

LEGISLATIVE THEATER FOR RACIAL JUSTICE

On May 18, 2018, a performative town hall gathering, designed to use theater to generate legislative proposals, was staged by UCLA students and incarcerated youth at Barry J. Nidorf (BJN) Juvenile Hall. This document includes: A. background on the methods and program, B. a synopsis of four legislative proposals developed with incarcerated youth, and C. a proposal for a key next step to support this work.

A. BACKGROUND: METHOD AND PROGRAM

1. What is Theater of the Oppressed? Theatre of the Oppressed (TO) is a humanist theater method empowering passive "spectators" to become engaged "spect-actors" by using theater as a means to research their reality, rehearse social actions, imagine/embody change, and develop legislative proposals. Using the TO technique known as "Legislative Theater," incarcerated students and university students worked together to create and perform a play addressing their experiences of oppression. Led by facilitators -- including two UCLA professors and a visiting scholar from the *Center for the Theater of the Oppressed* in Rio de Janeiro, Brazil, audience members were invited into each scene to perform an intervention to try to overcome the injustice experienced. After each attempt, there was vigorous debate about ideas presented, analyzing how each strategy might play out in real life. Those in attendance drafted ideas for new laws to end the oppression represented on stage. These proposals were shared with a "Legislative Brain Trust," a group of experts involved in the criminal justice and legislative systems, who supported discussion and debate on the proposals submitted until reaching consensus. All participants were invited to vote on which proposals should be submitted to the legislature for implementation. The legislative proposals that follow are the results of this highly collaborative, democratic process.

Participants at Legislative Theater event: "I Got Something to Say"



2. What is the Prison Education Program?

Launched in spring 2016, the *Prison Education Program at UCLA* provides courses allowing faculty, students to learn alongside participants incarcerated at *Barry J. Nidorf (BJN) Juvenile Hall* and the *Custody to Community Transitional Reentry Program (CCTRP)*. The program has received overwhelming support from over 250 students, over 40 faculty who have guest lecture or teach prison courses, and over a dozen "Community Partner" organizations. In 2016, we began offering courses allowing UCLA

students to learn in correctional facilities alongside incarcerated students. Our first pilot course at the California Institute for Women (CIW) in spring 2016 was "Narratives of Change." Our first pilot course at BJN in spring 2017 was "Narratives of Justice," followed by a fall 2017 course "Narratives of Agency." Our courses offer college credits to all students admitted following an application and interview process, and allow incarcerated students and university students to learn side by side. In the three years since it launched, the program has not only offered a dozen UCLA courses in correctional facilities, we have gone further to provide writing workshops, career/higher education workshops, a faculty lecture series, and a festival linking art and law with elected officials, and internationally-renowned artists and advocates.

B. SUMMARIES: LEGISLATIVE PROPOSALS BY INCARCERATED YOUTH

Proposal 1: Cultural Competency Training

Mandatory cultural competency and racial justice training for all public employees in schools, juvenile and adult correctional facilities, prison education programs, and any organization receiving public funds.

A. Accountability - All entities and employees benefiting from public funds or contracts should be subject to evaluation and sanction by the **Community-based Review Board**, and tax incentives should be made available to those who consistently comply.

B. Community-based Review Board - a body which reviews grievances with the power for its decisions to be enforced by the State Senate and/or County Board of Supervisors. To ensure public transparency and accountability, the Board should be comprised of ten members: five representing the County Supervisors, and five members recommended by Community-based organizations and affiliated groups.

C. Transformative Justice (TJ)¹ - a TJ approach will be used to address implicit bias and hold entities and employees accountable for their actions by participating in an effort to repair those harmed.

Current Related Bills: **AB241** - Anti-Recidivism Coalition (ARC), United Domestic Workers/AFSCME Local 3930
AB243 - ARC, California Public Defenders Association

Proposal 2: Youth Diversion and Restoration

Alternatives for youth to complete sentences with programs -- instead of prison time. For youth who have been incarcerated for a minimum of 1.5 years, and have “good standing,” as well as those who are waiting for their transfer hearings.

A. Programs: Youth should have opportunities to complete programs *outside of* prison. A diversity of programs should be tailored to the needs of the youth involved, and must be ongoing and sustainable to help lower recidivism.

B. Completion: Youth should be mandated to work with a community organization and/or nonprofit engaged in work in alignment with their needs and restoration to their community.

C. Accountability: Instead of a probation officer, community participants or *peace-builders* will be selected as “sponsors” who can check-in with youth involved and help keep them accountable.

D. Housing: Must be provided as a “safe zone.”

E. Sentence: If a participant is constantly absent, the court should take mitigating circumstances into consideration before sending them to prison. Jail should be the absolute last resort for youth.

F. Goal: To offer alternatives to youth under 18, before later exploring more options for adults.

Current Related Bill:

AB 433 - National Association of Social Workers, California Chapter, California Public Defenders Association. *Must include both parent involvement, and faith-based and cultural/community organizations.*

¹ A growing alternative to court and incarceration is an ancient tradition rooted in all indigenous cultures where disputes were handled through community circles. Throughout the world, from Canada to the UK, from the South Pacific to South Africa, Nations are turning to restorative or transformative justice to divert people from expensive, inhumane and ineffective court and incarceration systems. - Youth Justice Coalition

Proposal 3: “Peace Officer” Accountability

Fines for police -- and other “peace officers” -- who commit acts of injustice. Proposal seeks to hold officers fiscally and personally accountable for the harm they have committed to others.

A. Injustice: includes unlawful use of force causing death or harm to another individual.

B. Consequences: Unpaid suspension and fiscal impact on pension funds, benefits and raises.

C. Accountability: Establish “Community-based Review Boards” (rather than “civilian complaint review boards”) with power to personally fine police officers as a means of securing justice for communities harmed by police misconduct.

Current Related Bill:

SB 392 - ACLU, Youth Justice LA, Black Lives Matter

Proposal 4: Transformative Justice (TJ)

Schools, prisons and communities should have TJ courses provided regularly and required. A menu of options should be available for legal aid attorneys and prosecutors to advocate for sentencing to include TJ and services such as: therapy, counseling, and arts/education. University prison programs should also receive resources to support linking students inside with higher education opportunities on the outside.

A. Preventive (schools): Provide resources in schools including mental health, housing, employment and educational support-- including literacy on parenting, finances and prison.

B. Inside (prisons): Provide students with mental health, housing, employment, and educational resources so they are *prepared* to come home.

C. Reentry (community): Provide mental health, housing, employment, and educational resources as soon as youth come home.



C. NEXT STEP: UCLA CENTER FOR JUSTICE

What is the UCLA Center for Justice?

Our vision for an institutional base to cultivate initiatives like this one -- which serve the public by gathering, disseminating, and transforming the narratives of those seeking justice, and working together to overcome and end systemic injustice. As an outgrowth of the *UCLA Prison Education Program*, the CFJ will facilitate groundbreaking policy -- generated by participatory research and engagement, dynamic arts and culture, and critical pedagogy linked to community-based movement building, as we reimagine criminal justice reform and decarceration. This is achievable with your support, and a line item in the legislature's annual budget. A full proposal is available upon request.



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