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Deprivation and Depravation: Moral Policing of Formerly Incarcerated Black Women

A dissertation submitted in partial satisfaction of the requirements for the degree Doctor of

Philosophy in Sociology

by

Susila Gurusami

2017

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## ABSTRACT OF THE DISSERTATION

Deprivation and Depravation: Moral Policing of Formerly Incarcerated Black Women

by

Susila Gurusami

Doctor of Philosophy in Sociology

University of California, Los Angeles, 2017

Professor Vilma Ortiz, Co-Chair

Professor Abigail Cope Saguy, Co-Chair

In this article-based dissertation, I investigate how Black women navigate the everyday challenges that emerge from state surveillance and criminalization after incarceration. I use 18 months of ethnographic observations and participatory-action methods to investigate how Black women navigate their everyday lives after prison or jail. This project reveals what carceral ideologies and practices often conceal: the intersectional lives of women whose experiences are mediated through the criminal justice system and the urban spaces they reenter after months or years behind bars. Through the everyday lives of formerly incarcerated Black women, I illustrate how reentry institutions mobilize ideologies about the criminally deviant Black female subject to justify invasive practices of surveillance and punishment. I capture how the criminal rehabilitation of formerly incarcerated Black women is framed as a moral imperative to achieve independence from the state, yet at the same time, punitive state practices—like finding women in violation of post-release supervision requirements for failing to acquire full-time employment within months of release, despite employment discrimination experienced by people with felony

histories— tie these women to the state in perpetuity. Across articles on mothering, the labor market, and citizenship, I demonstrate how reentry institutions produce carceral crises across the dimensions of formerly incarcerated Black women’s lives. I also reveal how these women resist state intrusions and frame their navigation of carcerality as evidence of Black female ingenuity and strength.

The dissertation of Susila Gurusami is approved.

Sarah Haley

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Vilma Ortiz, Committee Co-Chair

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University of California, Los Angeles

2017

## DEDICATION

For Evelyn, who made this dissertation—and so much more—possible.

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- 2015 "'I Came Back to Life': Women in Los Angeles after Incarceration," UCLA Dissertation Launchpad, March 13. <https://www.youtube.com/watch?v=4b0qAWEJy9Q>
- 2014 "'I Came Back to Life': Black Women's Experiences of Social Life and Death After Incarceration," American Sociological Association Annual Conference, August 16-19
- 2014 "Picturing Freedom: Using Photovoice to Represent Black Women's Experiences after Incarceration," Thinking Gender Annual Graduate Conference, February 7



ARTICLE 1—MOTHERWORK UNDER THE STATE: THE MATERNAL LABOR OF  
FORMERLY INCARCERATED BLACK WOMEN

Accepted by *Social Problems*

**ABSTRACT**

Black women—who are overrepresented among formerly incarcerated U.S. mothers—are often anxious about resuming parenting after their release from prison or jail because of the potential for state intervention in their children’s lives. This study uses 18 months of participant observations with formerly incarcerated Black women to examine how state surveillance under post-release supervision and Child Welfare Services shapes and constrains their mothering practices. The study develops a typology of three fluid, context-specific *decarceral motherwork* strategies that these women use to anticipate, react to, and cope with state interventions that threaten their mothering: collective motherwork—community-based negotiations of tenuous childcare conditions between formerly incarcerated women living in close proximity to each other; hypervigilant motherwork—the anticipatory work of shielding children from the state and strangers; and crisis motherwork—the labor of confronting immediate threats that would remove their children from their custody or prevent reunification. This research demonstrates that formerly incarcerated Black women embrace intensive mothering ideologies yet also become vulnerable to further criminalization through *decarceral motherwork*.

*The hardest thing about being locked up is knowing you can't be there for your kids when they need you...the hardest thing about getting out is knowing you still can't be there for your kids when they need you...you can't control if they take your kids away from you [...] or if you're taken away from your kids."*

*--Angel, 40's*

Black mothers like Angel struggle to parent when released from prison and jail. They fear that the state will continue to interfere with their ability to mother, given that race, gender, and poverty intersect to make Black families generally vulnerable to both Child Protective Services (CPS) and the criminal justice system. For formerly incarcerated Black women, mothering difficulties are amplified by structural challenges including: erosion of social support due to the disproportionate rates of Black women's incarceration, the demands of post-release supervision, and resuming parenting after a temporary loss of parental custody (Haney 2010; Roberts 2003; Simmons and Danker-Feldman 2010). This article examines how formerly incarcerated Black mothers develop parenting strategies in response to surveillance from post-release supervision and CPS. While not all formerly incarcerated women are prepared to resume parenting upon release, the assumption that these women are unfit parents elides their work as mothers and obscures the structural challenges they face in raising their children.

Although other ethnic and racial groups experience structural challenges in parenting post-incarceration (e.g., Ross 1998; The Sentencing Project 2013), I focus on Black women because of their historical significance to the emergence of women's prisons. Black feminist scholars demonstrated that the historical project of carceral gendering demanded a deviant female subject who was not simply at odds with social expectations, but also posed ideological

and corporeal danger to the state's moral order (Gross 2006; Haley 2016; Richie 2012; Roberts 1999). Because white femininity was defined by frail submissiveness and could not accomplish this threat, the construction of the Black female subject as dangerous, immoral, and physically strong justified the creation of women's prisons (Gross 2006; Haley 2016). Therefore, I situate this study within scholarship that demonstrates a gender-racialized trajectory of United States carceral institutions—from slavery, Jim Crow, the War on Drugs, to contemporary carceral regimes—that required an imagining of Black female sexual and maternal deviance to justify women's incarceration (Collins 1998; Davis 1972; Gross 2006; Gutman 1977; Haley 2016; Jones 2009). Collins (1990) identifies archetypes of Black womanhood centered on sexuality, deviance, and motherhood as “controlling images” that emerge from gendered racism towards Black women. I examine how mothers experience these discursive forces in their daily post-incarceration lives. To what extent do formerly incarcerated Black mothers demonstrate awareness of these controlling images of Black womanhood? How does awareness shape their mothering strategies while on probation or parole?

I find that formerly incarcerated Black mothers respond to hegemonic ideologies of Black womanhood—informed by the doctrines of self-reliance, Black female pathology, and broken homes—in their navigation of state surveillance while parenting. At the same time, these mothers locate the state as a primary danger in their children's lives. Given these conditions, I argue that formerly incarcerated Black mothers necessarily labor against the reduction of their maternal identities to their criminal histories to protect their children.

I draw on theories of “motherwork” (Collins 1994; Reese and Newcombe 2003) to examine formerly incarcerated Black women's raced, classed, and gendered parenting labor under the state. Using 18 months of ethnographic observations with formerly incarcerated Black

women, I distinguish three fluid, context-specific motherwork strategies that these women employ to anticipate, react to, and cope with state interventions that threaten their mothering. In what follows, I demonstrate how women engage in (1) *collective motherwork*, a community-based negotiation of tenuous childcare conditions between formerly incarcerated women living in close proximity to one another, (2) *hypervigilant motherwork*, the anticipatory work of shielding children from the state and strangers, and (3) *crisis motherwork*, the labor of confronting immediate threats that would remove children from their custody or prevent reunification. These three motherwork strategies constitute *decarceral motherwork*. This concept captures how formerly incarcerated Black women labor to care for their children under the confines of state surveillance and bondage—a process that is often concealed by continued carceral logics and practices. I contend that *decarceral motherwork* ultimately works to counter the reduction of formerly incarcerated Black mothers to their criminal histories, though it also compels women to hide their personal struggles with drug addiction, mental illness, and other conditions to prevent state agents from taking away their children. This focus complicates narratives claiming that surveilling criminalized mothers of color makes their children safer.

### **BACKGROUND: BLACK MOTHERS UNDER CARCERAL CONTROL**

Though not all formerly incarcerated women are willing or able to resume parenting their children upon release, scholarship on mothering after release indicates that these women rank parenting as one of the most important dimensions of their reentry experiences (Brown and Bloom 2009; Michalsen 2013; Solinger 2010). For Black women, their mothering experiences after incarceration emerges from the racialized and gendered contemporary state of mass incarceration. Nationally, women's rates of incarceration rose by more than 700% from 1980 to 2014 (The Sentencing Project 2015). In California, Black women are 27 percent of incarcerated

women, though Black women are about 6 percent of women in the state (Krimetz et al. 2011; U.S. Census Bureau 2010). While Black women's rates of incarceration declined in recent years, they are still twice as likely to be incarcerated as white women (Carson et al. 2015; The Sentencing Project 2014; The Sentencing Project 2015).

Black women's carceral experiences are shaped by the overrepresentation of mothers in prison and jail. Among incarcerated women in the United States, mothers increased by 131% between 1991 and 2007 to 65,000 women, and 62 percent of women in state prisons and 56 percent of women in federal prisons report having minor children (Carson and Sabol 2012; Gilmore 2007; Richie 2012). The majority were sole caretakers of their children prior to incarceration (Ferraro and Moe 2003; Phillips and O'Brien 2012).

Formerly incarcerated Black women who wish to resume their roles as mothers struggle with the state over child custody (Roberts 2011). Among incarcerated mothers, 45 percent had children living with grandparents, 37 percent said children lived with the other parent, and 11 percent had children in foster care (Nickel et al. 2009). Many of these mothers had their children removed from their care prior to incarceration and therefore came under state surveillance before incarceration (Bridges 2011; Nickel et al. 2009; Roberts 2011). Therefore, upon release, formerly incarcerated Black women who wish to be or are reunited with their children are not simply under the surveillance of post-release institutions, but also CPS (Roberts 2003).

### **CONTROLLING IMAGES OF BLACK WOMANHOOD**

Formerly incarcerated Black mothers contend with many practical challenges in complying with post-release supervision after incarceration, which intertwine with a broader ideological context of controlling images of Black womanhood that negatively shape state actors' compliance evaluations (Bridges 2011; Gross 2006). Collins (1990) developed the

concept of the controlling image to characterize archetypes of Black womanhood as a series of contradicting, objectifying one-dimensional master stereotypes that make “forms of social injustice appear to be natural, normal, and inevitable parts of everyday life” (p. 69). These prevailing stereotypes serve as “othering” justification for the dominant group, as well as a reference point against which to define normative dominant group constructions (Collins 1990; Roberts 1999; Wingfield 2007). Other scholarship documents how the intertwining of controlling images and structural challenges force marginalized people to develop a set of strategies to navigate policing in their everyday lives (e.g. Bridges 2011; Collins 1994; Stuart 2016).

Controlling images of Black women’s maternal inadequacy have persisted throughout history as part of a narrative that denies them autonomy in motherhood, often to justify state agendas that were more easily accomplished by disrupting Black families (Collins 1990; Jones 2009; Roberts 1999). While a comprehensive history of the state’s perversion of Black women’s motherhood is beyond the scope of this article, particular historical moments illuminate patterns in the state’s attempts to control Black motherhood. For instance, during Black women’s enslavement, whites rendered Black women unrapeable by developing the controlling image of the hyperbreeder, yet materially and ideologically denied Black women’s ties to their children to justify the use of children as profit (Gutman 1977; Jones 2009). Simultaneously, whites threatened violence against enslaved children to coerce their mothers into compliance (Roberts 1999). In the 1960’s, the Moynihan Report and its supporters mobilized the controlling image of the Black matriarch and laid the blame of Black communities’ structural oppression with Black mothers (Jones 2009; Roberts 2003). The 1980’s and 1990’s saw another boost in Black mother-blaming through Welfare Reform and the War on Drugs through the construction of the Welfare Queen (McCorkel 2013; Richie 2012). Common among these controlling images of Black

motherhood are simultaneous claims about Black women's importance to the well-being of Black communities, paired with claims about Black maternal pathology.

Given the state of Black women's carceral crisis across prison and reentry spaces, I reveal how formerly incarcerated Black women respond to controlling images that portray them as a contemporary, perverse evolution of the Welfare Queen. The Welfare Queen controlling image purports that Black mothers are lazy, often drug-addicted, hypersexual, careless parents whose primary goal is to evade work and lead lavish lifestyles funded by state benefits (Collins 1990, 1994; Ferraro and Moe 2003; Fields 2005; McCorkel 2013; Roberts 1999). The formerly incarcerated Black mother is criminally punished for her perceived material and ideological violation of the state's moral order, and her maternal status is reduced to a carceral identity. Her subjugation is formally marked by a felony. Her resulting legal branding frames the many dimensions of her immorality that emerge from the Welfare Queen: promiscuity, drug use, child endangerment, refusal to acknowledge and adequately care for her children's needs, sneakiness, and moral irredeemability (Collins 1990; Roberts 1999). She merits watching, both for the safety of her children and the public (Roberts 2003). By locating the carceral in controlling images of Black womanhood and motherhood, I capture how formerly incarcerated Black mothers experience the "spillover" of carceral identity as part of the prison's ability to reproduce criminality, even after incarceration, and consequentially shape mothering strategies in response (Lopez-Aguado 2016). Like other populations that navigate state policing in their everyday lives under carceral threat (Rios 2011; Stuart 2016; Wingfield 2007), these mothers are forced to respond to these forces as they craft their parenting strategies under the gaze of the state.

### **BLACK MOTHERING ON THE MARGINS**

Because controlling images are relational, they require a normative group to be defined against. Controlling images of Black motherhood stand in opposition to normative white femininity's "good mother," who is defined by a practice of intensive mothering. Intensive mothering ideologies charge mothers with developing their children socially, intellectually, and physically, at any cost (Blum 2015; Hays 1998). These ideologies produce a good mother-bad mother binary; in either case, mothers are held responsible for their children's life outcomes as part of normative intensive mothering, despite its emergence from white, middle and upper-class, heteronormative value systems (Banwell and Bammer 2006; Blum 2015; Collins 1990; Hays 1998). Formerly incarcerated women are especially branded as bad mothers; because they endure extensive separation from their children while serving their sentences, they necessarily parent their children outside of normative intensive mothering and struggle against perceptions that they abandoned their families (Bloom and Brown 2011; Brown and Bloom 2009; Haney 2010). Women with mental and physical illnesses, addiction, and trauma find their issues remain relatively untreated while behind bars, so the motherwork of reentry compounds with everyday and structural challenges of reentry (Bloom and Brown 2011; Doherty et al. 2014; O'Brien 2001).

The practice of intensive mothering is complicated by race and class. Studies on the mothering of poor women and women of color—mothers on the margins—suggest that their intensive mothering practices respond to challenges and needs different from those of hegemonic mothering constructions (Blum 2015; Collins 1994; Hays 1998). Following Collins (1994), I use the term "motherwork" to theorize how mothers on the margins support their families under carceral infrastructures of control. Motherwork for drug-addicted women, formerly incarcerated women, and Black women may include teaching their children how to evade the police, engaging



in civil disobedience to protest inequality, feeding a family on a severely restricted income, or protecting children while mothers are in violent relationships (Baker and Carson 1999; Edin and Kefalas 2011; Elliott, Powell, and Brenton 2015; Roberts 2003; Wingfield 2007).

Black motherwork also centrally includes the labor of “othermothers”—alternative kinship networks between women who share motherwork among children in the community (Collins 1994). Black feminist scholars have also used the term “collective mothering,” referring to the shared raising of children among networks of women in the absence of state protection while faced with state-triggered violence (Gilmore 1999; McGadney-Douglass and Douglass 2008; Reynolds 2001). Collective mothering among Black women in the USA is centuries old, given the ways that racism, sexism, and white supremacy bear on and shape mothering practices (Collins 1994; Roberts 2003). Motherwork falls outside of conventional constructions of intensive mothering, and may not be recognized by the state, leading to state punishment (Bloom and Brown 2011; Bridges 2011; Ferraro and Moe 2003; Jones 2009; Roberts 1999, 2003).

Scholars have documented how poor Black women are vulnerable to legalized punishment because of structural challenges that produce many avenues for state surveillance, including: intake interviews for nutritional assistance, policing in schools, the ubiquity of law enforcement in poor communities of color, and probation and parole officers’ surveillance of women with criminal records (Bridges 2011; Roberts 1999, 2011). Formerly incarcerated Black mothers who want contact with or custody of their underaged children must cooperate with surveilling institutions, or risk loss of parental rights (Bridges 2011; Opsal 2009; Roberts 2003; Simmons and Danker-Feldman 2010). Because formerly incarcerated Black women are disproportionately victims of assault, poor, and incarcerated on drug charges, their children often

enter foster care and Family Court under charges of abuse or neglect prior to mothers' incarceration (Ferraro and Moe 2003; Roberts 2003; Simmons and Danker-Feldman 2010).

## METHODS

To understand how formerly incarcerated Black women experience the work of mothering, this article draws on 18 months of participant observations in the early 2010's with formerly incarcerated women. This study received IRB approval from my home institution. I began by recruiting participants from New Beginnings, an LA-based comprehensive women's "reentry" organization that provides housing, case management, and rehabilitation services for formerly incarcerated women and their children. New Beginnings had a few housing sites across South Los Angeles.<sup>1</sup> Most women shared bedrooms with one or two other women, though a few had their own bedrooms and some had children in residence. The living room, bathrooms, and kitchen were shared spaces. I also spoke with and shadowed a handful of formerly incarcerated women who invited me to document their experiences after attending New Beginnings-sponsored events and hearing about my project. Many of these women have minor children and seek to resume their roles and duties as mothers.

I negotiated access by emailing the New Beginnings social worker, who designated me as a "social work intern" after meeting in person twice and hearing about my proposed project. She posted my information in the office and at the reentry homes along with the information that I was a researcher. I also regularly reminded women that I was collecting data and told them they could request to be excluded from my observations, and that this would not impact any assistance they might request from me. I drove them to medical appointments, schools, parole and probation offices, babysat their children, attended court appointments as an advocate, and

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<sup>1</sup> To protect the privacy of New Beginnings and the people it serves, I reveal limited field site characteristics.

helped with job applications. I spent time with women in their homes, met with them over meals, took walks with them in their neighborhoods, and had extensive conversations by phone, text, and email. I recorded observations while driving home and sometimes took notes on my laptop or in a notebook, then transcribed and wrote memos from my observations.

The observational nature of my role at New Beginnings has particular implications for the data in this study; I waited for most women to provide information about themselves within the normal course of interaction to respect the ethos of New Beginnings, which stresses minimizing invasions of privacy since formerly incarcerated women are frequently denied that right. I also use pseudonyms when referring to all study participants and the organization. Not all women revealed their demographic information. As seen in Table 1-1, of the thirty-five women I observed, twenty-one self-reported as Black, African American, part Black, and an additional three women were referenced as Black by other women in the space. The remaining women self-reported as Latina, Hispanic, Mexican, white, or did not reveal their racial identities during conversations, and appeared racially ambiguous to me. Though New Beginnings is not the traditional context of a predominantly Black community and offers more transitional support than many reentry homes, the racial demographics of its population, and its location in a predominantly Black and Latino part of Los Angeles, replicates the reentry conditions that many Black mothers experience after returning home from prison or jail.

Referring again to Table 1-1, although twenty-five women revealed information about their convictions, the predominant convictions were for drugs or sex work. Two of the women convicted for homicide said they acted in self-defense: one against a stranger and the other against her childhood molester. The woman convicted of assault said she was criminalized for defending her eldest daughter from the girl's father. Sentences ranged from eight months to

twenty-eight years, although eleven women reported serving more than one jail or prison sentence in their lives.

In our interactions, thirty-one women acknowledged<sup>2</sup> that they were mothers to minors at some point during their incarceration. Six women had one or two children living at New Beginnings with them, ranging in age from newborn to age seven; of these six, five mothers identified as Black or African American and one identified as white. To protect the privacy of these women and their children, I do not reveal the gender demographics of the children at New Beginnings during my observational period, and I sometimes change the gender of the children presented in data fragments. Most women at New Beginnings with minor and adult children made efforts to see their children after attending school, work, and/or on weekends, if their children lived locally. Eight women revealed their children are now adults, though these children were minors at the time of incarceration. Four women said their children were in foster care. Others referred to their children in vague terms and were reluctant to reveal details about them. I also did not observe any fathers coming to visit their children at New Beginnings or bringing children to visit their mothers, so I am unable to comment on fathers' co-parenting.

I supplemented ethnographic data with in-depth interviews, lasting from one to three hours, with twelve key informants, all of whom were Black. All agreed or requested to be interviewed. Interviews occurred a place of the respondents' choosing—most often in the respondents' homes or in the car while I drove them to appointments. Though I initially conducted two interviews using a semi-structured interview guide, I found that a more effective method was to ask respondents to show me photos they took of their everyday lives, then ask

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<sup>2</sup> Three women did not mention children and one said she had a child but was not a mother.

follow-up questions about their responses; this allowed respondents to guide the interviews. Throughout data collection, I engaged in abductive analysis (Timmermans and Tavory 2012), moving between existing theoretical frameworks on race, gender, parenting, and surveillance with new, surprising data during throughout fieldwork. I used the qualitative coding software “NVivo” to thematically code fieldnotes, interviews, and memos.

## **FINDINGS**

Formerly incarcerated Black women contend with obstacles after incarceration that complicate mothering, including finding living arrangements that accommodate their children or are close by to children’s place of residence. However, one of the factors that most shaped these mothers’ approach to parenting is their need to prove to state agencies that they were fit to have custody of their children. These women knew that social workers and parole or probation officers controlled visitation and delivered family reunification recommendations to judges. Hence, the state had the power to effectively interrupt their roles as mothers, not only by taking children away, temporarily or permanently, but also by sending mothers back to prison or jail. As a result, the mothers in this study adapt to surveillance from the state by implementing three types of fluid and context-specific *decarceral motherwork*: (1) collective motherwork (2) hypervigilant motherwork, and (3) crisis motherwork.

### **Collective Motherwork**

Parole and probation is a period of intense adjustment for most formerly incarcerated individuals, and many transitional homes encourage camaraderie and informal mentorship between residents. “Collective motherwork” refers to the use of relationships between New Beginnings residents to gather information, resources, and labor required to protect children from state intervention. Because pervasive state surveillance gave the state many opportunities to

interfere in their parenting, these women understood the importance of pooling their resources and labor in order to maximize limited resources in high-stakes custody circumstances.

Collective motherwork emerged from the sharing of childcare responsibilities between mothers living together in the home. Many of the women who were without their children also devoted significant time and energy to the children who were in residence. For instance, two women who had custody of their children while living at New Beginnings would alternate preparing dinner and trading babysitting duties while the other mother was at job interviews or doctors' appointments. I also saw how seven-year-old Kyla, 34-year-old Kira's daughter, would run to get hugs and kisses from the residents who ushered her into their arms during house meetings. Additionally, some mothers were released immediately before they gave birth and became overwhelmed by the challenges they faced as new mothers also newly released from prison or jail. In these cases, other women living in the house helped with diaper changes and soothed fussy babies. For instance, Jonathan, 32-year-old Destiny's infant son, spent the first eight months of his life at New Beginnings, and Destiny expressed that a few of the residents were his "aunties." Such practices undermine controlling images of Black motherhood by illustrating how women worked together for the well-being of children and one another by sharing mothering labor.

Another aspect of collective motherwork was group strategizing about how to cope with the state surveillance of reentering Black women's sexuality. In my observations, much of the discussion between women centered on best practices for navigating state agents, who scrutinize mothers' sexuality and whose recommendations influence judges' orders in child custody cases. For instance, I once observed Destiny telling an incoming resident of New Beginnings not to give the house address to men; she explained that only her child's father knows where she lives.

If a social worker or her parole officer dropped by unannounced, Destiny said if she “look[ed] loose,” it might put custody of her infant son at risk and that another resident gave her that tip when she moved in. During another one of my visits, I sat in on a discussion between six women talking about how the state might use same-sex relationships to justify custody denial. There was a consensus that poor Black mothers with histories of drug addiction would be under intense scrutiny, so it was important to prevent state actors from knowing details of their intimate lives. Though women in same-sex and heterosexual relationships experienced different forms of sexual policing, the women in this sample demonstrated awareness of the perceived hypersexuality of Black women as part of the controlling images of Black motherhood, and collectively strategized how to prevent the state from using their sexuality to justify state intervention in mothering.

Although collective motherwork was often a critical source of support for women whose children lived with them and women who missed children they were waiting to reunite with, collective motherwork was also a source of conflict. Some mothers whose children were in residence expressed that other residents were trying to “take over” mothering their children. Some women expressed that women who missed their own children were sometimes invasive and would interfere with parenting decisions. The state’s imposed estrangement created anguish for mothers who were without their children, which also produced tension in collectivized parenting for mothers whose children lived at New Beginnings. Though some of these tensions may be particular to the site due to sharing small spaces, it also stands to reason that collectively taking responsibility for children inevitably produces some conflict. Some of these tensions likely unfold in informal arrangements of collective parenting within extended families and neighborhoods, though these observations reveal the multi-family stressors that can emerge from parental incarceration.

While collective motherwork demonstrates the significance of shared labor between mothers and its possibilities in challenging the controlling images of Black motherhood, the mothers in this sample also navigated much of the post-incarceration terrain alone. In the subsections that follow, I illustrate how hypervigilant motherwork and crisis motherwork demonstrate that formerly incarcerated Black mothers must perform mothering labor with little assistance and high stakes for their children.

### **Hypervigilant Motherwork**

After incarceration, many formerly incarcerated women return to neighborhoods with poor socioeconomic conditions, including violence and instability, as well as high levels of state surveillance. In an effort to protect their children from harm or incidents that might lead to state intervention, many of these women—most of whom had been victims of state and neighborhood violence—anticipate the many ways their children might be exposed to harm and/or intervention, and thus deploy a variety of strategies designed to prevent such an outcome. This labor, which I refer to as “hypervigilant motherwork,” is characterized by “hovering” and the desire to be in close physical proximity to children at all times. Hypervigilant motherwork reflects these mothers’ multiple marginal statuses and their need to balance competing priorities with few resources. These mothers simultaneously manage their children’s physical and emotional well-being, keep their children away from strangers (especially men), and protect their children from the state. These activities occur oftentimes at the expense of finding work, and even risk mothers’ reincarceration, because the actions that protect their children sometimes impede post-release supervision requirements.

One type of hypervigilant motherwork is being forced to choose between the lesser of two evils, as demonstrated by Kira and her seven-year-old daughter, Kyla. One summer, I drove



them to Kira's weekly parole appointments because Kira worried about Kyla's ability to withstand the Los Angeles heat during the two-hour bus ride and two-mile walk required to make it to her parole office, and she lacked reliable, affordable childcare. However, Kira's parole officer told her that missing her appointments because she could not find childcare was unacceptable; Kira risked reincarceration if she missed future appointments. Kira felt her best option was to have a New Beginnings intern drive her to the appointment and babysit Kyla in the car; during the appointments, Kira told me to keep Kyla in the car, despite the stifling summer heat, because she was afraid of sex offenders seeing her daughter.

While Kira's resources were limited, she practiced hypervigilant motherwork to make sure that her daughter would not be exposed to environmental dangers, including the weather, extensive travel, and sexual predators. Because of post-release supervision requirements that did not accommodate her childcare needs, Kira felt forced to bring her daughter into a space where Kyla would be vulnerable to people convicted for child molestation. Kira's fears reflect how the state produces multiple moments of danger for her child. When presented with difficult choices, like deciding whether a hot car or the potential of encountering predatory strangers posed a greater danger, Kira used her available means to consider how to best protect her daughter.

Another type of hypervigilant motherwork is stranger-danger, in which mothers develop multiple strategies to protect their children from potential molestation. For instance, 32-year-old Deanna came in with her four-year-old son, Mikey, to get bus tokens so she could take him to the doctor. As Mikey ran around the office, Deanna and I talked while the office social worker, Sandra, retrieved bus tokens. Deanna told me that she heard a story on the news about girls who had been found as sex slaves less than 100 yards from where they lived. She said hearing things like that made her nervous to send Mikey to school, daycare, and let him be out of her sight. She

said, “They want us to think the foster system means our kids are better off with strangers... That’s why I always have him with me, and I’ll never go back to prison because who knows where they would send him.” As Sandra walked in, she told Mikey not to keep secrets, and Deanna said, “...oh he knows that he will tell me everything.”

Deanna practices stranger-danger hypervigilant motherwork by keeping Mikey in her sight at all times and minimizing opportunities for him to interact with strangers; even in the office, she kept her eyes trained on him and was quick to pause conversations to remind him to stay close to her side. For Deanna, the story of abuse is associated with her fear of her son’s vulnerability to the foster care system. These fears drive her to go to school with him and keep him with her throughout the day. She also cultivated a relationship with him in which there are “no secrets,” to protect him from abuse. While these practices protect Mikey, it leaves little time for Deanna to find work—which is already challenging for her because of her felony.

Fear of the foster care system structured parenting for all the mothers I spoke with. For instance, one mother, Taylor, also engaged in stranger-danger hypervigilant motherwork because of her history of interactions with the foster care system. During an interview, she showed me photos of her two-year old daughter Lily and repeatedly emphasized how she made sure Lily would not be exposed to the foster care system or abusive caretakers, saying:

“Lily is the only baby I’ve ever been able to keep. I have seven other kids, and my mom kept getting social services to take them away. Since I was 14, all I ever wanted was to be a mom... I was so scared they would take Lily away, that right after I had her in the hospital, I wouldn’t let anybody hold her but me.”

Taylor told me she cycled through juvenile carceral facilities and foster care as a child and never felt safe with her own mother. Her seven other children were awarded to her mother through the foster care system and regularly reported to Taylor that they were abused by their grandmother. Consequentially, Taylor told me she took great pains to make sure that Lily was protected from foster care and knew that she was safe and loved. Taylor intentionally did not do paid work for the first year of Lily's life and stayed home with her because she could not find childcare that was provided by an adult she trusted. She also avoids walking with Lily through her neighborhood because she believes it is an unsafe area for women and children.

In the early stages of her pregnancy, Taylor took measures to secure financial stability in part by returning to New Beginnings to save money after successfully living in private housing and holding down a job for a couple of years. When pressing financial needs forced Taylor to return to the paid workforce, she took great pains to find a babysitter who would pick Lily up from home in her car at 4:30 am, which is when Taylor has to catch the bus for work. Taylor said that she spends all of the time she can with Lily, despite a demanding training schedule and using public transportation to get from South LA to Downtown LA. Though the circumstances of Taylor's lost custody with seven of her children is unclear, the intentionality of her parenting approach with Lily reveals a constant process of assessing and intervening in Lily's potential exposure to local dangers and adults who might subject her to abuse, with particular attentiveness to the dangers of foster care exposure.

Some women felt compelled to hide their struggles with mental illness and addiction from state agents who might help them access resources, performing what I call covert hypervigilant motherwork. Destiny—who was diagnosed with schizophrenia and bipolar mania— said she was practicing caring for her health needs as part of caring for her son:

“I know now I’m supposed to tell somebody and go to the doctor when I start to hear voices and stuff so I can take care of my baby... before I used to keep it all in...that’s why I used drugs, to stop the voices. ...sometimes I still keep it in and don’t tell nobody when I’m having problems [...] because my parole officer tells me all the time she can’t wait till I take a dirty test so she can take my son and keep him for herself... she’s like ‘I’m setting you up for reality, when you f\*\*\* up I’m taking your son.’”

Destiny told me she worried about seeking help for her addiction and mental health problems because of how it might impact her custody situation, particularly because her parole officer expressed the desire to raise Jonathan herself. Destiny’s experience reveals the paradox of self-care for formerly incarcerated Black mothers with significant issues that can be addressed with treatment, which can trigger custody intervention. Therefore, even though treatment may improve child welfare, covert hypervigilant motherwork also led mothers to debate whether concealing their problems was safer for their children.

Kira, Deanna, Taylor, and Destiny demonstrate hypervigilant motherwork through strategic anticipation of and preemptive intervention in potential sources of violence or danger in their children’s lives, largely in response to concerns about CPS, predators, and probation/parole. While these mothers proactively responded to potential sources of danger, there were also significant costs; they struggled with job searches, finances, and appointments because their vision of intensive parenting, coupled with felony discrimination, complicated negotiating post-incarceration requirements. Taylor also moved back into the transitional home, and consequently into a neighborhood she felt was unsafe. Like Destiny, some of the mothers felt compelled to

evade state agents because state surveillance is not accompanied by adequate state resources, and they worried that social workers might use their lack of material resources or struggles with addiction and mental illness as justification for custody removal. These mothers resorted to measures that compromised their material conditions to accommodate what they perceived their children needed.

The controlling images of Black motherhood would have us believe that formerly incarcerated Black mothers use their children for personal gain and expose their children to violence, thus justifying state intervention. However, hypervigilant motherwork counters controlling images of Black motherhood; these women demonstrate incredible thoughtfulness and self-sacrifice in their everyday mothering labor to protect their children from violence, largely borne from fears of their children's vulnerabilities under state surveillance and control. Yet, these same actions can look like non-compliance to the state and support controlling images of Black motherhood, especially when hypervigilant motherwork interferes with employability.

### **Crisis Motherwork**

Despite practicing hypervigilant motherwork to protect their children, precarious circumstances and relationships with the state pushed some mothers into extreme crisis. Women enact crisis motherwork when hypervigilant motherwork no longer works; it is the labor of confronting immediate threats that would remove children from their custody or prevent reunification. Therefore, crisis motherwork is necessarily reactive and often requires temporarily abandoning all other obligations, including paid work. These women engage in problem-solving not as a theoretical exercise of what may cause separation from their children, but instead face the real, near-term possibility of separation and must fight to keep their children away from the

state. However, often these mothers have exhausted their options of preventing state intervention, so they must simply cope with their own anxiety as they wait for the cards to fall.

Crisis motherwork involves assessing and coping with rapidly shifting circumstances. One dimension of this is resource management during a crisis, often with little assistance from the state, friends, or family. This type of motherwork was demonstrated by Danielle, in her early 30's, who I first saw engaged in hypervigilant motherwork for her son, Devon. Danielle took protective measures to make sure her son's life would be stable and that he would remain in the care of people she trusted. Eight-year-old Devon lived with a close friend while Danielle was incarcerated, and she intended to keep him there until she could provide stable living conditions.

I witnessed Danielle's transition into crisis motherwork one evening as I was leaving New Beginnings. She told me that Devon witnessed the murder of another child while they were playing outside together; she and her son were devastated. She said, "I'm grieving for that poor baby. I'm grieving for my baby..." Because Devon was a witness in a gang violence case, the state became intimately involved in managing his custody. Less than a week after the shooting, the police and CPS said that Devon needed to move out of Danielle's friend's house for his protection. Danielle scrambled to identify feasible options. However, she did not have other family Devon could live with and the social worker on her son's case said that Danielle needed to buy a car before Devon could with live her. Danielle engaged in crisis motherwork by searching for a car loan within three days to prevent Devon from going into foster care; she experienced sexual and physical abuse in foster care as a child, so she wanted to prevent Devon from living where he could be exposed to the same danger. While we spoke, she kept leaving the room to make phone calls about potential leads for a \$3000 loan in the next couple of days. In

addition to gathering material resources, Danielle worked to support her son's emotional needs by trying to identify professionals who could help him process the violent trauma he witnessed.

Although Danielle lives with her son now, the combination of state surveillance and intervention, neighborhood violence, and lack of resources compounded Danielle's stress. Given the financial and emotional costs of placing a child into foster care, the state's readiness to put Devon in the care of strangers, rather than providing his mother with the resources necessary to care for him, underscores the logics of the carceral state. This further demonstrates how poor, Black mothers frequently encounter surveillance and interference from the state, and at the same time are deprived of the resources necessary to provide the safety and stability that children need.

For other women, the threat of reincarceration produces emotional management as another kind of crisis motherwork that requires significant emotional labor on behalf of children, who experience distress both at the prospect of separation and the moments that trigger crisis motherwork. One such case was Loretta, a woman in her 30's with a ten-year-old daughter, Brittany. I accompanied Loretta to court on a Friday to respond to a warrant for an offense she allegedly committed prior to her incarceration. Like Danielle, Loretta was state-approved to move in with her daughter, but engaged in hypervigilant motherwork when she delayed moving Brittany because she was afraid of being reincarcerated and forcing her daughter to adjust to new living circumstances. Instead, Loretta took her daughter to school daily and spent all of her time outside of work with her daughter.

Because Loretta held two steady jobs, saw her daughter regularly, and attended recovery groups regularly, New Beginnings labeled her a model resident and said she was unlikely to be reincarcerated. Nonetheless, Loretta was deeply anxious and prepared herself for the possibility. Her primary concern was how Brittany might be impacted by her mother's reincarceration.

Loretta explained, “My daughter is always fussing over me...she’s so nervous I’ll go back to prison. This morning, she kept telling me not to leave...” Loretta assured her daughter that regardless of the outcome, Brittany would always know that Loretta loved her and would make sure she was cared for. In this instance, crisis motherwork was less about gathering resources or making plans, and more about the emotional work she needed to do to make sure Brittany did not feel abandoned or worried for her future. Loretta spent a great deal of time and energy trying to allay her daughter’s fear of losing her mother again. In court, I watched Loretta get arrested and taken into custody. She was released a week later after intervention from the New Beginnings attorneys, who cited Loretta’s motherwork towards her daughter when arguing for her release.

These two cases illustrate how state surveillance, violence, and interference shape Black formerly incarcerated women’s mothering strategies. Although Danielle and Loretta were ultimately able to work through the crises that threatened their children, this work required significant compromises and did not fully protect their children from harm. Danielle and Loretta each demonstrate two types of crisis motherwork: resource management and emotional management. While the ultimate outcome in both cases preserved family reunification, temporary separation is sometimes unavoidable; these mothers did their best to hasten reunification or create conditions that would protect their children during their absence. They demonstrate that crisis motherwork may take multiple forms because these mothers creatively employ whatever material or personal resources they have at their disposal to minimize disruptions that threaten their children’s well-being.

Crisis motherwork emerges as a consequence of the multilevel state surveillance and interference that circulates through and around the lives of formerly incarcerated Black mothers. Their mothering occurs under surveillance from post-release supervision and the foster care



system, in addition to surveillance that pervades the lives of poor Black families because of their participation in social welfare programs. As a result of these converging systems of surveillance, there are many avenues for the state to separate formerly incarcerated Black mothers from their children. Crisis motherwork responds to these systems of interference. Given limited financial and social capital, these mothers compensated for their lack of material resources with other tactics. Rapidly gathering material resources in creative ways, such as trading food stamps for money or in exchange for rent, or spending time with men who might gift monetary or material goods, are some strategies that mothers use. They cite their children as the reason they endured such conditions. The emotional labor that mothers performed for their children under economic insecurity were critical, both because crises that involved their children were more frequent, severe, and emotionally exhausting, and also because love was one of the few guarantees they could give their children. The controlling images of Black motherhood represent Black mothers as irresponsible and bringing instability into their children's lives; yet, Loretta and Danielle demonstrate that crisis motherwork bridges the instability their children face due to intersecting systems of carcerality, surveillance, and environmental violence.

### **CRIMINALIZING MOTHERWORK: RACIALIZED, CLASSED, AND GENDERED STATE CONTROL**

In this paper, I argue that *decarceral motherwork* is a creative and ingenious form of intensive mothering by formerly incarcerated Black women used to cultivate their children's well-being under conditions of extreme precarity. Other scholarship illuminates how marginalized people navigate the convergence of controlling images and structural challenges that lead to hyperpolicing in their everyday lives (e.g. Bridges 2011; Collins 1994; Stuart 2016); *decarceral motherwork* emerges from this tradition as a set of survival and resistance strategies

to the everyday policing of Black motherhood, in which carceral ties act as the state's justification for pervasive surveillance and intervention. Therefore, when formerly incarcerated Black women engage in *decarceral motherwork*, they destabilize controlling images of Black motherhood as a form of gender-racialized anti-carceral labor. This work involved sacrificing opportunities for employment, negotiating conflicts with state agents, minimizing contact with strangers, and creatively identifying resources despite few financial means and little social capital. Mothers identified the state as the most pressing source of violence in their children's lives because of foster care and their children's consequent vulnerability to molestation.

Many of the women in this sample, like Taylor, experienced the consequences of failing to meet state constructions of intensive mothering; they practiced *decarceral motherwork* precisely because they understood that they could permanently lose custody of their children. They expressed that the devastation of losing their children was not their greatest fear, but that they were afraid of what would happen if they could not protect their children from the state. The mothers identified foster care, police, and potential contact with strangers as sources of violence triggered by the state, in addition to environmental violence triggered by poverty, teachers, neighborhood violence, drugs, gangs, mental illness, and abusive fathers. Enacting *decarceral motherwork* often put these women at odds with the state because their strategies sometimes undermined opportunities for paid employment or were perceived as non-cooperative with social services; the act of protecting their children from the state sometimes triggered further state intervention in their children's lives. Therefore, the paradox of intensive mothering for formerly incarcerated Black women reflects a structural bind in which they must be constantly present in their children's everyday lives, yet also manage the time and resource-intensive work of finding employment, securing housing, recovering from trauma and addiction, and building financial

resources. Consequently, their mothering and post-incarceration labor simultaneously support and undermine each other. Because women's labor is shaped around protecting their children from the state, their actions are used by the state as justification for further scrutiny and punishment. While white and middle-class women can claim validation by staying home and caring for children, poor mothers of color are devalued and criminalized because they seek resources from the state to do the same thing (Roberts 2003).

This study has implications for how we theorize about the impact of surveillance on mothering. At the empirical and policy levels, these findings complicate how we understand the ways multiply marginalized women resist invasive state practices. This study demonstrates that formerly incarcerated Black mothers are set up to fall short of their own visions of maternal success and in the state's evaluations of maternal fitness. The state constructs impoverished Black women as unfit mothers by default, and formerly incarcerated Black women are additionally saddled with a legalized label of criminality.

This research demonstrates that rather than acting as the criminal, negligent parents suggested by controlling images of Black motherhood, formerly incarcerated Black women embrace intensive mothering ideologies and become vulnerable to further criminalization through *decarceral motherwork*. By criminalizing the maternal labor of poor Black women, as a mechanism for them to formally enter the criminal justice system (Roberts 2003), and then again when they are released, the motherwork of formerly incarcerated Black women becomes a form of precarious labor. Understanding *decarceral motherwork* as precarious labor highlights how the state and other environmental factors threaten these women's continued ability to perform essential mothering labor. While other scholarship finds that poor people of color navigate the post-carceral context and hypersurveillance in isolation (e.g. Edin and Kefalas 2011; Smith

2010), I demonstrate that collective labor between formerly incarcerated Black women is critical to their parenting process. Furthermore, while other work supports that hegemonic intensive mothering is a form of time and emotionally consuming work shaped by white, heteronormative, middle and upper class values (e.g., Blum 2015; Elliott et al. 2015), I find that poor Black women enact transformed ideologies of intensive mothering in ways that are not supported, and are sometimes punished, by the state (Bridges 2011; Collins 1994). Elliott et al. (2015) find that poor Black mothers practice intensive mothering by highlighting the “importance of sacrifice, self-reliance, and protection” (p. 355), which captures the defining characteristics of *decarceral motherwork* within the context of state violence and intervention through carceral bondage.

These women also demonstrate the perpetuity of labor under the carceral state; because formerly incarcerated Black mothers who want custody of their children must engage in *decarceral motherwork* to combat the controlling images of Black mothers, *decarceral motherwork* simultaneously undermines carceral bondage, yet reproduces the necessity for Black women to engage in unpaid, undervalued labor because of carceral structures. Furthermore, just as women’s prisons were justified by controlling images of Black womanhood (Gross 2006; Haley 2016; Jones 2009), the organization of maternal surveillance during reentry—which occurs without adequate support from the state (Jones 2009; Roberts 1999, 2003)—is justified by the gendered-racialized controlling images of Black motherhood. The theoretical implications of controlling images of Black motherhood then extend beyond Black women; though Black women are likely disproportionately subjected to punitive arrangements of maternal surveillance, formerly incarcerated mothers across racial categories who wish to regain child custody must do so under intersecting systems of surveillance. So even though all formerly incarcerated women may practice the strategies of *decarceral motherwork*, the penal regime’s reliance on

constructing Black female deviance indicates that Black women's *decarceral motherwork* is most effective in destabilizing controlling images of incarcerated mothers that justify punitive surveillance in reentry.

This article also reveals the broader context of social problems produced from state surveillance and how individuals and families navigate their survival within this milieu. Although mothers with carceral histories are vulnerable to state intervention, economically poor mothers who have not been incarcerated also navigate similar challenges and custody threats; the process of juggling competing demands from the state, paid employment, job loss, childcare, and custody battles are common challenges for multiply marginalized parents (e.g., Blum 2015; Bridges 2001; Edin and Kefalas 2011; Roberts 1999, 2003). The vulnerabilities that emerge from living in spaces characterized by high levels of state and environmental violence exacerbate existing conflicts between care work and the marketplace, which many marginalized families navigate as part of their everyday lives (Collins 1994; Bridges 2001; Edin and Kefalas 2011). Therefore, this study also illuminates how people strategize—at both the individual and collective levels—to protect themselves and their families from punitive state interventions.

Future scholarship might consider how *decarceral motherwork* occurs outside of settings like New Beginnings; many women experience reentry while homeless, with no or little financial support (O'Brien 2001), and few transitional homes allow children to cohabitate with their mothers (Arditti and Few 2008). Future study might specifically consider what reentry conditions enable collective motherwork, and more broadly investigate what other types of *decarceral motherwork* emerge from different reentry contexts. This study also indicates a need to understand how intersectional forms of marginalization impact the mothering work that formerly incarcerated women do, particularly given that Black women in same-sex relationships

are already heavily policed by the Child Welfare System (Moore 2011). Additionally, future studies might examine how Black mothers' contention with these multiple sources of surveillance impact children, as it is well-established that children are negatively impacted by parental incarceration (e.g., Bernstein 2007). Though it is beyond the scope of this article to understand the role of fathers in protecting children from the state, other scholars might inquire how male partners support Black mothers exiting prison.

Ultimately, this research illuminates how Black women engage in *decarcerated motherwork* as “a testament to the stubbornness of a mother’s love in opposition to the dehumanizing demands...” (Jones 2009:1) of carceral bondage. Though the mothers in this study undoubtedly have their maternal shortcomings—like women with and without carceral histories—their actions are situated within a historical trajectory of Black mothers resisting extreme structural precarities that threaten their children’s lives.

Table 1-1

**Table 1: Characteristics of Sample**

Racial/Ethnic Characteristics		Self-reported Convictions		Characteristics of Mothers	
Black, African-American	24	Drugs and/or sex work	14	Children while incarcerated	31
Latina, Hispanic, or Mexican	2	Homicide	4	Mothers with children in-residence	6
White	3	Forgery	3	Mothers with children in foster care	4
Unknown	6	Assault	1		
Total	35	Non-report	10		
		Total	35		

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ARTICLE 2—WORKING FOR REDEMPTION: FORMERLY INCARCERATED BLACK  
WOMEN AND PUNISHMENT IN THE LABOR MARKET

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**ABSTRACT**

This article uses 18 months of ethnographic observations with formerly incarcerated Black women to contend that they are subjected to what I term *rehabilitation labor*—a series of unwritten state practices that seek to govern the transformation of formerly incarcerated people from “criminals” to “workers.” I reveal that employment is subjectively policed by state agents and must meet three conditions to “count” as work: *reliable*, *recognizable*, and *redeeming*. I find that women who are unable to meet these employment conditions are framed by state agents as failing to demonstrate an appropriate commitment to their moral—and therefore criminal—rehabilitation, and consequently experience perceived threats of reincarceration. Building a theory of *intersectional capitalism*, I argue that *rehabilitation labor* is situated within a broader historical project of making Black women legible to the state through the labor market.

On a hot summer day, as I drove Kendra—a Black resident of a Los Angeles transitional home for formerly incarcerated women and their children—to the doctor, she tearfully relayed her woes trying to find work. After months of trying to find a steady job, she told me that maybe she could not find a job because maybe she did not deserve to—she still felt the pull of her drug addiction, talked about her failure to make enough money in “legitimate” jobs to house and feed her children, and even insinuated that she had “earned” the sexual violence she experienced in her lifetime. But at the same time, I saw Kendra struggle extensively with mental illness, disability, a shocking history of abuse, and elementary literacy skills, yet still try to find work and field seemingly-endless rejections for months. She told me that if she could just find full-time employment, maybe she could finally prove to herself she was a good person. However, the collective impact of her health, education, and felony record posed significant structural barriers to finding stable work. Still, in the months following her release from prison, she came to understand her lack of success in the labor market as a moral failure and framed employment as her pathway to moral redemption.

Kendra’s perspective reflects an internalization of Welfare Reform discourses, which pressure poor Black women —regardless of carceral status—to “reject government dependence, embrace market logics, and exalt the individual’s ability to empower herself to overcome workplace barriers and family demands to attain upward mobility” (Cummins and Blum 2015, 624). Existing scholarship documents how (1) Welfare Reform ideologies equate poor Black women’s moral worth with their employability (e.g., Bridges 2011; Hancock 2004; Korteweg 2003; Roberts 1999) and (2) the convergence of carceral and Welfare institutions, ideologies, and the sharing of information manifest across both sets of institutions as “penal-welfarism” (Garland 1999, 2001; Haney 2004; McCorkel 2004). The reentry scholarship takes for granted

that employment is important for practical purposes after incarceration, but the ideological effect of work after incarceration remains relatively unexplored.

In this article, I use 18 months of ethnographic observations with formerly incarcerated Black women to contend that they are subjected to what I term *rehabilitation labor*—a series of unwritten state practices that seek to govern the transformation of formerly incarcerated people from “criminals” to “workers.” I find that formerly incarcerated Black women are faced with a paradox in which they must pursue specific terms of employment as a condition of post-release supervision, yet they are simultaneously confronted with structural and interpersonal barriers in the labor market. I reveal that employment is subjectively policed by state agents and must meet three conditions to “count” as work: it should be (1) *reliable*, in that it must produce consistent, long-term financial benefits, and therefore cannot be contract or insecure work; (2) *recognizable*, in that it must be legible to state actors as employment in a conventional workplace setting; and (3) *redeeming*, in that it must be perceived as contributing to the broader public good. I find that Black women who are unable to meet these employment conditions after incarceration are framed by state agents as failing to demonstrate an appropriate commitment to their moral—and therefore criminal—rehabilitation, and consequently experience perceived threats of reincarceration.

I contextualize rehabilitation labor within the project of racial capitalism—the use of racism to structure capitalist ideologies and practices (Du Bois 1920; Robinson 1983; Winant 2004)—although I identify how rehabilitation labor is also constructed by, through, and in concert with gender. I articulate Black women’s post-carceral experiences as a case of the mutually constitutive role of race and gender (Haley 2016) through labor by illustrating how the hegemonic moral devaluation of Black womanhood is constructed through their economic and



sociocultural exploitation in the labor market; because racial capitalism alone does not account for this process, I coin the term *intersectional capitalism* to articulate the co-constitutive role of race and gender. I develop this concept in the theoretical framework as a structuring dimension of my analysis. I contend that intersectional capitalism and rehabilitation labor are co-constructed by providing the ideology and justification for the other; the construction of Black women as immoral using the logics of the labor market justifies the state's practices of discipline and punishment in this realm, which in turn further supports the reduction of Black women to their perceived sociocultural and economic labor contributions. I argue that rehabilitation labor unites carceral and Welfare systems' disciplinary tactics as part of penal-welfarism (Beckett and Western 2001; Garland 2001; McCorkel 2004; Wacquant 2010) in their mission to civilize Black women through the labor market, thereby revealing the racialized and gendered ideologies that undergird state governance and punishment. However, rather than limiting my analysis to the shared institutional logics and practices represented by penal-welfarism, I draw on intersectional capitalism to articulate how rehabilitation labor is situated within a broader historical project of making Black women legible to the state through the labor market. In what follows, I document how the logics of intersectional capitalism and rehabilitation labor emphasize self-reliance in the labor market as evidence of Black women's moral and criminal rehabilitation, while the state simultaneously blocks access to the labor market through felony labels (Solinas-Saunders, Stacer, and Guy 2015). I contend that rehabilitation labor demonstrates that the racialized and gendered discourses of Welfare Reform not only persist, but have melded so thoroughly with carceral structures that Black women's subjugation under the law is cemented through their felony statuses.

## **THEORETICAL FRAMEWORK: INTERSECTIONAL CAPITALISM**

Although the disproportionate incarceration of Black women in the United States produces an empirical imperative to understand their reentry experiences, the theoretical justification to study Black women's post-carceral labor market experiences is grounded in the historical exploitation of Black women's labor (Beckert 2010; DiMaggio and Powell 1983; Roberts 1999). It is beyond the scope of this article to provide of detailed survey of the United States' history of gender-racialized labor abuses; however, I offer a brief historical sketch specifically highlighting how labor and racial capitalism structured the relationship between enslavement, the rise of women's prisons in Jim Crow South, Welfare Reform, and the contemporary incarceration of Black women.

Theories of racial capitalism posit that racial subjugation preceded the emergence of capitalism, so the already existing cultural logics of racial domination were used to build capitalism as an explicitly racialized social and economic order (Du Bois 1920; Robinson 1983; Winant 2004). Robinson (1983) articulates his theory of racial capitalism as a response to the failure of canonical sociological scholars like Marx, Engels, and Weber to engage with theories of race and colonization, and therefore argues that these theorists inaccurately map historical processes that led to the emergence and structuring of capitalism. Using theories of racial capitalism, we can understand racism as a means of production, mode of production, and commodity (Du Bois 1920; Robinson 1983; Winant 2004).

Despite Robinson's (1983) invaluable contribution in naming and articulating race as a structuring dimension of capitalism, he overlooks Marxist feminists' contributions on how gendered subjugation also predated the emergence of capitalism, so existing logics of gendered domination were also instrumental to the creation and persistence of capitalism (e.g., Chinchilla 1991; Davis 2011; Gimenez 1991; Hartmann 1979; Hartmann and Markusen 1980). Drawing

from intersectional frameworks, which investigate how race, class, gender, sexuality, and other social locations overlap and intersect to produce multidimensional relationships of power and inequality between and within groups (e.g., Baca Zinn 1990; Carbado and Gulati 2013; Choo and Ferree 2010; Collins 1990; Crenshaw 1991; Hancock 2016; Zavella 1991). I use intersectional capitalism to articulate the systemic process of demoralizing and dehumanizing racialized *and* gendered bodies to extract their labor exploitation and punishment (Davis 2011; Haley 2016; Hunter 1998; Jones 2009; Morgan 2004). I show how race and gender operated simultaneously in the historic exploitation and devaluation of Black women's labor. I contend that intersectional capitalism provides the theoretical tools to understand rehabilitation labor as a fundamentally alienating process and transpiring from the historical cooptation of Black women's labor.

Although other ethnic and racial groups also experience structural challenges in the labor market after incarceration (e.g., Díaz-Cotto 2005; Ross 1998; The Sentencing Project 2013), I focus on Black women because of their historical significance to U.S. intersectional capitalism (e.g., Davis 2003; Haley 2016; Roberts 1999). For instance, during enslavement, the production of white capital required the literal cooptation of Black women's wombs for the reproduction of white profit; enslaved Black women were dismissed as hypersexual breeders incapable of being good mothers, while white slaveholders simultaneously leveraged Black children to force their mothers into compliance (Gross 2006; Roberts 1999). In the Jim Crow South, the ideological legacy of slavery readily provided the logic for Black women's forcible labor as a prescription for their perceived moral deviance, and the discursive construction of the Free Black Woman as an embodied and ideological danger to the nation-state spurred the gender-racialized transformation of the U.S. carceral system (Gross 2006; Haley 2016; Richie 2012; Roberts 1999). Because white femininity was defined by frail submissiveness and could not accomplish

this threat, the construction of the Black female subject as dangerous, immoral, and physically strong justified the creation of women's prisons as psychologically, sexually, and physically traumatizing, labor-intensive spaces (Gross 2006; Haley 2016). Women's prisons then emerged as punitive spaces for labor exploitation as backlash against Reconstruction; the vacuum of free Black labor that followed the abolition of slavery generated an urgency for Southern state actors to reframe practices of white supremacy to adapt to the project of modernization (Haley 2016; Hunter 1998). In each of these cases, intersectional capitalism facilitated the denigration of Black womanhood through systemic practices of racialized and gendered labor exploitation.

Similarly, Welfare Reform emerged as a gender-racialized project to mobilize Black women's labor; Roberts (1999) argues that Welfare Reform was spurred by the shift from Welfare's purpose as charity assistance for white women widowed by war to a mechanism to control and change the behaviors of poor, single women of color. This shift provided a platform for rescinding state aid to households headed by single women (Nadasen 2005; Roberts 1999). The state's policing of poor Black women is a policy manifestation of what Collins (1990) identifies as the Controlling Image of the Welfare Queen, which essentializes poor Black women as lazy, immoral, and reliant on the state (Bridges 2011; Roberts 1999); this Controlling Image is so powerful that Ronald Regan made the Welfare Queen one of the platforms for his presidential campaign in 1976 (Demby 2013). In the 1990's, poor Black women were also criminalized under the surveillance of Welfare Reform (Bridges 2011; Roberts 1999, 2003).

A substantial body of scholarship illuminates how the labor market acts as a particular site of punishment and surveillance for Black women under the auspices of Welfare Reform. The implementation of policies like the Personal Responsibility Work Opportunity Reconciliation Act (PRWORA) of 1996—which mandated paid work or participation in workfare programs as a

condition of receiving Welfare aid—signaled the state’s efforts to morally rehabilitate poor Black women through the labor market (Korteweg 2003; McCorkel 2004; Schram et al. 2009). Workfare programs acted as socializing agents for the perceived laziness and immorality of single Black mothers; these programs often framed participation in the service industry as a mechanism for Black women to achieve independence and rapid upward mobility. These practices shape the Welfare policies that tie poor Black women’s moral redemption to their participation in the workforce (Cummins and Blum 2015; Gustafson 2013; Hancock 2004; Roberts 1999). Scholars of Welfare Reform identify how these programs also misrepresented the possibilities of such work and dismissed recipients’ subsequent lack of upward mobility as personal moral failings; the focus of these programs on the development of “soft skills” (e.g., how to shake hands with a prospective employer or dress for an interview) rather than intervention in structural inequality—coupled with their design as a tool of gender-racialized state discipline—further support institutional practices that seek to control Black women through labor market interventions (Cummins and Blum 2015; Korteweg 2003).

The gender-racialized construction of Welfare Reform and its policing tactics suggests that the concept of “work” is itself a deeply politicized manifestation of intersectional capitalism. In his investigation of what “counts” as work under Welfare, Zatz (2006) identifies three defining characteristics of work under Welfare employment requirements: work as self-sufficiency, work as self-improvement, and work as reciprocity. Zatz (2006) illustrates that these three characteristics are often ideologically and practically in conflict with one another and consequently produce further economic and social precarity in the lives of poor women, especially because these three evaluative measures of work overlook and interfere with the labor of family care (e.g., Haney 2004; Kohler-Hausmann 2015; Korteweg 2003; McCorkel 2004;

Roberts 1999). Furthermore, the gender-racialized history of Welfare Reform as a tool of moral rehabilitation for poor Black women through the labor market suggests that what “counts” as work is another manifestation of the state project of policing Black womanhood. Presumably, poor Black women released from prison or jail must contend with even greater labor market challenges than their counterparts without carceral histories.

Theories of institutional isomorphism allow us to understand how gender-racialized logics that undergird social systems travel across time and institutional ideologies to produce a narrative of Black women’s labor that travels beyond traditional Welfare-granting institutions into reentry institutions (Acker 1990; Beckert 2010; Brown 1992; DiMaggio and Powell 1983; Fraser and Gordon 1994). A growing body of scholarship documents how this process occurs in Welfare and carceral institutions, which complement and reinforce one another in the emergence of what scholars label “penal-welfarism” (Beckett and Western 2001; Gilliom 2001; Gustafson 2011; Haney 2010; Roberts 1999; Wacquant 2010). The ideologies and practices of penal-welfarism contribute to the structural and everyday policing of Black women in poverty, regardless of carceral status (e.g., Bridges 2011; Miller and Alexander 2015; Richie 1996, 2012; Roberts 2003). In highlighting the shared ideologies and practices of Welfare and carceral institutions, I reveal the reductive practices of intersectional capitalism in its capacity to denigrate Black womanhood across institutions.

Although twenty years of scholarship documents the challenges of reentering the paid labor market after incarceration (Petersilia 2003; Pettit and Western 2004; Western 2002), we know little about the particular challenges posed by the contemporary labor market for formerly incarcerated Black women. Because post-release employment mandates require that people released on parole and probation acquire employment in a timely manner or they risk

reincarceration (Petersilia 2003), these employment mandates signal the significance of rehabilitation labor within the carceral context; if the failure to find a job can trigger reincarceration, we can deduce that the state understands being employed as a primary indicator of criminal rehabilitation. Yet, the juxtaposition of structural and interpersonal barriers in the labor market against post-release employment mandates reflect the paradox of rehabilitation labor.

In a study on employers willing to hire people with felonies, employers said disenfranchised workers should not expect advancement. This work is most often physical labor, offers inconsistent hours, and tends to be male-dominated (Bumiller 2015). Formerly incarcerated Black women—who frequently contend with severe physical ailments and extensive family care responsibilities (Richie 1996; Richie 2001)—often cannot do this type of work.

Pager's (2003) noteworthy experimental study finds that Black men without criminal records are less likely to be hired than white men with criminal records. More recent work finds that gender and race matter, with 30 percent of women with criminal records receiving job interviews compared to nearly 60 percent of men with otherwise identical applications, while white women with criminal records receive 11 percent more interviews than Black women without criminal records (Decker et al. 2014). Despite racial disparities in hiring practices and the disproportionate incarceration of Black women (Decker et al. 2014; Mauer 2013), the scholarship examining their labor market experiences after incarceration is sparse. A recent report states that approximately 9,000 people are incarcerated every day in the United States for violating parole and probation employment mandates, although two thirds of the people incarcerated under employment violations make less than \$1000 per month and work full time (Zatz et al. 2016). Black people are 40 percent of those incarcerated for post-release supervision

violations, yet account for 70 percent of unemployment incarceration violations (Soss, Fording, and Schram 2011).

The use of employment as a signifier of criminal rehabilitation allows the state to justify using employers to surveil formerly incarcerated people. Employers often take advantage of formerly incarcerated workers because courts ask employers to surveil people on parole or probation and report violations of workplace rules (Bumiller 2015; Petersilia 2003; Zatz et al. 2016). The resulting power imbalance makes formerly incarcerated people vulnerable in the workplace (Zatz et al. 2016). This is especially significant given the high rates of sexual abuse that Black women, particularly those who are formerly incarcerated, face (Richie 1996; Richie 2012).

These employment barriers are important to formerly incarcerated Black women and their families because women are more likely than men to have dependent children they need to care for upon reentry (Brown and Bloom 2009; Opsal and Foley 2013). Therefore, the consequences of not adhering to the conditions of rehabilitation labor can have severe intergenerational consequences, as employment is usually a condition of parole and probation compliance (Petersilia 2003). Although scholarship has established that formerly incarcerated Black men are vulnerable to this type of policing (e.g., Pager 2003; Zatz et al. 2016) and that Black women are criminalized through the logics of Welfare Reform (e.g., Bridges 2011; Roberts 1999), scholarship illuminating the specific labor market context for formerly incarcerated Black women remains underdeveloped.

## **METHODS**

To understand how formerly incarcerated Black women experience the labor market, this article draws on 18 months of participant observation in the early 2010's with formerly



incarcerated women in Los Angeles. Because Los Angeles County receives one third of parolees in California—the greatest proportion in the state—formerly incarcerated people are an important part of the city’s demographic and cultural landscape (Krimetz et al. 2011). I began by recruiting participants from New Beginnings<sup>3</sup>, a Los Angeles organization that provides housing, case management, and rehabilitation services for formerly incarcerated, predominantly Black, women and their children. Most women shared bedrooms with one or two other women, although a few had their own bedrooms and some had children in residence. I also spoke with and shadowed a handful of formerly incarcerated women who invited me to document their experiences after attending New Beginnings-sponsored events and hearing about my project.

The observational nature of my role at New Beginnings have particular implications for the data in this study; I waited for most women to provide information about themselves within the normal course of interaction to respect the ethos of New Beginnings, which stresses minimizing invasions of privacy since formerly incarcerated women are frequently denied that right. I also use pseudonyms when referring to all study participants. Not all women revealed their demographic information. As seen in Table 1, of the thirty-five women I observed, twenty-one self-reported as Black, African American, part Black, and an additional three women were referenced as Black by other women in the space. The remaining women reported as Latina, Hispanic, Mexican, white, or did not reveal their racial identities during conversation and appeared racially ambiguous to me.

Referring again to Table 1, although twenty-five women revealed information about their convictions, the predominant convictions were for drugs or sex work. Two of the women convicted for homicide said they acted in self-defense: one against a stranger and the other

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<sup>3</sup> Pseudonym

against her childhood molester. The woman convicted of assault said she was criminalized for defending her eldest daughter from the girl's father. Sentences among this population ranged from eight months to twenty-eight years, although eleven women reported serving more than one jail or prison sentence in their lives.

As an unpaid "social work intern," I drove formerly incarcerated women to medical appointments, attended court hearings as an advocate, and helped with job applications. I spent time with women in their homes, met with them over meals, took walks with them in their neighborhoods, and had extensive conversations over the phone, text, and email. I recorded observations while driving home and sometimes took notes on my laptop or in a notebook, then transcribed and wrote memos from my observations. I supplemented ethnographic data with one to three hour in-depth interviews with twelve key informants. This study received IRB approval from my home institution and participants voluntarily took part in the study. Throughout data collection, I engaged in abductive analysis (Timmermans and Tavory 2012), moving between existing theoretical frameworks on race, gender, Welfare, incarceration, and labor, along with new, surprising data during throughout fieldwork. I used the qualitative coding software "NVivo" to thematically code fieldnotes, interviews, and memos.

My position as an "outsider" to these women greatly shaped our interactions. As someone who is sometimes perceived as racially ambiguous, many residents were curious about my racial identity. Some residents remarked that as a South Asian-American woman, I "mostly looked Black" because of my dark skin and black hair, although most people seemed ambivalent. In many cases, my college education was perceived as a useful resource for residents looking for jobs, housing, or assistance with computers. Most often, residents seeking my help would ask for assistance with writing resumes and posting them on job search databases. While on one hand,

some residents were eager to share their life stories with me and inquire about how I might connect them to resources, on the other, some residents were wary about my presence and some even expressed fears that I was surveilling them on behalf of New Beginnings staff. In short, my positionality inevitably shaped the information women shared with me, although I believe that my positionality made most women inclined to share less of their lives with me, not more. Therefore, the findings in this paper likely reflect a diluted perspective of the challenges formerly incarcerated Black women face, rather than an exaggerated perspective. In what follows, I show how rehabilitation labor is a way to understand this labor market context.

## **FINDINGS**

In the following subsections, I unpack three defining dimensions of *rehabilitation labor* that reflect the use of the labor market to surveil and punish Black women after incarceration: employment that is perceived by state agents to be (1) reliable; (2) recognizable; and (3) redeemable. Intersectional capitalism is embedded in this process, even in the labeling of people on parole and probation as “clients”; this framing discursively positions formerly incarcerated people as consumers of carceral supervision by choice, although their participation in post-release supervision is mandated by the state and carries the looming threat of reincarceration.

### **Reliable Employment**

Formerly incarcerated Black women must convince parole and probation officers they are making "reasonable efforts" to find work or they risk reincarceration (Opsal 2009; Zatz et al. 2016). However, structural and interpersonal barriers—including employment discrimination against people with felonies and Black women, education limitations, and family obligations—make finding employment especially challenging for formerly incarcerated Black women. Given these barriers, it may seem that any form of legal employment would satisfy parole and probation

work requirements. However, in this subsection, I document how women at New Beginnings reported conflicts with state agents over work that was temporary, contract-based, or otherwise a form of insecure or precarious work. Yet, most of the women I met at New Beginnings searched for full-time employment with little success. The state compulsion for formerly incarcerated Black women to find reliable employment—full-time work with health benefits—proved a source of anxiety for these women—both because there was little reliable work available to them and because they consequently faced threats of reincarceration from parole and probation officers. I contend that these conditions emphasize reliable employment as an essential component of rehabilitation labor.

This emphasis becomes visible when the state ignores structural conditions that make finding reliable employment difficult, especially when this ignorance is coupled with threats of arrest. For example, twenty-five-year-old Rita found temporary work at a local warehouse that required traversing Skid Row after midnight to get to and from the bus, so she carried mace with her as protection. However, upon discussing her employment and discovering she was carrying mace, her parole officer said, “He told me that he would arrest me if he found me with mace. I told him it wasn’t safe for a woman walking over there, and he told me then I needed to get a better job anyways...like I haven’t been looking for one!” The parole officer reveals an ignorance of Rita’s prospects by telling her to simply find a “better” job, especially given that she spent hours each day job searching and sending her resume to prospective employers. It stands to reason there are many reasons that Rita would not take the job at the warehouse unless she had no other recourse: (1) the work was seasonal, and therefore would provide low-wage income only for a short time; (2) it required extensive travel by public transit in an area in which Rita felt unsafe as a woman walking alone; (3) the labor was physically taxing; and (4) Rita

described the warehouse as the first place in which she had ever felt demeaned specifically for being a Black woman. Rita's case reveals how state agents' perceptions reflect ignorance or possible indifference to the gendered struggles that women of color face in an insecure labor market, then proceed to make them more vulnerable to state, economic, and gendered violence through threats of incarceration.

Although women at New Beginnings expressed they were under pressure from state agents to find reliable employment, they also expressed that these state agents did little to assist them. Although parole and probation officer job descriptions often include assistance with finding employment and referral to agencies that may assist with this process, no women reported that their parole or probation officers were helpful in the process of finding work. Most women reported that parole or probation agents either had a neutral impact on them or presented an additional barrier in adjusting to life after incarceration.

One way that women were punished by parole and probation officers for failing to find reliable employment was being placed under greater state surveillance. For instance, a New Beginnings staff member told me that one parole officer insisted that his client, who was employed in a temporary position, be present at home for daily check-ins with him, although this would prevent her from going to work. She went to work because her family needed the money, but the parole officer threatened "consequences" over her absence. The emphasis on reliable employment is evident when parole and probation officers demand immediate, maximized labor market productivity from Black women returning home from prison or jail, despite the lack of viable job opportunities. The availability of reliable employment—especially given employment discrimination against Black women with felonies—makes the acquisition of reliable employment nearly impossible. Parole and probation officers who leverage carceral threats

against Black women who are unable find reliable employment after incarceration exacerbate the precarity they already experience.

### **Recognizable Employment**

While reliable employment is an important measure of compliance under rehabilitation labor, I found that recognizable employment—employment that is legible to state actors as normative work in a conventional workplace setting—was also a critical dimension of evaluation.

One way in which the state constructs the category of recognizable employment is in the dismissal of education as a form of legitimate participation in the labor market. For instance, many women at New Beginnings pursued additional education—including GED completion, trade school, associate degrees, and bachelor’s degrees—in the hopes of finding reliable employment in the future. Sandra, the New Beginnings social worker, relayed to me how one of their residents was struggling with her parole officer:

See? Agent Diaz [parole officer] didn’t even answer the phone when Deena called and he wants to say she is lazy. We are witnesses that the girls are trying... for the parole agent to say that they are lazy and they're not doing anything. That's false... we see how hard they work. But you're [parole officer] making it more difficult for them... The ladies have a hard enough time as it is with that F [felony] on their records... But Deena’s going to a little trade school, working so hard, she loves it...

Agent Diaz kept insisting to the New Beginnings’ staff that Deena was “lazy” because she had failed to find full-time employment three months after her release from prison. Yet, Deena

worked to compensate for her lack of educational opportunities by attending trade school following her release in the hopes of finding work.

Other women shared that they felt that their parole officers pressured them to find immediately available recognizable employment—despite lower lifetime earning potential—instead of pursuing education. Shonda, a woman in her early 30's, said,

I'm trying to figure out my education so I can have a good job, but she [the parole officer] said maybe New Beginnings isn't working out for me if I can't find something sooner... I want to get my education right so I can have a career, not just get any old thing cleaning toilets at a Jack-in-the-Box.

Shonda's narrative indicates conflict with her parole agent over the pursuit of education. Her reference to Jack-in-the-Box—a fast food chain—reveals her perception that abandoning education would likely force her by default to pursue employment in the service industry. Minimum wage jobs like the one that Shonda references have high turnover rates and often offer only part-time employment; yet, Shonda's comment indicates that the legibility of working for a fast-food chain may resonate more strongly with her parole officer under rehabilitation labor, perhaps because it is more legible as recognizable employment than the pursuit of education—despite its potential to lead to reliable employment.

However, recognizable employment is a subjective measure that state agents can interpret differently. The preceding case suggests that employment at fast-food retailers—given that it is recognizable employment—may be read as more favorable under rehabilitation labor. This subjectively is demonstrable in the case of Loretta, a woman in her thirties at New Beginnings who was issued a warrant for a crime she committed prior to her prison sentence. Sandra, the

New Beginnings social worker, was confident that Loretta would simply be sent home with some added time on her probation because Loretta was “a model resident,” partially because she held down two jobs—one of which was at Jack-in-the-Box. Sandra explained that in cases like Loretta’s, the judge would not want to interfere with a clearly successful case of rehabilitation. I accompanied Loretta to court as her advocate from New Beginnings, armed with a folder of letters of support from New Beginnings and Loretta’s psychiatrist.

Yet, in court, I witnessed Loretta’s public defender fail to raise any of the materials listed in her file and simply tell the judge he had the pay stubs from her fast-food job. The judge ruled that was not sufficient evidence of her rehabilitation, so she was reincarcerated and only released a week later after intervention from the New Beginnings attorneys. Although New Beginnings—and perhaps the public defender—characterized Loretta’s employment as recognizable, it was not sufficient to prevent her reincarceration. The comparison of Shonda and Loretta’s cases demonstrate the subjectivity of recognizable employment and rehabilitation labor by extension. Recognizable employment is also shaped by the legibility of a workplace as a traditional place of employment. For instance, fifty-year-old Davina, who made some money by providing additional traffic to websites on behalf of an agency, said that she was under pressure from her parole officer to quit that job and find full-time employment. Davina’s parole officer said that Davina’s income, however meager, was “too difficult” to explain to her supervisor and accordingly looked suspicious because Davina purchased a car. Davina, who has severe trauma from being incarcerated for nearly two decades and also cares for her ailing mother at home, said that her words fell on deaf ears when she explained to her parole officer that flexible work made sense for her, and also that her income was slightly supplemented by family and friends. Still, the parole officer’s pressures elevated her anxiety, and she was unsure about how to deal the state’s



latest objections to her economic survival. Other New Beginnings' women who braided hair from home or clients' homes as supplemental income—because it circumvented background searches and allowed for a flexible schedule that accommodated family labor—also found their parole and probation officers objected to the recognizability of their work and pressured them to find “real” employment. Collectively, these cases demonstrate how the domestic labor that Black women perform for their families after incarceration interferes with the ability to pursue recognizable employment, and that these women are met with opposition from state agents when trying to pursue paid work within their means.

The ability for women to acquire recognizable employment is also negatively shaped by the gendering of work. The director of New Beginnings, Denise Carter, reflected on the barriers that background checks present for formerly incarcerated women, saying,

Men can do different types of labor that women can't do... labor that requires muscle might not require as much of a background check as a job that a woman might want... whether its technology or social work, or office work... Those jobs they screen you. I think that they [background checks] affect both men and women, but jobs that men are more able to get—labor jobs—women can't always do those jobs.

Denise's perspective, built over decades of working with formerly incarcerated women, reveals a relationship between the gendering of work and the lesser availability of employment for women with criminal records; her comment reveals that recognizable employment for women is often inconsistent with employment available to people with felony records. Though there are no official legal restrictions barring formerly incarcerated women from pursuing work that is often

male-dominated and that formerly incarcerated men seek, I found that many of the women I met at New Beginnings had extensive health problems that limited their physical labor and ability to do work often sought by formerly incarcerated men. Some women credited the poor living conditions of prisons and jails for their health decline, saying that they were frequently denied adequate and timely medical care and generally exposed to many health risks while behind bars. Others had endured physical abuse prior to incarceration, and the lingering consequences—like frequent, blinding migraines from repeated head trauma—interfered with their ability to keep a regular work schedule. Some women, like 45-year-old Linda, used to work as a security guard, but said that her health decline while incarcerated eliminated the possibility of manual labor. Therefore, a combination of the criminal background check businesses, the gendering of work, gendered violence, and the poor living conditions of prisons and jails contribute to women’s difficulties finding recognizable work after incarceration. Though women did not find themselves explicitly punished by parole or probation officers for failing to find gender-normative work, their struggles to find employment were also bound up in the gendering of recognizable employment available to people with felonies.

Recognizable employment signals an important part of rehabilitation labor because work must be legible to state agents or it does not “count” as employment; failure to meet post-release supervision employment requirements can lead to carceral penalties, including reincarceration. Women who cannot demonstrate participation in a “legitimate” workplace by the state’s standards are perceived by state agents as lacking commitment to their criminal rehabilitation. Yet, given the gendering of work available to people with felonies, coupled with the subjectivity of multi-actor evaluation of what “counts” as recognizable work, formerly incarcerated Black

women struggle to meet the demands of rehabilitation labor for reasons outside of their individual control.

### **Redeeming Employment**

I identify redeeming employment as another characteristic of rehabilitation labor. Redeeming employment must be perceived as contributing to the public good. This characteristic is perhaps the most obvious way that formerly incarcerated Black women can demonstrate rehabilitation through their employment; it serves the dual purpose of demonstrating self-sufficiency and virtuousness to counter criminal histories.

Women at New Beginnings were consistently pushed into redeeming employment. New Beginnings employees and residents commonly advised women who were deciding on educational pathways to go into social services because social work, counseling, and other allied fields often value people who have first-hand experience of the carceral system. As predominately female occupations, gendered perceptions that formerly incarcerated women are well-suited to the care work of social services may also contribute to this framing. Some of the social service workers and volunteers who came to New Beginnings shared that social service work also allowed them to find meaning in their lives and motivation to battle against drug addictions. I observed one volunteer in particular, Ms. Johnson, a Black woman in her mid 40's, frame social work as a way to "give back to our sisters, who have so much taken from us." The framing of social services work as a unique racialized and gendered contribution by formerly incarcerated Black women combined with the perception that social services provided significant financial stability. However, some women, like Rita, expressed that their interests were in business, but said that their case workers and housemates often discouraged them from pursuing a business degree because of their felonies. In this way, redeeming employment becomes part of

rehabilitation labor, both because of structural barriers that block other options and a socialization process that offers moral redemption through serving other disenfranchised communities through the specialized knowledge of experiencing incarceration first hand.

Most of the full-time employment available to women with some higher education, despite conviction histories, was in social services. For instance, 21-year-old Maria was able to work for a local youth organization that specifically solicits formerly incarcerated applicants to mentor local youth. Another woman, Rochelle, worked for a nonprofit organization that employs formerly incarcerated people. Angela, who was a college student before she was incarcerated for twenty years and worked as a paralegal immediately following her release, transitioned in less than a year into working for a drug rehabilitation center; her education and ability to advise women with drug addictions made her an invaluable part of the small staff at her new job.

Women who pursued employment that was perceived as non-redeeming faced retaliation from the state. For instance, Jeanette, a woman in her thirties, told me that the first time she was released from prison, she struggled to find work for months and cited her felony history and care work as her primary barriers to finding reliable employment. After mounting bills, she started working at a strip club. However, when her probation officer discovered she was working at a strip club, he barred her from working in any place that would encourage “immoral” behavior. Jeanette relayed that her probation officer told her that her job was to become a better person and her employment needed to reflect that goal or she would “find [herself] thrown back into a cell.” Jeanette added that her probation officer constantly told her she needed to “cover up” more, yet paradoxically would make sexual references about her body and appearance.

Jeanette’s dilemma is one that many formerly incarcerated Black women face; they are locked out of much of the formal economy and participation in the underground economy

through drug sale was a direct violation of their post-release supervision requirements. Given that stripping is legal and often does not require background checks, it would not seem legally problematic for formerly incarcerated Black women to work in strip clubs to economically support themselves or their families. Yet, because stripping is not classified as redeeming employment, it is not positioned as viable employment under rehabilitation labor.

The emphasis on redeeming employment under rehabilitation labor demonstrates that the state demands Black women exchange their carceral histories for redeeming employment to demonstrate their commitment to criminal rehabilitation. On its surface, this may seem like a useful measure; it allows these women to use their carceral histories as currency in the labor market. However, it also mandates that these women engage in continuous payment for their carceral histories beyond the time their prison sentences end, specifically through their employment; though social services often meet the conditions of reliable, recognizable, and redeeming employment, it requires significant emotional labor and offers notoriously poor financial compensation. Furthermore, redeeming employment that is also reliable and recognizable usually requires higher education, which formerly incarcerated Black women often find blocked by state agents. Additionally, the valorization of redeeming employment positions other forms of paid work—like stripping—as immoral work and can become justification for reincarceration. Therefore, redeeming employment can present a catch-22 under rehabilitation labor.

### **INTERSECTIONAL CAPITALISM IN REHABILITATION LABOR**

This article identifies rehabilitation labor as the state's effort to transform formerly incarcerated Black women from “criminals” to “workers” by advancing fairly narrow employment parameters as a requirement of post-release supervision. Building on Zatz's (2006)

framework of what “counts” as work under Welfare, I find that race, gender, and carceral ties produce a set of employment expectations beyond self-sufficiency, self-improvement, and reliability; rehabilitation labor presupposes that employment engenders a moral transformation that can lead to legal transformation, in that successful performance of rehabilitation labor can allow formerly incarcerated people to shed their criminal histories and state surveillance. Yet, reliable, recognizable, and redeeming employment are not just difficult conditions for formerly incarcerated Black women to meet—I also demonstrate that they also stand in conflict with one another. Furthermore, reliable employment is increasingly difficult to find—even for those without carceral histories—because of the growth of temporary, precarious work in the economy across social classes (e.g., Autor 2010; Bumiller 2015; Williams 2009). These conflicts are not merely ideological, but have material consequences in augmenting the precarity that formerly incarcerated Black women face in their everyday lives by introducing a range of carceral consequences, which can include reincarceration.

The contradictions of rehabilitation labor fit squarely within the gender-racialized disciplinary tactics of penal-welfarism (Beckett and Western 2001; Gilliom 2001; Gustafson 2011; Haney 2010; Roberts 1999; Wacquant 2010; Zatz et al. 2016), and they also recall and reproduce the long-standing U.S. tradition of disciplining Black women’s bodies through their relationship to the labor market (e.g., Haley 2016; Jones 2009; Roberts 1999). I argue that intersectional capitalism makes this relationship possible—it provides the ideological and historical tools to confine the hegemonic construction of Black womanhood to the service of white patriarchal capital. In this way, we can understand all of the following as part of the production and maintenance of intersectional capitalism: (1) the co-optation of Black women’s reproductive labor during enslavement to produce white profit (Gross 2006; Roberts 1999), (2)

the use of women's prisons in Jim Crow South to justify the free abuse of Black women's labor (Gross 2006; Haley 2016; Richie 2012; Roberts 1999), (3) the ideological shift in Welfare as a social safety net for white women widowed by war to a moral corrective for Black women constructed in policy and discourse as lazy and a drain on public coffers (Korteweg 2003; McCorkel 2004; Schram et al. 2009), and (4) rehabilitation labor as emergent from the perceived absence of Black women's commitment to employment after incarceration.

Significantly, some women at New Beginnings resisted rehabilitation labor under intersectional capitalism. For instance, 45-year-old Jacinta took computer classes, but told me that she needed to focus on the labor of healing from the trauma of incarceration before she would think about finding employment. New Beginnings also helped some women with disabilities, like 56-year-old Candy, pursue exemption from the requirements of rehabilitation labor by assisting in applications for disabilities. In cases like these, documented medical exemptions that highlighted severe mental or physical illness allowed some women to escape state agents' pressures to pursue employment. However, these women also struggled financially because state aid was so minimal, and even the pursuit of part-time employment could jeopardize future state assistance. Also, the pursuit of documentation of medical problems put them further under state surveillance and scrutiny.

The state's historical policing of Black women's lives compels their marginalized participation in the labor market through surveillance and carceral punishment, and therefore makes their lack of participation in the traditional labor market hypervisible. At the same time, the state's failure to see and acknowledge the conditions that block their participation in the labor market—such as family care labor, education barriers, and felony discrimination in the labor market—reveal the invisibility of these women's struggles. The simultaneity of these conditions

reveal that rehabilitation labor sets formerly incarcerated Black women up to fail under the gaze of the state; rehabilitation labor cannot make them legible to the state because the conditions of their subjugation under intersectional capitalism make them fundamentally illegible to state agents.

Consistent with theories of racial capitalism (Robinson 1983), other scholars establish how the U.S. crisis of mass incarceration is a racialized tool of white capitalist control designed to systematically depress Black populations (Alexander 2010; Davis 2003; Gilmore 2007; Wacquant 2001). Yet, the cases of the women profiled in this article demonstrate how intersectional capitalism—not simply racial capitalism—is enforced through carceral surveillance and punishment. The naming of intersectionality in this process does not just nuance the arguments of racial capitalism with the integration of gender; it transforms our understanding of how race, gender, and class work together to bear on the possibilities of self-determination.



Table 2-1

**Table 1: Characteristics of Sample**

Racial / Ethnic Characteristics		Self-reported convictions	
Black, African-American	24	Drugs and or sex work	14
Latina, Hispanic or Mexican	2	Homicide	4
White	3	Forgery	3
Unknown	6	Assault	1
Total	35	Non report	10
		Total	35

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ARTICLE 3—DIGITALLY DIVIDED CITIZENSHIP:  
BLACK WOMEN’S NEGOTIATION OF FELONY DISENFRANCHISEMENT IN THE  
DIGITAL ERA

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**ABSTRACT**

In this article, I investigate the relationship between formerly incarcerated Black women’s experiences of citizenship as they are mediated through digital spaces. How does their engagement with digital technologies—digital citizenship—shape their engagement with democracy? Using 18 months of ethnographic observations with formerly incarcerated Black women, I illustrate how formerly incarcerated citizens’ everyday navigation of communication technologies reveal ideologies and practices of state governance, specifically as it shapes citizens’ understanding of the state and their role within it. I argue that Black women’s democratic participation can be negatively shaped by the digital divide, but also that digital citizenship offers possibilities of cultivating alternative forms of social and political engagement for these women. First, I illustrate how developing digital literacy is framed as an essential “choice” of responsible citizenship, though access to adequate training is often unavailable. Next, I document how the Internet as a deregulated space, the urgent need for formerly incarcerated people to find work, and the digital divide make formerly incarcerated Black women especially vulnerable to Internet scams and identity theft as marginalized digital citizens. Finally, I find that formerly incarcerated Black women cultivate digital citizenship through social media, which provides and sustains meaningful social and political connections, particularly for

women who seek to develop relationships with family, friends, and other formerly incarcerated people upon their release from prison or jail.

The meaning of citizenship for formerly incarcerated people has been a subject of great debate and inquiry among activists, scholars, and politicians. Prison reform and abolition actors continue to present compelling evidence that formerly incarcerated people—who are disproportionately Black and Brown—experience marginalized conventional citizenship in the United States. This is accomplished through the temporary or permanent denial of voting rights, ability to participate in a jury, and other traditional rights and responsibilities associated with citizenship (e.g., Alexander, 2010; Davis, 2003). Scholars’ naming of the racialization of this compromised citizenship ranges from “the New Jim Crow” (Alexander, 2010) to “civil death” (Dayan, 2013). Yet, citizenship is comprised of far more than voting rights (Bloemraad et al., 2008; Yuval-Davis, 1999); scholars have also theorized about other citizenship categories that impact social and political belonging, such as digital citizenship (McNeil et al., 2008).

Digital citizenship refers to inclusion in society online as it impacts belonging and participation in democracy (McNeil et al., 2008). In 2000, the U.S. Department of Commerce issued a statement that emphasized digital citizenship among U.S. populations as “a vitally important national goal” because of the growing significance of the Internet to everyday life (Rhode and Shapiro, 2000: xv). In the time since, the Internet’s role in U.S. democracy continues to grow, as evidenced by the Internet’s increasing role in the organization of social movements, the ubiquitous presence of government leaders and departments on social media, and regular use of the Internet by nearly 85% of the country’s adult population (Castells, 2012; Hong and Nadler, 2011; Duggan and Perrin, 2015). Yet, people marginalized through the “digital divide”—inequities in technology access and usage that particularly impact women, Black communities, and formerly incarcerated people —can experience hampered political engagement because

digital connectivity shapes so much of everyday life (Bonczar et al., 2015; Carson and Sabol, 2012; Losh, 2009; McKay and Morris, 2009; Bryne et al., 2010; Smith, 2014).

Whether the Internet is a tool enabling universal democratic participation or a tool of surveillance to undermine democracy is hotly contested in public discourse and academic scholarship (Gil de Zúñiga et al., 2012; Hindman, 2008). In this article, I examine how digital citizenship impacts marginalized conventional citizenship. As a population, formerly incarcerated Black women are multiply marginalized, both by the digital divide inequities and by forms of socio-legal discrimination that deny basic forms of democratic participation to people with criminal histories (Krueger, 2004; Manza and Uggen, 2006; McKay and Morris, 2009). Given that social media is an important space of resistance for marginalized populations (Gil de Zúñiga et al., 2012; Joseph, 2012; Valenzuela, 2013), investigation of how formerly incarcerated Black women use smartphones, computers, and other technology provides insight about the potential of communication technologies to simultaneously act as tools of civic empowerment and dispossession.

To investigate the relationship between marginalized conventional citizenship and the development of digital citizenship, I ask: How does digital citizenship both inhibit and facilitate political participation? Drawing on 18 months of ethnographic observations and participatory-action data with formerly incarcerated Black women, I illustrate how formerly incarcerated citizens' everyday navigation of communication technologies reveal ideologies and practices of state governance, specifically as it shapes citizens' understanding of the state and their role within it. I argue that the digital divide can negatively shape Black women's digital and civic participation, but also that digital citizenship offers possibilities of political engagement and social membership.

This paper speaks to broader debates in politics and academic discourses about the relationship between incarceration, race, and democratic participation (Alexander, 2010; Clear, 2007; Manza and Uggen, 2006). Felony disenfranchisement legislation—broadly defined as laws that block currently and formerly incarcerated people from voting and participation in jury duty—are often highlighted in this context (Alexander, 2010; Chung, 2016; Dayan, 2013; Manza and Uggen, 2006). Recent estimates claim that 5.8 million American citizens experience felony disenfranchisement, representing 1 in every 13 African American voters but only 1 in every 56 non-Black voters (Chung, 2016; The Sentencing Project, 2014). Of the 103,000 women incarcerated in state and federal prison, Black women account for a quarter and are nearly three times as likely to be incarcerated as white women (Carson and Sabol, 2012). Therefore, felony disenfranchisement legislation act as a seemingly colorblind mechanism to disproportionately erase Black female citizens from the political process that determines our laws, elected officials at the local, state, and federal levels, as well as the procedures that control who gets locked into the carceral system in the first place (Alexander, 2010). Some recent policy initiatives seek to intervene in the marginalized citizenship of formerly incarcerated people by providing pathways to political re-enfranchisement (Jones-Sawyer, 2015). This paper explores how communication technologies operate in this context.

In what follows, I illustrate the ways that communication technologies shape multiply marginalized people’s participation in social institutions. Specifically, I document formerly incarcerated Black women’s experiences with communication technologies to illuminate the possibilities and limitations of digital citizenship within the context of formerly incarcerated people’s compromised civil citizenship. First, I illustrate how developing digital literacy is framed as an essential “choice” of responsible citizenship. Next, I document how the Internet as

a deregulated space couple with the urgent need for formerly incarcerated people to find work to make formerly incarcerated Black women vulnerable to Internet scams. Finally, I find that formerly incarcerated Black women cultivate digital citizenship through social media for meaningful social and political connections.

## **BACKGROUND: FORMERLY INCARCERATED BLACK WOMEN AND THE DIGITAL DIVIDE**

Since the 1990's, research on how disparities impact differing access to digital technology and the consequential impact of these disparities has been titled the “digital divide” (Losh, 2009), which disproportionately impacts the poor, African Americans, and formerly incarcerated people (Krueger, 2004; McKay and Morris, 2009; Bryne et al., 2010). Less than half of households with incomes under \$25,000—more than 11 million households nationwide—were connected via broadband access (Duggan and Horrigan, 2015). While mobile phones are helping to close this gap, they have limited functionality for job-seekers (Napoli and Obar, 2013).

There are many reasons that the digital divide produces potential vulnerabilities for formerly incarcerated Black women. First, African Americans are underrepresented among Internet-using populations and those with home broadband connections (Smith, 2014). Also, low literacy levels bear significantly on developing digital literacy; one study of a New Jersey women's prisons found that inmates averaged a 6<sup>th</sup> grade reading level at the time of entry into the system (McKay and Morris, 2009). Furthermore, the average age of entry in women's prisons is over 30 and outside of the “digital native” cohort born after 1990 (McKay and Morris, 2009; Bryne et al., 2010). Because technology advances so rapidly and the limited technology available to prisoners is dated, formerly incarcerated people who are absent from the work force

for a few years—let alone those whose sentences exceed a decade—are thrust into unfamiliar digital territory when applying for jobs during reentry (Bach et al., 2013; Bedford et al., 2012; McKay and Morris, 2009).

Demonstrating digital literacy is often required even for work that presumably does not include computer usage because many employers only offer applications online (Smith, 2015). Yet, formerly incarcerated Black women face a cumulative lack of access to resources to prepare for the digital literacy demands of the contemporary labor market due to greater rates of mental illnesses, histories of violence abuse, and drug addiction (Bryne et al., 2010; Richie, 2012). Given that 62 percent of correctional education programs do not have Internet access in any capacity, and only 38 percent provide “simulated” Internet access with archived versions of the Internet (Hudson and Tolbert, 2015), it is unsurprising that formerly incarcerated people may struggle to navigate digital terrains upon release.

The limited functionality of smartphones and tablets for job applications impacts populations most vulnerable to the digital divide because many government service programs and the few felon-friendly nationwide employers that exist require filling out applications and forms through web platforms (Losh, 2009; McKay and Morris, 2009; Napoli and Obar, 2013). There is often a lack of consistency across platforms and these sites change frequently, so people with low levels of digital literacy struggle to navigate essential resources due to access and knowledge of technology (Bach et al., 2013; Bedford et al., 2012; Napoli and Obar, 2013). They often rely on proxies, especially librarians, to assist with filling out these forms. However, restrictions at libraries and community computing centers, such as limited operation hours and computer usage maximums, create significant barriers of access and usability for populations with low levels of digital literacy (Krueger, 2004)

## FELONY DISENFRANCHISEMENT IN THE DIGITAL DIVIDE

### Responsible Citizenship as a Choice

Despite the U.S. political project of expanding democratic governance around the world, the nation's practice of democracy within its own borders calls its meaning into question.

Though universal suffrage among citizens remains a central ideological tenant of Western democracies in theory, nearly 6 million U.S. citizens cannot vote due to laws that disenfranchise citizens with felony or misdemeanor convictions (Chung, 2016; Manza and Uggen, 2006). The United States remains unique in this respect among other Western democracies (Chung, 2016).

Some citizenship scholarship argues that rights and protections emerge from an ideological social contract between the state and its people, and that individuals' perceived failure to adhere to this contract results in a forfeiture of those positive rights (Dayan, 2013; Manza and Uggen, 2006; Stumph, 2006). Formerly incarcerated people are perceived by the law and general public as in willful violation of this social contract, and therefore denied basic civil rights of citizenship, such as suffrage (Manza and Uggen, 2006). The disproportionate rates of criminalization for African Americans reveals felony disenfranchisement as a racialized process. State logics that justify the compromised citizenship of Black communities under the felony disenfranchisement laws are deeply rooted in American political ideologies (Chin, 2011; Davis, 2003; Dayan, 2013). Although the language of laws that lead to racial sentencing disparities appear to be race neutral, scholarship documents how Black populations are disproportionately targeted, sentenced, and impacted by felony disenfranchisement laws, as part of a long historical process that sought to deny African Americans rights of political participation after slavery (Alexander, 2010; Davis, 2003; Manza and Uggen, 2006). Alexander (2010) traces how felony disenfranchisement laws, such as the barring of people with drug charges from living in public



housing, effectively leads to the disenfranchisement of African Americans. Therefore, the marginalized citizenship of formerly incarcerated people challenges conceptualizations of democracy as linked to universal suffrage and challenge the mission of the U.S. imperial project of spreading “democracy” (Manza and Uggen, 2006).

### **The Internet as a Deregulated Democratic Space: Cybercrime, Underemployment, and Digital Vulnerability**

In the United States, the state struggles to regulate Internet information and usage, both for practical and legal reasons (Hindman, 2008; Papacharissi, 2010; Yoo, 2009). Though there is contestation within scholarship about whether the Internet facilitates traditional forms of democratic participation, there is no question that the Internet provides many democratic platforms for individual people and groups to advance their own agendas (Hindman, 2008; McNeil et al., 2008; Reich, 2014).

One of the challenges posed by the Internet as a democratic, deregulated space is that it is conducive to the production and spread of misinformation (Kata, 2010; Reich, 2014). Coupled with the vast availability of personally identifying information on the Internet, these conditions also make the spread of malware, viruses, phishing scams, and identity theft a major social and economic problem of contemporary life (Brody et al., 2007; Emigh, 2006; Hsieh et al., 2012). With 594 million people worldwide victimized by cybercrime in the past year, the costs of such breaches have included billions in identity theft, financial losses, and compromised bank account information in the U.S. alone (Symantec Corporation, 2016).

However, the vulnerabilities produced by increasing reliance on the Internet are difficult to avoid, especially for job seekers. Almost 80 percent of Americans looking for work in the past two years reported that they used the Internet in their search for employment, while 45 percent of

Americans report applying for jobs online. More than one-third of job seekers report that the Internet was the most important resource in their online job search. Those who are unemployed and have not completed college indicated they would, for instance, find it difficult to research jobs online, create a resume on the computer or a smartphone, or contact potential employers via email (Smith, 2015). Formerly incarcerated Black women are disproportionately represented among these populations (Bedford et al., 2012; Krueger, 2004; Losh, 2009; McKay and Morris, 2009; Bryne et al., 2010).

The ease of posting prospective opportunities on online job searching hubs, such as Monster, CareerBuilder, and Indeed, can make job seekers with limited digital literacy especially vulnerable to security breaches and different forms of cybercrime. A 2015 survey found that for each legitimate Internet job posting, there were 60 fraudulent ones (Kambourakis et al., 2016). Fraudulent employers scam job seekers in a variety of ways, including soliciting personal identifying information to sell to marketing corporations, requiring advance payment to be considered for potential opportunities, and requesting bank routing information for supposed direct deposit. Identity theft is a particular risk of this process, as fake prospective employers often require social security numbers, ID numbers, and passports to initiate the “application” process (Kambourakis et al., 2016). These websites and their users are also targeted by malware, phishing, and large scale security breaches; in 2007, 1.6 million Monster users’ information was compromised through misleading ads on the website (*Network World*, 2007). Though cybersecurity is widely acknowledged by the state as one of the most pressing security issues of our time, the state also has few means to regulate and intervene in these types of attacks because of their scale, frequency, and rapid technological and methodological evolution (Symantec Corporation, 2016; *Network World*, 2007; Kambourakis et al., 2016).

## **Digital Citizenship, the Digital Divide, and Activism**

Digital citizenship holds promise for formerly incarcerated people because it is not blocked by the same legal mechanisms that restrict their civil citizenship. Like civil citizenship, digital citizenship theoretically allows for universal democratic participation by participating in society online, with an Internet connection and Internet-capable device as the only prerequisites (Hindman, 2008). While some scholarship is optimistic that the Internet will augment democratic participation (Gil de Zúñiga et al., 2010; Hacker and Van Dijk, 2000; Bober et al., 2005), many academics remain skeptical that lower boundaries to participation on the Internet will lead to greater democratic participation and shift the meaning of democracy (Hindman, 2008; McNeil et al., 2008; Papacharissi, 2010).

Formerly incarcerated Black women's digital citizenship is undoubtedly shaped by the digital divide; structural barriers, including limited access to technology before, during, and after incarceration, make developing digital literacy a challenge (Losh, 2009; McKay and Morris, 2009; McNeil et al., 2008; Bryne et al., 2010). Furthermore, the Internet as a tool of state surveillance to monitor everyday citizens, but especially people under post-release surveillance, can further complicate communication technology use for formerly incarcerated people (Deibert, 2003; Kelly, 2000). Yet, the significance of digital literacy and the Internet to everyday contemporary life, from employment to social interactions, make digital citizenship important dimension of social reintegration for formerly incarcerated people (Bach et al., 2013).

Despite the access barriers posed by the digital divide, marginalized women of color — including those with carceral histories — have driven political campaigns and used the Internet to advance their causes (All of Us or None, 2015; California Coalition for Women Prisoners, 2016; Solinger, 2010; Romney, 2015). The use of email blasts and social media campaigns, and the

emergence of social justice platforms like Upworthy normalized the consumption of activism online, and anti-carceral activists have been quick to spread their messages through these mediums (Stronach, 2014; California Coalition for Women Prisoners, 2016). For formerly incarcerated people, who often cannot vote and are denied traditional forms of civil participation, the Internet provides a way to become publicly, visibly involved in democratic politics. Therefore, communication technologies operate simultaneously as technologies of dispossession and democratic participation for formerly incarcerated Black women, which suggests that digital citizenship may be an alternative to, or as an augmented form of citizenship for those who are denied other forms of political participation. While digital citizenship is not poised not to take the place of civil citizenship measures, such as voting, it can be a mechanism of resistance to the invisibility of formerly incarcerated women of color within democracies.

## **METHODS**

To understand how formerly incarcerated Black women experience the labor market, this article draws on 18 months of participant observations in the early 2010's with formerly incarcerated women in Los Angeles. I began by recruiting participants from New Beginnings<sup>1</sup>, a Los Angeles organization that provides housing, case management, and rehabilitation services for formerly incarcerated, predominantly Black, women and their children.

As an unpaid "social work intern," I drove formerly incarcerated women to medical appointments, attended court hearings as an advocate, and helped with job applications. I spent time with women in their homes, met with them over meals, took walks with them in their neighborhoods, and had extensive conversations over the phone, text, and email. I recorded observations while driving home and sometimes took notes on my laptop or in a notebook, then

transcribed and wrote memos from my observations. I supplemented ethnographic data with one to three hour in-depth interviews with twelve key informants.

The observational nature of my role at New Beginnings has particular implications for the data in this study; I waited for most women to provide information about themselves within the normal course of interaction to respect the ethos of New Beginnings, which stresses minimizing invasions of privacy since formerly incarcerated women are frequently denied that right. I also use pseudonyms when referring to all study participants and the organization. Not all women revealed their demographic information. As seen in Table 3-1, of the thirty-five women I observed, twenty-one self-reported as Black, African American, part Black, and an additional three women were referenced as Black by other women in the space. The remaining women self-reported as Latina, Hispanic, Mexican, white, or did not reveal their racial identities during conversations, and appeared racially ambiguous to me.

My position as an “outsider” to these women greatly shaped our interactions. In many cases, my college education was perceived as a useful resource for residents looking for jobs, housing, or assistance with computers. Most often, residents seeking my help would ask for assistance with writing resumes and posting them on job search databases. I was also connected with many of the women from New Beginnings through social media networks like Facebook, Instagram, and Twitter, and we often kept in touch that way after they had left the reentry home.

## **FINDINGS**

### **“Get in this Lane”: Digital Citizenship as Responsible Citizenship**

Angela, a resident in her late forties, frames her development of digital literacy as one of the signals that she is prepared for life after incarceration. She said:

“Because I was so responsible, I didn't sit around and wait for an intern to come and take to me to get where I needed to go and do all this: access to a computer, get on the computer, learn how to operate the computer. Google it, map it, navigate it... And I got up early in the morning and did what I had to do. I didn't sit around and wait for life to show up. Life was moving and I was like, ‘Let me get in this lane.’”

Angela highlights that she developed digital literacy without assistance from a New Beginnings social work intern, in comparison to many other residents, who wait to use the computer until an intern can guide them in computer usage. Angela contextualizes her digital literacy within the other responsibilities of a productive life outside of prison, such as riding the bus and getting up early in the morning to move her life forward. However, she was one of the few residents who had attended college prior to incarceration and is also a certified paralegal assistant, so she likely has a greater ability to navigate digital terrains than the other women at New Beginnings. She frames her digital literacy as evidence of her responsibility and efforts to rejoin “life,” which she seems to use as a proxy for non-incarcerated society.

In general, women in this sample identified that prior knowledge of communication technologies was unlikely for a number of reasons. The majority grew up in poor or working poor families and went to underresourced public schools, so their communication technology access during childhood and adolescence was little to none. Many women had unstable childhood homes, and were homeless at one or multiple points in their lives, so general instability also translated to inconsistent education; many had not yet received their high school diplomas or GEDs when I met them at the reentry homes. Also, women who were in their late 40's and older became a larger portion of the New Beginnings' population following the

modification of Three Strikes legislation in 2012; under Three Strikes, they had served life sentences and were incarcerated for at least 15 years before being released via Proposition 36. These women had been cut off from most major technological advances for up to thirty years, and therefore had to adjust to a dramatically altered technologically-shaped social landscape during their reentry. Many women also pursued computer training while they were incarcerated, though they often found that the training they received while incarcerated was far behind the progress of technology “beyond the wall.” Even women who took technology classes found that their cursory training in Microsoft Office and web browsing often felt like inadequate preparation for the communication technology needs of the labor market. Finally, many of the women had experienced abject poverty at some point in their lives, so affording communication technologies was a low priority given the struggle to meet other immediate needs.

I found that experiences and ease using technology varied among the sample; some women were comfortable using computers, browsing the Internet, and regularly post on social media sites. Others limited their technological use primarily to smartphones, often gifted by a family member or partner, and many among the smartphone-using population limited their use to occasionally checking email and texting. Some women did not feel comfortable using the computer and did not have access to smartphones, and they limited their technological tasks to texting on flip phones or making phone calls. While many increased their comfort levels with technology over time, generally, technology remained a challenge. Although there were a few notable outliers, degrees of comfort with technology usually correlated to age and time spent incarcerated, with younger women and those who had shorter sentences more able or eager to adjust, and older women and those with life sentences experiencing the most trouble.

Most of the women in this sample took classes to develop digital literacy, usually in the hopes of finding employment. Many of the New Beginnings' residents were able to take computer classes at a local technical school. Candy, a former resident and current volunteer at New Beginnings in her fifties, recounted her experience of a computer class:

“I learned a few computer skills. Basically, a little about Word, I tried PowerPoint, but I wasn't too good at PowerPoint. I learned how to use the Excel sheet, minimum. What was the other one? Accent? I didn't learn that one too well.”

While Candy developed basic digital proficiency, she also emphasized that her knowledge of Microsoft Office was still fairly limited after taking the class. Though she emphasized that her skill set was not advanced enough to secure employment in an office setting, she went on to say that the computer skills she did learn allowed her to become a volunteer at New Beginnings and assist other formerly incarcerated people expunge misdemeanors from their records:

“He [the volunteer program director] taught me how to ask the questions, give a date to come in to the expungement clinic...I enter it into the [Excel] spreadsheet here....So that's how I started, and I volunteer everyday now...I see myself now as a citizen, back in society. In other words, I'm part of society. I'm no longer an outcast.”

Candy's basic knowledge of Excel facilitated her volunteer work at New Beginnings, which produced a pathway for political engagement by intervening in the criminalization of other formerly incarcerated people. Though her use and experience of digital literacy differs greatly from Angela's, both women framed digital literacy as evidence of reclaiming their citizenship. It



shifted their understanding of their position within the state from one of exclusion to participation within the social fabric of the world around them.

However, the framing of digital literacy as a choice of responsible citizenship also elides how difficult it can be for formerly incarcerated Black women to develop that skill set, even when the classes are paid for:

“Computers are my real weakness. I know I need the training, I’m not comfortable with them at all... But I don’t know when I’m supposed to get that experience between work and taking care of my grandkids... I feel so behind.”

For Jasmine, creating the time to take classes to develop digital literacy is a struggle because of her employment and gendered care work obligations. The women at New Beginnings often had mandatory groups they also had to attend during the day as a condition of post-release compliance, work obligations, classes through the local technical school or community college, and family care obligations. These activities often left little time for women to engage with and learn communication technologies without prior knowledge. Still, Jasmine reveals feelings of anxiety that she is “behind” because of her lack of computer skills, given the digital demands of the contemporary world outside prison.

Some women at New Beginnings, like Destiny—a woman in her early 30’s, avoided the computer. She said, “Well I don’t have too much education, I’m not real good at reading or writing, I don’t really know how to use the computer...” She told me that she knew “the basics” of reading, but even responding to text messages was challenging for her. Therefore, she felt that the literacy skills required for computer usage were outside of her capabilities. Destiny’s struggles with functional literacy reflect educational inequality experienced by people matriculating through carceral systems; women behind bars have average lower literacy scores

than women living in households outside of prison (Dunleavy et al., 2007). There were an additional six women I encountered my fieldwork who revealed they either could not read or struggled to read and write. I never saw these women use the computer on their own, though they sometimes sat with someone using the computer and relayed the task they wished to be completed. I performed that function for two of those women after they told me that they were unable to update resumes on their own because they could struggle to read or spell the words they were trying to use.

These cases reveal the problems in understanding the development of digital literacy as a signal of responsible citizenship upon reentry. In the next section, I illustrate how the development of digital literacy is a challenge not simply because of mechanical skill development, but also because of social norms on the Internet.

### **Digital Vulnerabilities and Deregulation**

For formerly incarcerated women looking for work, not understanding social norms and interactions on the Internet can have material consequences. A significant barrier to employment posed by the near-ubiquity of job searches and postings existing online included being tricked by scams on job search sites like CareerBuilder, Monster.com, and other similar job posting hubs. Because of the democratic nature of these sites and little oversight to investigate the validity and legality of posted opportunities, formerly incarcerated Black women, who often have limited experience and exposure to the Internet, are easily victimized by malicious posters.

For instance, I helped 28-year old Rita prepare her resumé to post on various job search sites shortly after she was released from prison. Only a couple of days after she had posted her resumé, Rita called me excited to report that she had just had a phone interview with someone from Team TAG, a company that worked with Fortune 500 clients. As someone with a felony,

Rita expressed shock that she had already heard back from a potential employer, and a prestigious one at that. She relayed that “maybe everything would be alright after all,” and her happiness that people might be able to see her potential, despite her history.

Rita asked me to help her prepare for the interview, so I Googled the company. I found no information about the company’s services—all the content was reviews by employees, which revealed a stark contrast of glowing assessments and one star reviews. On many websites, former employees alleged that Team TAG was a scam. Reviews revealed that the position was door-to-door sales with an entirely commission-based salary, and no benefits. Many of the positive reviews were posted on the same date and used similar language. While I cannot state the job was a scam, the company description was suspiciously vague and based on a multilevel marketing model.

When Rita and I met, I showed her review pages. Her face fell as she scanned the results, saying, “I can’t do a commission-based job. I need something with benefits, something I know is going to make money.” She was unsure if she would attend the interview. She struggled with continuous rejections as she looked for work, and her experience with Team TAG highlighted many of her frustrations.

However, Rita was not the only woman at New Beginnings targeted by multi-level marketing schemes and misleading job opportunities after posting their resumés online. Fifty-year-old Holly told me that she had been contacted by a prospective employer on CareerBuilder who required her Social Security Number before proceeding. Another woman, Marielle, was not sure how a prospective employer had found her since her resume was on multiple sites, but a person who claimed to be a “high-powered CEO” wanted her to come for an in-person interview

as a personal assistant –but required photos of her in lingerie first. Both women solicited my advice about the legitimacy of those jobs.

Women who posted their resumés online were often contacted by literally hundreds of employers per day. I witnessed how women who were unused to communicating via email become overwhelmed by inundated inboxes, though many emails were covert marketing tools that sought to collect personal information and sell it to other companies or advertise products. Therefore, limited knowledge about navigating social norms on the Internet, coupled with desperation to find work, made some women vulnerable to scams and identity theft.

The Internet has broadened opportunities for formerly incarcerated job seekers in some ways by making it simple for prospective employers and employees to connect, reducing the need to physically travel to inquire about potential openings, and presenting many job opportunities that can be narrowed based on personal preferences and restrictions. These factors can be especially valuable for formerly incarcerated Black women, who often struggle with job searches in Los Angeles because most do not have cars and must rely on an unreliable public transportation system in an enormous city. For women with small children, searching for work on the Internet negates the need to find childcare. However, the lack of regulation and oversight by posting hubs makes it difficult for people who have been removed from the paid labor market for extended periods and may lack experience with the Internet to know whether they are being swindled by parties posing as prospective employers.

### **Digital Citizenship, Belonging, and Advocacy**

Though the Internet produces complications for formerly incarcerated Black women, it also makes it easy for formerly incarcerated people to tell their own stories, needs, and wants in ways that rapidly reach a wide audience. I interacted with many women through social media

and got regular updates from women who had left New Beginnings. For many residents, this was easier than job-searching using the Internet because smartphone and tablet apps made social media usage fairly straightforward.

One of the ways I saw many New Beginnings residents utilizing communication technologies was to post their photos, musings, and everyday lives on Facebook. I also saw photos of children and grandchildren they reunited with, along with messages from children and grandchildren posted on their Facebook timelines about how happy and proud they were of the progress their mothers and grandmothers had made. Other posts were celebrations of God and faith during moments of triumph and frustrations, often followed by comments from other New Beginnings residents offering encouragement and solidarity. Some women, like Rita, posted messages requesting support when she tried to stop smoking, and one woman, Dina, with a history of crack addiction, posted requests for love when she felt overwhelmed by the pull of drugs. I also saw pleas for rides, help with schoolwork, and job applications by many women during moments of crisis. In this way, the women in this sample ingeniously harnessed and broadened the power of their social networks through digital mediums, often to compensate for the state and everyday violence that their carceral histories produced.

Furthermore, social media allowed them to self-narrate their lives and priorities to articulate the positive changes they made in their lives since release from prison or jail. Facebook also facilitated connections between New Beginnings residents and family and friends they lost touch with while or prior to incarceration; for women who had been behind bars for decades, Facebook offered the capacity to nurture dwindling or lost connections. Many women also spoke of Facebook as a tool to reunite with people they were incarcerated with and stay in touch over state and even international borders.

Some women used social media as a tool to organize and support other formerly incarcerated people. For instance, 49-year-old Angela told me how she uses Facebook as a motivating tool for others:

“I wanted people to live better lives. So I did the right thing by leading by example. I Facebook. I try to share daily my experiences that I go through and my moments of gratitude or confusion...I share that with all my friends ‘cause they're everywhere, and different states, and that's just the way we connect... I try to share my life to keep people encouraged or to stop feeling sorry for yourself. Being a formerly incarcerated person people believe ... ‘Oh just ‘cause I have a record I can't get that.’ Dude, I've done twenty-four years in prison and I've never bought in to the fact that anybody was gonna stop me from getting what I felt like I had coming.”

Angela uses Facebook not only to challenge stereotypes of formerly incarcerated people held by the broader public, but also to challenge and support other formerly incarcerated people experiencing the trials of reentry. Her actions subvert the social and political expectations of poor, formerly incarcerated Black women. Fifty-year-old Davina also created a social media group for formerly incarcerated people, which she regularly updates with local jobs listings open to people with felonies, uplifting posts about reentry as an opportunity, and information about political organizing and advocating for formerly incarcerated people. Other women would post photos of themselves at work or volunteering with captions about how they were moving past the challenges of their felony histories and incarceration, often with an explicit mention that their story was evidence that formerly incarcerated people deserved the opportunity to prove their worth.

In these ways, many formerly incarcerated Black women articulated their social membership and belonging, using visual and written mediums to reframe the narratives about themselves and formerly incarcerated people more broadly. Some women on parole express their political opinions about candidates for public office and remind their networks that they were unable to participate in elections because people on parole cannot vote in California. They visibilize the many ways they are disenfranchised by the carceral state, which also challenges perceptions of Black men as the primary victims of policing in Black communities.

### **DIGITAL (DIS)MEMBERING**

The experiences of the formerly incarcerated Black women presented in this paper trouble claims that digital citizenship flatly offer tools of empowerment for disenfranchised populations. The framing of digital citizenship as a choice of responsible citizenship elides the economic and racialized histories that make it difficult for Black women—especially those who matriculate through carceral systems—to build digital literacy (Krueger, 2004; Bryne et al., 2010). Furthermore, the framing of responsible citizenship as a “choice” is complicit in colorblind discourses that ignore the disproportionate felony disenfranchisement of Black populations (Alexander, 2010; Manza and Uggen, 2006). Though the women in this sample found, and some even claimed, that developing digital literacy was often framed as a signal of responsibly reclaiming citizenship, such overlook access challenges.

Yet, while communication technologies may negatively shape Black women’s participation in social institutions after incarceration, they also facilitate how multiply marginalized people resist and co-opt exclusionary narratives of citizenship and belonging. Therefore, engagement with digital technologies may catalyze Black women’s political participation; women like Angela demonstrate how social media allows people impacted by

felony disenfranchisement to still participate in politics and political organizing by modeling alternative forms of political engagement for other formerly incarcerated people, and making their compromised civil citizenship visible to persuade people with voting rights to support laws, policies, and politicians who advocate for formerly and currently incarcerated people.

While Black women creatively develop strategies to counteract their marginalized citizenship under carceral practices, the need for these tactics reveals how democracy is built on carceral structures; the threat of compromised citizenship is a historical and contemporary underpinning of democratic governance (Davis, 2003; Dayan, 2013; Manza and Uggen, 2006). In the United States, the disproportionate application of felony disenfranchisement to Black populations reveals the state's continued racist design and operation (Alexander, 2010). Yet, the ways that Black women in this study wielded digital citizenship, even as their civil rights were compromised, revise existing conceptions of digital citizenship and destabilizes some traditional conceptualizations of citizenship and democratic participation.

Future studies might consider how undocumented immigrants similarly struggle with social and political membership and use digital technologies as a method of political resistance. Additionally, given the recent police execution of Philando Castile and Diamond Reynolds' use of technology to capture and share the manner of his death, coupled with other Black deaths captured on cellphones and shared on social media to generate support, future scholarship may also consider how Black people use communication technologies to challenge state practices that demonstrate disregard for Black citizenship and life. Understanding how people with carceral histories experience the intersection between communication technologies and civic engagement is an urgent matter of our time; multiple states already limit or ban formerly incarcerated people with sexual crime histories from participating on social media, and other legislation seeks to



punish currently incarcerated people who organize rallies and protests against prison conditions and abuse through social media (Chammah, 2016; Liptak, 2017). These cases collectively challenge not only the meaning of citizenship, but also demonstrate how marginalized people develop uneasy relationships with technology to resist oppressive state practices and ideologies.

#### **NOTES**

<sup>1</sup> Pseudonym

Table 3-1

**Table 1: Characteristics of Sample**

Racial / Ethnic Characteristics		Self-reported convictions	
Black, African-American	24	Drugs and or sex work	14
Latina, Hispanic or Mexican	2	Homicide	4
White	3	Forgery	3
Unknown	6	Assault	1
Total	35	Non report	10
		Total	35

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