary women including Angela Davis, Ida B. Wells, Sojourner Truth, and yes, even Harriet Tubman.<sup>11</sup>

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**Bryonn:** *Becoming MS. BURTON*: now has over 11,000 copies in print.<sup>12</sup> Congratulations!

**Ms. Burton:** Thank you.

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7. See *What We Do*, A NEW WAY OF LIFE REENTRY PROJECT, <http://anewwayoflife.org/what-we-do/> (last visited June 6, 2019).
  8. See, e.g., Marian Wright Edelman, *Changing Our Racial Narrative*, HUFFINGTON POST (Dec. 6, 2017), [https://www.huffpost.com/entry/changing-our-racial-narra\\_b\\_11354146](https://www.huffpost.com/entry/changing-our-racial-narra_b_11354146); *Building a Narrative to Address Violence in the U.S.*, Opportunity Agenda, <https://www.opportunityagenda.org/explore/resourcespublications/building-narrative-address-violence-us> (last visited Apr. 20, 2019).
  9. See SUSAN BURTON & CARI LYNN, *BECOMING MS. BURTON: FROM PRISON TO RECOVERY TO LEADING THE FIGHT FOR INCARCERATED WOMEN* (2019); see also, Elaine Elinson, *An Arduous but Triumphant Journey*, Los Angeles Review of Books (Jun. 21, 2017), <https://lareviewofbooks.org/article/an-arduous-but-triumphant-journey#!>; Upstanders: Breaking the Prison Pipeline, Starbucks Stories, <https://stories.starbucks.com/stories/2016/upstanders-breaking-the-prison-pipeline/>.
  10. Kathleen Toner, *‘Magic happened’ after she gave ex-cons a chance at new lives*, CNN (Feb. 19, 2010), <http://www.cnn.com/2010/CRIME/02/18/cnnheroes.burton/>.
  11. Expansive definitions of carcerality and liberation are used here. Beyond the shackles of the prison industrial complex, there are metaphorical shackles — the confinement of Black women’s bodies by patriarchal, white supremacist institutions, traditions, policies and practices. The connection between Burton and these women is that she follows in their legacy — a tradition of radical, Black feminist activism fighting for the liberation of oppressed people. While Burton’s work (and the work that came before her) is deeply impactful, however, this article’s intention is not to reify false notions of freedom. For this reason, this work must continue to be in conversation and concert with abolitionist critiques of marginal reforms, and committed to the “non-reformative reform,” also being led by Black women activists. See, e.g., Rachel Kushner, *Is Prison Necessary? Ruth Wilson Gilmore Might Change Your Mind*, N. Y. TIMES MAG. (Apr. 17, 2019), <https://www.nytimes.com/2019/04/17/magazine/prison-abolition-ruth-wilson-gilmore.html>.
  12. See Liz Button, *‘Becoming Ms. Burton’ Publisher Encourages Booksellers to Join Prison Distribution Initiative*, AM. BOOKSELLERS ASS’N (Jan. 30, 2018), <https://www.bookweb.org/news/%E2%80%9Cbecoming-ms-burton%E2%80%9D-publisher-encourages-booksellers-join-prison-distribution-initiative>.

**Bryonn:** I know it's been a long journey to get here. Can you tell us a bit about your journey towards becoming Ms. Burton?

**Ms. Burton:** I was born in a housing project. My mother and father, through the conditions of the South, came to California looking for a better life for themselves and had six children. I was the only girl. I had five brothers. The household was full of stuff. There was laughter, there was fun, but there was also lots of trauma, violence and childhood – different levels of abuse.

And I endured, and I endured, and I endured all types of abuse up until the time I lost my son. My son, KK. He was five years old. He was accidentally killed by an LAPD detective and at that point I kind of fell off.<sup>13</sup> My body couldn't hold any more pain, disappointment and especially the grief of losing a son, so I began to drink and that escalated to illegal drug use. It was during the time that our communities were saturated with cocaine that escalated to crack, and I succumbed to using it and was imprisoned for that.

For 20 years, I traveled in and out of incarceration because of a drug addiction – really because of medicating the pain, the loss, the grief and the disappointment of life<sup>14</sup>. And in 1998 I found a place on the west side, in Santa Monica, that gave me treatment for my addiction and counseling for the grief and trauma and early childhood abuse,<sup>15</sup> and I became stronger.<sup>16</sup>

And that led me to look at what happened in that westside of Santa Monica area – how people were not sent to prison for the things that we were sent to prison for in South LA. And I began to think that if women had a safe place to go, if they had a place, that if they would find safety and a welcoming community like I experienced in Santa Monica, then just perhaps they wouldn't go back to prison.

I saved my few little dollars from a minimum wage job and got a house. And I would begin to greet women at the bus station, as they got off the bus and welcome them back to the community, and offer them a bed at my home, which I called *A New Way of Life*.

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13. See BURTON & LYNN, *supra* note 9, at 239 (“Unarmed blacks are killed by the police at five times the rate of unarmed whites. At least one in three blacks killed by police were identified as unarmed. In 2015, police killed at least 102 unarmed Black people, nearly two each week. Of these cases, only ten resulted in police being charged, and only two cases saw convictions of the officers involved. One officer received a four-year prison sentence. The other officer was sentenced to jail for one year, though he was allowed to serve his time exclusively on weekends.”).
  14. *Id.* at 2 (“The United States, with 2.2 million people behind bars, imprisons more people than any other country in the world.”).
  15. *Id.* at 41 (“More than 60 percent of incarcerated women report having been sexually assaulted before the age of eighteen.”).
  16. *Id.* at 93 (“It is estimated that as many as 94 percent of incarcerated women were victims of physical or sexual abuse.”).

**Bryonn:** What was the reaction of women at the bus station when you first approached? Did they expect you to be there?

**Ms. Burton:** They did not expect me to be there. Some women were cautiously suspicious. Some women were glad to have a place to go,<sup>17</sup> and some women declined so it was a mixture of responses to the offer of a safe place.<sup>18</sup>

**Bryonn:** What are the major challenges women coming home from prison in South LA experience?

**Ms. Burton:** First of all, every woman that comes back to south LA gets off a bus at the downtown Greyhound bus station on Skid Row and there are lots of predators<sup>19</sup> waiting for women to step off that bus. You're very vulnerable. You are a woman, so we carry certain attributes. Period.

So, you know people are just so ill-prepared to begin their lives without an ID, without a safe place to go. Women have so much around keeping the family together that they carry that burden of motherhood – getting back into the community to make a life, make a way and being vulnerable to relationships that might have been why they were incarcerated in the first place – hailing from the abuse of not only before incarceration but while incarcerated – beginning to understand how to make better choices, safer choices.<sup>20</sup> You know women are much different from men.

**Bryonn:** So, from the point at which you decided to purchase a home, meeting women coming home from prison, what were some of the major

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17. *Id.* at 117 (“In large urban areas such as Los Angeles and San Francisco, up to half of those on parole are homeless.”).

18. *Id.* at 209 (“Nearly 80 percent of formerly incarcerated women are unable to afford housing after release. Most public housing authorities automatically deny eligibility to anyone with a criminal record. No other country deprives people of the right to housing because of their criminal histories.”).

19. Language matters. The *UCLA Prison Education Program and Narratives of Freedom Research Collective* ascribe to language forwarded by the *Center for NuLeadership on Urban Solutions* and the *UC Underground Scholars Initiative* — an organization of formerly incarcerated University of California students. Each of these organizations is committed to using more humanizing language instead of the pejorative portrayals of system-impacted people that are customary in the dominant narratives of the criminal legal system. Many of those on Skid Row are housing insecure and formerly or recently released from prison. We are in a constant discussion about ways to reframe how we talk about system-impacted people, and to acknowledge and communicate our diverse issues. The use of the word “predators” is an example of this discourse. See, e.g., Eddie Ellis, *An Open Letter to Our Friends on the Question of Language*, CTR. NULEADERSHIP URB. SOLUTIONS, <https://cmjcenter.org/wp-content/uploads/2017/07/CNUS-AppropriateLanguage.pdf> (last visited June 6, 2019); see also *Underground Scholars Initiative, The Language Guide for Communicating about Those Involved in the Carceral System*, BERKELEY UNDERGROUND SCHOLARS (Mar. 6, 2019), <https://undergroundscholars.berkeley.edu/news/2019/3/6/language-guide-for-communicating-about-those-involved-in-the-carceral-system>.

20. BURTON & LYNN, *supra* note 9, at 53 (“The majority of incarcerated women are mothers of underage children. Over 40 percent of these mothers, report that, upon incarceration, they were the only parent in the household.”).

challenges you faced to get A New Way of Life from that point to where it is today?

**Ms. Burton:** Bryonn, I was so happy to be able to make my life count and useful. I didn't realize the enormity of the challenges that I was taking on. It was so nice to see women and have that community of sisterhood in the household. I didn't really understand the enormity of the challenges I was facing because we were a community, we were all healing, we were all important to one another and so the outside prejudices and discriminatory practices didn't impact us to get in the way of our healing or our thoughts about what we meant to each other in that community.<sup>21</sup> But going outside of that community and trying to get a job or trying to get a woman's child back, there were serious problems.

And I began to understand that after you do your time, you continue to do time with the level of practices and policies and laws that are in place and that led me to begin to do some advocacy and policy work to address the discriminatory policies<sup>22</sup> and practices that all people who have been convicted of a crime face.<sup>23</sup>

**Bryonn:** So, you say in your book – specifically in the letter that you write to incarcerated men and women, you say there are no *throw-away* people and you say your life matters and that's a big part of the message you've shared all around the country and internationally – I hear you've been invited to speak from Princeton to Portugal. So when you met Ingrid Archie was that a part of your message? What was that meeting like? And how did that relationship begin?

**Ms. Burton:** So, I first met Ingrid Archie in 2007 and she was a bright-eyed bubbly young woman and she had a little girl tagging along behind her, holding her hand. And they came into the home, and I would take her with me to meetings and we would share our story and we began to understand that sharing our story was an important part of getting the message across and our own personal power to voice. And she did well and she moved out and we always had this closeness and the bond and especially her little daughter.

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21. *Id.* at 39 (“Black women comprise 40 percent of street prostitutes, though 55 percent of women arrested for prostitution are black, and 85 percent of women incarcerated for prostitution are black. Two-thirds of those working as prostitutes disclosed having been sexually abused as children—and more than 90 percent said they never told anyone. Only 1 percent reported having received counseling.”).

22. *Id.* at 179 (“Every year in L.A. County, 45,600 people are released on parole. A survey revealed that over 40 percent of L.A. employers would not hire a person with a criminal record.”).

23. *Id.* at 174 (“In the United States, one in three adults has a criminal record—though black men are six times more likely than white men to be incarcerated. Over 60 percent of the formerly incarcerated will still be unemployed a year after release. Those who do find employment are typically in low-level jobs, earning 40 percent less pay than adults with no criminal background.”).

Unfortunately, in 2015, Ingrid had to return because she ran into a store while she left her daughter in the car – and she was re-arrested<sup>24</sup> for child endangerment even though the child was not hurt, and I often wonder had Ingrid been in another part of town or if she had not been Black<sup>25</sup> would she have been given services – parenting classes, counseling instead of three years in prison and labeled a child endangerer?

**Bryonn:** The numbers that I’ve seen show that 75% of the women involved with A New Way of Life don’t return to prison?

**Ms. Burton:** For a third of the cost of incarceration – we can house a woman for a year and she’s much more functional, she’s much more able to provide for herself and her family, she becomes a tax paying, contributing member of our society.<sup>26/27</sup> We spend \$75,000 a year to incarcerate a woman. And for \$16,000 women can be here at A New Way of Life and return to her power, beyond her power and to being a functional member of our society.

**Bryonn:** The work you’ve been doing for decades now has such an impact that I’ve heard multiple people in completely different situations refer to you as the Harriet Tubman of our time – that says so much. But I know a part of why you’re motivated by this work is because of the real lives that you’re impacting rather than the glorious claim of that kind of connection. How do you feel when you come across women like Ingrid, other women and see that because of the work you’ve been doing their lives have been so transformed? How does that feel?

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24. *Id.* at 196 (“The California Department of Corrections and Rehabilitation has one of the highest recidivism rates in the country, with nearly half of women with a felony conviction returning to prison—and a 61 percent recidivism rate overall. The majority of people returned to prison within the first year of release.”).

25. *Id.* at 213 (“Black women represent 30 percent of all incarcerated women in the United States, although they represent less than 7 percent of the country’s population.”).

26. *Id.* at 227 (“In most states in America, anyone convicted of a felony loses the right to vote until their sentence plus parole or probation is complete. Voting rights may be permanently revoked in ten states (Alabama, Arizona, Delaware, Florida, Iowa, Kentucky, Mississippi, Nevada, Tennessee, and Wyoming), even after someone has been released from prison and completed parole and probation—and while still requiring payment of taxes. Eight states (Idaho, Illinois, Indiana, Kentucky, Michigan, Missouri, South Carolina, and South Dakota) restrict voting for anyone convicted of a misdemeanor. Only two states, Maine and Vermont, allow voting from prison.”).

27. Ms. Burton and ANWOL maintain that “every person has inherent value and holds the power of possibility within”. See A NEW WAY OF LIFE REENTRY PROJECT, *supra* note 6. However, “tax-paying, contributing member of society” could imply a person’s value is based on their financial contribution to a society, rather than being valuable unequivocally, whether or not they add value to the capitalist market. We respect Ms. Burton’s invaluable work and include her choice of words as stated — especially since we recognize that her role as a grassroots leader requires her to regularly respond to conservative, financially-focused critics of decarceration. This piece aims to center the voice of those who are system-impacted and the work we must do in solidarity.

**Ms. Burton:** It feels so powerful to be a person in the midst of being a change agent – leading women to their purpose and leading women to their power and ultimately their freedom. You know, Ingrid is not a throwaway person and her children are not throwaway children and by Ingrid finding that path it also empowers her to become an efficient parent and lead her children in a way that they’ll become great women. Her children are girls.<sup>28</sup> And her 15-year old has an appointment to shadow Senator Holly Mitchell. Her daughter wants to aspire to be an elected official, and we’re able to support that and Ingrid is able to facilitate that because of who she is and who she’s becoming.

**Bryonn:** I want to shift a little bit and talk about some policy. We are living in a real exciting time with lots of changes happening, also a lot of challenges at the federal level. You have this whole tension between the federal government refusing to get rid of prohibition of marijuana, of cannabis, whereas half of the states in the union from California to Colorado and so on have decided to decriminalize marijuana. We are looking at it specifically in the sense – from Prop 64 to this recent ballot initiative last year – the issue has come up quite a bit. What are your thoughts on the impact of the *war on drugs*. Specifically, as it relates to women who have been involved with *A New Way of Life* – to what extent have drug-related crimes been a part of their journey ending up here?

**Ms. Burton:** So, we really are able to understand that we are living in a country that’s divided. There are the people who are liberal and want equality and fairness and then there are the people who are bigots and racists and capitalists. And we’re coming out of a time that our communities, urban communities, were under a hell of an attack through the war on drugs and that (those) attacks I believe, just devastated the women in our communities and drove them in droves, by the thousands, into prisons across this nation.<sup>29</sup> And now we’re realizing what happened and we’re beginning to repair that damage that happened through the war on drugs. While we’re having a divided country, a lot of the women who come into *A New Way of Life* have had drug convictions and non-violent crimes. But there are also the women who come into our communities and come into our homes that have had crimes that they’ve been tagged ‘violent’.<sup>30</sup>

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28. BURTON & LYNN, *supra* note 9, at 161 (“Most women are behind bars for social or victimless crimes—while the real victims, which the flawed system perpetuates, are the children. The number of children under age eighteen with a mother in prison has more than doubled since 1991. Approximately 10 million American children have or have had a parent in prison.”).

29. *Id.* at 147 (“The majority of offenses committed by women are nonviolent drug and property crimes, motivated by poverty and addiction. Most women offenders are under thirty years old, and are disproportionately low-income, black, and didn’t complete high school. The lifetime likelihood of imprisonment for white women is 1 in 118; for black women, it’s 1 in 19.”).

30. *Id.* at 202 (“Approximately 90 percent of women imprisoned for killing someone close to them had been abused by that person.”).



I don't see either of those women being different in the way of being able to recover from whatever happened in their past and many times these women were defending themselves<sup>31</sup> and someone got hurt and they got labeled 'violent'.<sup>32</sup> But each one of them have healed and each one of them are capable of being great members of our society, great parents<sup>33</sup> and contributing members – and I think that this country when it makes a distinction between a person whose been convicted of a non-violent versus a violent crime, I think they're making a big mistake because one instant cannot label a person, one instant cannot label a person deserving or not deserving because we really need to check that out and look at that and understand what we're doing making a distinction between the deserving and the undeserving.<sup>34</sup> Again, there are no throwaway people, and we're all able to recover from that instant or from that way of being.

**Bryonn:** Why do you think politicians, elected officials are trying to make that distinction so much – in conversations and how they frame some of the legislative proposals? What do you think is behind them in trying to label non-violent drug-related offences as something different from folks who have other kinds of offences?

**Ms. Burton:** So, politicians are not deep investors or risk takers. And right now, in this era of decarceration or mass incarceration – depending on how you look at it – it's safe to say, "Let's help the non-violent ones." It's not safe to say let's help everybody. You know, somebody always has to get thrown under the bus. And that's just not fair, or is it the best most effective approach when we look at cost and long sentences. I had a woman who came to *A New Way of Life* who had been incarcerated 47 years.<sup>35</sup> It doesn't take that to rehabilitate. Forty-seven years.

**Bryonn:** And you make the point about just the cost – obviously the deep cost to our communities, to our families, there's the human cost of it. But it doesn't make sense, even in the logic of these bigoted capitalist folks,

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31. *Id.* at 93 ("It is estimated that as many as 94 percent of incarcerated women were victims of physical or sexual abuse.").

32. *Id.* at 111 ("Being abused or neglected as a child increases the likelihood of arrest as a juvenile by nearly 60 percent, and the likelihood of adult violent crime by approximately 30 percent.").

33. *Id.* at 29 ("More than 75 percent of incarcerated women had at least one child as a teenager.").

34. *Id.* at 132 ("Sixty-five million Americans with a criminal record face a total of 45,000 collateral consequences that restrict everything from employment, professional licensing, child custody rights, housing, student aid, voting, and even the ability to visit an incarcerated loved one. Many of these restrictions are permanent, forever preventing those who've already served their time from reaching their potential in the workforce, as parents, and as productive citizens. "The result is that these collateral consequences become a life sentence harsher than whatever sentence a court actually imposed upon conviction." —American Bar Association president William C. Hubbard.").

35. *Id.* at 187 ("Women commit far fewer murders than men, but receive far longer sentences. A woman who kills a male partner receives, on average, a fifteen-year sentence, while a man who kills a female partner typically receives two to six years.").

who actually are committing these resources you talked about, [it] is not an effective use of resources. If over 95% of the folks in prison are coming home, you'd rather invest in truly rehabilitating and educating, giving folks opportunities [not] keeping folks in this system that doesn't work. So, I'm curious to know if you think that using some of the resources – the taxes that are gonna be taken from the decriminalization of cannabis – using those resources towards community programs like legal aid, like drug treatment, addiction treatment, like community gardens and beautification of the community – if that's one effective step towards using those resources in a more responsible way?

**Ms. Burton:** So here we are in 2018, and on January 1, legalization of marijuana has taken place in California and there's a tax on there that will benefit the community. But, I think back to all the people that languished in prisons and were criminalized for this marijuana that's legal now<sup>36</sup>, and the pain that we suffered on the back of marijuana being illegal. So, we can't undo the past, but we can step into a future that will help our communities become whole, safer, and resourced.<sup>37</sup>

I also think about how people capitalized on the incarceration of folks for marijuana and now that it's legal, while we'll get some resources but who is also capitalizing off the marijuana industry now? Is it the same people who provided services and capitalized off the incarceration of folks? So, I guess we'll take the tax dollars and resources and try to make the most of it in our communities – but these other questions really linger in my mind.

**Bryonn:** NPR did a story a couple weeks ago where they talked about how all these major corporations were setting up to take advantage of the legalization – and they were put in place whereas – they spotlighted one sister in Oakland who had been in and out of prisons around multiple marijuana charges and she was having a hard time just getting the license to be someone who could actually benefit from the legalization. So as this contradiction happens, it seems like we should be concerned about who is going to make the most of it, who's gonna benefit actually from what seems like progress – but we've seen it before.

**Ms. Burton:** We've seen it before.<sup>38</sup>

**Bryonn:** And the bait and switch is happening – so I think being cautiously optimistic is a way to approach it.

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36. *Id.* at 86 (“Only around 15 percent of those serving time for a drug-related offense are given access to a drug treatment program with a trained professional.”)

37. *Id.* at 100 (“Though drug use and selling occur at similar rates across racial and ethnic groups, black and Hispanic women are far more likely to be criminalized. Black women are more than twice as likely to be incarcerated for drug offenses as white women.”).

38. *Id.* at 213 (“Because of the crack epidemic and the harsh, racially discriminatory policies of the Anti-Drug Abuse Act, one in three black men will see the inside of a jail cell. The average time served by African Americans for nonviolent drug offenses is virtually the same as the time whites serve for violent offenses.”).

**Ms. Burton:** So, we'll take the tax dollars, and try to do the most and the best that we can with them. But I have to interject and say – we know how to make our community safe – we know how to do that. Hopefully these tax dollars will resource us to do that.

**Bryonn:** The Department of Corrections and Rehabilitation in California – what can it do to more effectively incentivize rehabilitation – to support rehabilitation?

**Ms. Burton:** Ah, the Department of Corrections! When I was imprisoned it was called “Department of Corrections” – then they put “Rehabilitation” on the end of that, but it never did go back and correct its core mission which is to *punish*.<sup>39</sup> So, I believe we need to go back and look at that core mission and build out from there – you can't just tag a word on the back of a department and think that it's done. Its core mission is to punish and it needs to go back there and begin from there to push out its function from its mission.

**Bryonn:** I know we can't wait for any department to do the work we need to do. I think that's why I am so honored to know you and to have the opportunity to just share this time with you. Thank you.

**Ms. Burton:** Well, I am just one person. . . And I can't do this work alone. You are in the community and working in the prisons and on the campus too. So, I thank *you*.

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Though our interview was over, Ms. Burton's day was just beginning — with a host of meetings and community events to come. While her hectic schedule highlights the overwhelming work being organized to end mass incarceration, it also speaks to something else: Ms. Burton's unyielding commitment to advocating for women and families.

Ms. Burton is a true change agent and has the results to prove it. Seventy-five percent of all women residents of *A New Way of Life* do not return to prison for at least 18 months.<sup>40</sup> The women go on to serve in their communities, find fulfilling work, and build meaningful relationships with their families and communities. From meetings with legislators to lectures at Princeton to Portugal, Susan Burton shares the same message: “There are no throwaway people; everyone's life matters.” She believes her work is to lead women to their power, their purpose, and ultimately, to their freedom. And it is that steadfast leadership and com-

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39. *Id.* at 81 (“States with the toughest crime laws saw the largest spikes in prison population over the past two decades. California's Three Strikes law, one of the harshest sentencing policies in the country, sent people to prison for life for offenses as minor as petty theft. At one point, “strikers” made up a quarter of California inmates, serving extreme sentences that didn't fit the crime, on the taxpayers' dime.”).

40. See Kathleen Toner, ‘*Magic happened*’ after she gave ex-cons a chance at new lives, CNN (Feb.19, 2010) <http://www.cnn.com/2010/CRIME/02/18/cnnheroes.burton/index.html>.

mitment to others' liberation that has drawn comparisons to Harriet Tubman.

In an 1886 interview, Harriet Tubman observed, "There was one of two things I had a right to: liberty, or death. If I could not have one, I would have the other. [ . . . ] I should fight for my liberty as long as my strength lasted."<sup>41</sup> And today, over 130 years later, Susan Burton carries the torch with the same fire and unyielding power as that legendary architect of the Underground Railroad who paved the way for the one Ms. Burton is forging.

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41. SARAH BRADFORD, *HARRIET TUBMAN: THE MOSES OF HER PEOPLE* 41 (1886).