Break the Chain: Incarcerated Women Fight for Prisoners' Rights in the 1970s

Introduction

In 1975, women incarcerated in the North Carolina Correctional Center launched a peaceful sit-in to draw attention to the unsafe working conditions and to push for improvements in staffing and living conditions. At the heart of this protest was an attempt to challenge the exposure to hazardous materials in the prison laundry facilities. They refused to continue working in the laundries until safety measures could be put in place and they demanded that they be allowed to organize a labor union. The protesters knew their actions put them at risk of retaliation from prison guards but they felt they must act.

This protest—which drew scant attention even in the state—was part of a wave of activism organized by prisoners in the 1960s and 1970s. The prisoners' rights movement has drawn relatively less attention than other movements for social justice in this era. Yet, the work of these activists was critical in changing the day-to-day experiences of incarcerated people and to expanding the legal rights of prisoners. These activists were often connected to other movements; sometimes, they had allies outside prison walls in the Black freedom struggle or the women's movement. At other times, they drew on experiences of activism in other movements as they organized behind bars.

What histories do exist of the prisoners' rights movement are often limited in scope and in perspective. In some ways, the limitations of the scholarship reflect the difficulties of accessing records for incarcerated Americans. But more broadly, historians have confined their consideration of activist prison movements to male institutions, such as the notorious Atticus incident. The few scholars who have investigated female activists have not fully considered their work as part of a larger prisoners' rights movement focused on constitutional rights and living conditions. Instead, these scholars have tended to discuss women's activism only in regard to

maternal rights or health care. What the North Carolina labor strike reveals is a largely untold story of female prisoners working to advance the rights of the incarcerated, regardless of gender.

The 1960s and 1970s was a moment of great transition in the history of incarceration. For thousands of years, punishment that transgressed social moral codes resulted in death, slavery, maiming, or the payment of fines.[1] It was not until the eighteenth century that Americans wanted to use "new science" penology, which attempts to eradicate evil human behavior and cleanse the soul of sin.[2] Penologists worked to improve the poorly constructed prisons by first separating the sexes within the same institution. By the 19th century, men were held in individual cells and all the incarcerated women held in a penitentiary would be confined in one large room.[3] A Chaplain from Auburn State Prison in New York stated that "to be a male convict in this prison would be quite tolerable to be a female convict, for any protracted period, would be death."[4]

By the late 1830s women received the privilege of having their own individual cells and would later get their own correctional housing in the 1870s. Convicted women would continue to be subjected to worse mistreatment than their male counterparts because of the social stigma placed on them during the Antebellum era. A female criminal has a much more negative impact on society than a male criminal, since they are sinning and by removing the moral constraints on men.[5] The female deviant went against what women are supposed to stand for (purity and morale), which gives justification for inflicting harsher punishment on these women. However, some reformers during the progressive era tried to rehabilitate prisoners back into society, which

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[1] Larry E. Sullivan, *The Prison Reform Movement: Forlorn Hope*. (Boston: Twayne, 1990), 4.
[2] With the influence of the Enlightenment period in Europe, Americans were focusing on reforming society by trying to uplift those who had fallen. Sullivan, *The Prison Reform Movement: Forlorn Hope,* 4.
[3]Nicole Hahn Rafter, "Prisons for Women, 1790-1980" *Crime and Justice* 5(1983), 125.
[4] Walter David Lewis, *From Newgate to Dannemora: The Rise of the Penitentiary in New York, 1796-1848*. (New York: Ithaca, 1965), 123.
[5] Estelle B. Freedman, "Their Sisters' Keepers: An Historical Perspective on Female Correctional Institutions in the United States: 1870-1900" *Feminist Studies* (1974), 78.

also meant the reintegration of convicted women into society. With women being the figure of innate purity, psychologists believed that in order to rehabilitate female convicts, they need to do so under the supervision of other women. If rehabilitation were successful, women were able to reintegrate back into society and represent the stereotype that had been placed on them since birth. However, with overcrowding and the changes in penal institution and model, the prison reform movement lost its momentum.[6] Because of the decline in prison reform many projects were abandoned and unfinished.

With incarcerated women still under the control of a male dominated penal system, women struggled with the same social stigma given to them in the 18th and 19th century. By the 1960s women were still being treated more harshly than men, with litigation centered on laws that allowed states to hold women longer than men convicted of similar crimes.[7] The trend of protest that happened during the 1960s and the 1970s included the topic of prisoners' rights. Even though men were treated better than women in the prison system, men also suffered from the abusive prison system in the U.S. All prisoners around the U.S. during this time had little to no protection from the first, fourth, and thirteenth amendment. Therefore, we start to see many prisoners around the country fighting for their rights in the 1960s and the 1970s. Looking at the prisoners' rights movement, there have been many scholarly works looking at men's contribution to the movement. There are many reasons as to why women are usually overlooked when talking about prisoners' rights. One of the reasons being is that the population of incarcerated women is significantly smaller than men. The Bureau of Justice Statistics found that the incarceration rate for men was about 200 and for women it was about 8 between the 1960s to the 1970s.[8] Because

[6] Larry E. Sullivan, *The Prison Reform Movement: Forlorn Hope* (Boston: Twayne, 1990), 32.
[7] Nicole Hahn Rafter, "Even in Prison, Women are Second-Class Citizens" *Human Rights 14* (1987), 30.
[8] Stephanie Minor-Harper, *State and Federal Prisoners, 1925-85* (Washington, D.C.:U.S. Department of Justice, and Bureau of Justice Statistics. 1986).

incarcerated men dominate the prison population, the act of committing crimes is almost always associated with masculinity, "masculine criminality had always been deemed more 'normal' than feminine criminality."[9] This disparity may be one reason why women have not received much attention when talking about the prisoners' rights movement.

Incarcerated women have pleaded for equal rights, not because they are women, but because they are human beings. Women from Bedford Hills correctional facility for women had a prison newspaper called *Voices From Within* that consisted of poems and other literary work created by the inmates. The women in the prison pleaded for help, "We need advice, support, direction. For more than a year now, we have been sending correspondence to legislators, other influential individuals, and groups, requesting assistance and support. We ask you to help us into the community of which you are a member. We are not sitting around in here planning crimes to be committed upon our release. We are really not so different from you. Each of us is a human being who has done something wrong, and is being punished for it, and is trying to rebuild her own life and to help each other do so. We anticipate being free one day, free to be with our families and to enjoy the simple things in life like going to a movie, or hugging a child, or just walking in the rain."[10] In another prisoner newspaper from North Carolina Correctional Institution for women called *Break de Chains of Legalized U.$. Slavery,* an inmate named Shirley Herlth would explicitly expressed grievances about the prison system. Herlth compared the "Korrectional Center for Women" to Auschwitz, Germany's "Koncetration Kamp."[11] These women would eventually take action in their fight for rights.

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[9] Angela Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press. 2003), 66.
[10] Ann McGovern, *Voices From Within* (Weston: Magic Circle Press.1975), 7.
[11] Shirley Herlth, "Open Letter to Amerikkka," *Break de Chains of Legalized U.$. Slavery,*1975.

Despite women's efforts in their fight for prisoners' rights, scholars today still fail to mention their contribution to the movement. Experts like Heather Anne Thompson and Robert Chase focus on activism done by male prisoners. Scholars mention activism done by incarcerated men and how they shaped the Prisoners' Rights movement. When experts do talk about women's contributions to the movement, they mainly talk about issues only concerning women. One of the main topics that gets associated with women's contributions to the movement is health care and maternity rights. Eileen B. Leonard describes prison reforms that were caused by the actions of women prisoners. One example of women fighting for prisoners' right litigation was healthcare. She explained how women had more trouble than men in getting better healthcare, an example of this would be in Bedford Hills. In the case of *Todaro v. Ward*, women would be denied treatment for any issues relating to women's reproductive organs. Leonard also talks about how incarcerated women also tried to fight for maternity rights in the 1970s. Leonard is one of many scholars that discuss the impact women made on prisoners' rights litigation, but also talk about their involvement on issues only related to women. Doing so, emphasizes the connection of masculinity and the Prison system. What we should be focusing on is the work done by women who fought for all prisoners' rights. Examples of this is in Bedford hills, North Carolina Correctional institution for women, and the Santa Cruz Project.

Historical Context on the Prisoners' Rights Movement

The 1960s and 1970s in the United States saw an array of protests and movements, from the Antiwar movement to the Civil Rights movement. Many of these movements gained a great deal of media attention. One of the movements that did not receive much attention is the Prison Rights Movement. This movement did not start in the 1960s and 1970s; the fight for basic rights for prisoners started as late as the late 19th century. After the American Civil War, the U.S.

Constitution was amended to include the 13th amendment, which states "Neither slavery nor involuntary servitude, expect as a punishment for a crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."[12]The South responded with the "Black codes," which were restriction laws aimed towards African Americans. If African Americans were caught breaking these laws, they would be subject to punishment and arrest. On top of that, majority of the Southern States instituted the convict leasing system[13], which allowed southern states to lease their prisoners to private businesses, thereby incentivizing incarceration. In the South, state government used the prison system as a legal way to re-install a kind of pseudo-slavery. Northern states, too, adopted penal labor in their prisons, particularly in the fast-growing industrial cities.[14]

When reformers of the Progressive era discovered the exploitation of state prisoners and the noncompetitive nature of prison labor, they called for immediate change. The working-class people struggled to find jobs in factories because of the reliant use of free prison labor. Gradually, states passed laws that restricted the use of free labor of convicts. The federal government passed the Hawes Cooper Act in 1929, which banned domestic shipments of goods produced by prisoners. In addition, the government forbade transportation companies to move any prison-made goods into any state that is in violation of the laws of that state. Eventually, every state has put some sort of regulation or restriction on prison-made goods in the open market.[15]

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[12] US Constitution, amend. 13, sec. 1
[13] Kim Gilmore, "Slavery and Prison — Understanding the Connections." *Social Justice 27* (2000), 199.
[14] Northern prisons were also racialized, with the prison population being African Americans fleeing from the South and European immigrants. Dan Berger and Toussaint Losier, *Rethinking the American Prison Movement.* (New York: Routledge, 2018), 7.
[15] Sullivan, *The Prison Reform Movement*, 37.

With the decline of prison labor, reformers' next goal was to emphasize rehabilitation (rather than just punishment) in the U.S. prison system. Under George Wickersham, the National Commission on Law Observance and Enforcement argued that rehabilitation was the only solution to the problem of crime.[16] However, with the decline of state prison profits after the massive regulation of prison labor, prisons have lacked adequate financial support. It was hard to gain attention and support for the lack of funds, considering the prison population was heavily racialized with African Americans being the majority. By the 1950s, prisons across the U.S. experienced revolts and protests. With the shift in penal order, low funding, and the growing size of the prison population came the dismantling of an old order but the new structure could not be set in place.[17] However, the shock of prison riots in the 50s did not last long. Prisoners had extremely limited access to media, which made it hard for them to voice the mistreatment of the failing institutions. In addition, prison officials would routinely blame prisoners' mental health or behavioral issues in their official reports following an unrest.[18]

The Nation of Islam (sometimes called Black Muslims by outsiders) believed in Black nationalism and followed Islamic tenets. NOI leaders would use prisons to recruit new members and to share their philosophy. A swarm of Nation of Islam's members filed lawsuit fighting for their right to practice their religion in prison. Prisoners were denied access to the Quran and spiritual guidance by a Nation of Islam minister. Members bombarded the courts with lawsuits, until they gained attention from the Supreme Court. Black Muslims prisoners would be the reason for the court's final decision claiming that prisoners do have constitutional rights. With this revolutionary decision, this would give prisoners the ability to sue state institutions and limit

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[16] Sullivan, *The Prison Reform Movement*. In order to have an efficient rehabilitation system for prisoners, Wickersham suggested classification and segregation.
[17] Charles Bright, *Power that Punish: Prison and Politics in the Era of the "Big House," 1920-1955.* (Ann Arbor: University of Michigan Press, 1996), 281.
[18] Berger and Losier, *Rethinking the American Prison Movement*, 47.

prison officials' authority over the prisoners. Moreover, prisoners would use this decision in helping with their fight for prisoners' rights. In the 1960s and 1970s convicts from across the U.S. protested to gain recognition for their rights.

Recourse through lawsuits was not always reliable in the prisoners' rights movement. That was because many of the prisoners' complaints would range from the treatment and conditions of the correctional facility to physical and sexual abuse. It was hard for prisoners to settle these matters in court because many prisons limited access to legal representation. In addition, because of the hands-off doctrine many courts try to settle disputes quickly and not gain attention from the Supreme Court. Prisoners wanted their concerns to be heard, so they tried to gain attention through other means like protest and riots. The most notorious rebellion was the prison riot at Attica in 1971, which left over 40 people dead, including correctional officers and civilians. The prisoners' demands called for improvement in living conditions, ending mail censorship, and expanding religious freedom. Another prison protest, Ellis Prion in Texas featured a prisoners' strike in order to give attention to the struggle of state violence, coerced labor, and an internal labor division that privileged some prisoners, particularly white prisoners, while castigating others to the bottom ranks of hard field labor.[19]

Much of the scholarship on this history has considered the prisoners' right movement from the perspective of incarcerated men but few historians have shed light on incarcerated women's contribution to the prisoners' rights movement. This scholarship rightly highlights the significant contributions made by male prisoners. However, women also made significant contributions as well, but they, yet, received far less recognition. This is partly due to it being seen as a masculine movement, as the struggles that received the most media attention featured

[19] Robert T. Chase, *We are Not Slaves: State Violence, Coerced Labor, and Prisoners' Rights in Postwar America.* (Chapel Hill: University of North Carolina Press 2022), 3.

incarcerated men who picked fights with the government. Incarcerated women on the other hand, were generally seen as lost souls in the 19th century.

The omission of women from this scholarship can be attributed to two factors. First, the perception of women and their role in society often led scholars to study them in the domestic sphere. Women were supposed to be the figure of morality in society, providing motherly love to their children.[20] Second, the few studies of women in the prisoner's rights movement concentrate largely on struggles for maternity rights or health care. Few scholars consider incarcerated women fighting for due process, unions in prison, or education. The failure to recognize the efforts women put in the prisoners' right movement leads to the belief that the movement was a masculine movement which portrays it to be misogynistic.

Prison Activism in Men's Institutions

Before considering the contributions of incarcerated women to the prisoners' rights movement, it is important to examine the work men have put into the movement. There can be no denying that men were the forerunners of the movement. With the *Cooper v. Pate*, inmates gained the legal ability to sue the state correctional facility in which they served time. In addition, the Nation of Islam pushed for the recognition of rights promised to every U.S. citizen to apply to prisoners as well. By the 1970s, the fight for prisoners' rights was underway. In 1971 in New York's Attica Correctional Facility, thousands of inmates took over a section of the facility called D Yard and held prison workers hostage. The riot was instigated by an altercation between an inmate, Leroy Dewer, and a correctional officer, Richard Maroney. The next day, prisoners were on edge after what happened to their fellow prisoner, and some took it upon themselves to start a riot. The prisoners' demands included the ending of prison labor, better

[20] Nicole Hahn Rafter, "Prisons for Women, 1790-1980" *Crime and Justice* 5(1983), 150.

living conditions, ending censorship in media, more visitation time, a better rehabilitation program in the prison, foreign asylum, etc.

The Attica riots attracted a great deal of media attention, raising the profile of the prisoners' rights movement. Attica also led to tangible reforms in the state's institutions. After the state gained control of Attica, Governor Rockefeller decided to increase prison funding from $90 million to $128 million. In addition, available federal funds increased from $125,000 in 1970 to over $6 million in 1973. Much of this money was spent on personnel, who's presence brought nothing more than increasing tension between prisoners and prison officials. There were 2,329 more people working in the state prison system in 1974 than there were three years prior.[21] More money for the prison did not mean better programs or decreased the amount of returning offenders.[22]

Another example of a men's prison rebellion happened in Texas at Ellis Prison. In 1978, hundreds of prisoners initiated a strike against the working conditions. It started off with only a handful of prisoners sitting down and refusing to work, but by the afternoon, over 400 prisoners joined the protest.[23] A testimony from one of the prisoners in Texas prison explained how horrible and fatiguing the work environment was. Guards would make degrading and racist remarks when commanding prisoners to do a task. In addition, they would carry wooden clubs and leather reins to beat any prisoner that they felt deserved it. The guards were ruthless and would not think twice to hit a prisoner's head with a club or rein.[24] News of the prison rebellion

[21] Gerald Benjamin and Stephen P. Rappaport, "Attica and Prison Reform." *The Academy of Political Science 31* (1974), 200.
[22] New York's State Governor, Nelson Rockefeller enforced new drug laws and increased average length of sentences resulted in an increase in the prison population.
[23] Chase, *We are Not Slaves*, 165.
[24] *Ibid*, 277.

spread across the state. A couple days later 1500 inmates at the Canfield prison locked themselves in their cell and refused to work.

The fight for the end of prison labor in Texas did not start with this strike. Problems with prison labor had been an issue for about a century by this point. In 1972, an inmate, David Ruiz filed a lawsuit alleging that Texas's prison system used cruel and unusual punishment. He also asked for redress for the problem of overcrowding, and for easier inmate access to attorneys. As the case started to convene, the strike in Ellis prison took place; prisoners described their protest as a way to show their support for Ruiz's case. The peaceful strike lasted for about two weeks and because of the massive media attention it received, the prisoners did not suffer excessive physical punishment. And by 1980, the court ruled in favor of the prisoners of Texas and concluded that the conditions in the Texas Prison System were unconstitutional.

Both of these prison protests were important in their own way. Attica revealed the long anger and suppression New York prisoners had endured. The excessive use of punishment and the horrible treatment prisoners faced on a daily basis triggered a revolt against the prisoner system. Although their method was violent and put innocent people's lives on the line, the prisoners were just asking for decent living conditions and to be treated as human beings. Texas prisoners were different; they knew what the effects of a prison riot might be after the entire country watched how Attica's prison riot came to an end. David Ruiz used words to appeal to the court for change in the prison system in his state. On top of the lawsuit, Ruiz wrote a lengthy petition on the Texas prison system describing what he and others had endured. The Texas court ultimately recognized the maltreatment of prisoners and worked to make changes. Both the New York and Texas cases raised concerns regarding prisoners' rights and both have been the subject of extensive scholarly research. Experts in the Prisoners' rights movement fail to bring attention

to women's contribution to the movement. Some have done research on women's participation as a whole, but few have done in-depth research on one specific case study.

Women on the Frontlines

Women in the prisoners' rights movement sought to expand the legal rights of incarcerated people, to improve the conditions under which they labored, and to ensure access to adequate education and healthcare. These were goals that were shared by incarcerated men but, because of the gender segregation of prisoners, women and men organized separately. Across the country, in state and federal prisons, women launched lawsuits, organized protests, and wrote accounts of their experiences. Much of this history can be reconstructed through the prison newsletters written by women themselves.

One of the most significant examples of incarcerated women pushing to change the conditions of prison life took place not too far from Attica, at a facility called Bedford Hills. On February 3, 1974, when an inmate in the facility, Carol Crooks, requested medical attention for a headache, the officer said Crooks could not get treatment because there were no nurses available at the time. Crooks then pushed the guard aside to find a guard that could help her. The guard pushed her back and asked for back-up because an inmate assaulted her. When Crooks fought off five guards, the warden called for back-up from a men's prison. Shortly after, an armed force of male guards came to Bedford and beat Crooks unduly and dragged her by her neck to solitary confinement and stripped her naked before leaving her in the cell.[25] Crooks' fellow inmate got Crooks a legal representative who was able to secure her release from solitary confinement. Crook would then file the class action lawsuit, *Crooks v. Warne.* The case called for the address of procedural deficits in the state's disciplinary proceedings and the use of solitary

[25] Women Against Prison, "Dykes Behind Bars," *DYKE*, 1975

confinement.[26] As the circuit courts look over the case, Crooks was informed by the court that officials must give a notice of allegation against her. Months later, Crooks was believed to have hit an inmate and as officers were about to take her into solitary confinement, she refused and demanded the charges against her. Her request was denied and taken away. Eleven officers that night then showed up in her cell and started to beat her; Crooks was thrown into a car where officers continued to beat her, then dropped her off in her cell where they stripped her again.[27] Her fellow inmates asked the warden to release her because they found that the accused inmate was lying, the warden promised to get back to them but never did. Upset, the women started to fight with the guards, and the fight lasted all night. The women were able to fight off the guards for such an extended amount of time because they acquired some tear gas and kerosene when fighting off guards. State troopers and Guards from the neighboring men's prison came and subdue the prisoners. After the riot ended, the women who participated in the prison would be locked in their cells until further notice. However, nine prisoners (including Crooks) were sent to an insane asylum because they were assumed to be "slow learners." Carol Crooks along with three other women filed a lawsuit, arguing that they should not be transferred to an insane asylum with no clear evidence of a mental illness. With the help of her peers and her attorney, Steven Latimer, the court agreed that moving the prisoners to an insane asylum is a procedural violation. So, Crooks and her peers were sent back to Bedford Hills.

Prisoners at Bedford Hills realized that the effects of the *Crooks v. Warne* case that required Crooks to be presented with a charge before throwing her into solitary confinement was only limited to her. The prisoners of Bedford Hills came together and asked Latimer to help file the *Powell v. Ward* lawsuit. The case focused on the nature of due process violations in

[26] Juanita Diaz-Cotto, *Gender, Ethnicity, and the State: Latina and Latino Prison Politics* (Albany: State University of New York Press, 1996), 330.
[27] Women Against Prison, "Dykes Behind Bars," *DYKE*, 1975.

disciplinary decisions at the prison, just as the *Crooks v. Warne* case did. During this time, *Wolff v, McDonnell* ended where the court decided that there needs to be some sort of due process when making disciplinary decisions on a prisoner.[28] Latimer would use this case to strengthen his argument in proving the state's violation of due process protection. The court agreed with the prisoners and required all prisons to provide a notice 24 hours in advance of disciplinary charges before a hearing. The lawsuit also rewarded the women of $127,000 that could be invested on programs.[29]

The victory at Bedford Hills allowed a huge change in prison policies. This entire fight at Bedford Hills was a problem for all prisoners in the U.S., not just women prisoners. What happened to Carol Crooks could have happened to any inmate, man or woman. The clear violation of due process that was present in Bedford Hills reveals problems of state prisons at that time. Prisons have a delicate hierarchy; prison officials will always try to over-represent their dominance towards inmates. The struggle for women in the 20th centuries extends way farther than prisoners' rights.

In addition to fighting for the end of cruel disciplinary proceedings, women in other institutions were struggling with working conditions. The 1975 protest at the North Carolina Correctional Center for Women was one such example. The prisoners of the facility were responsible for doing the laundry of the hospital near the prison. In the course of this work, they were exposed to bacteria and body waste and were not given any protection when doing so. Better working conditions, elimination of racist staff, investigation of drug use by staff and overall improvement of treatment and medical care were the demands these women were calling

[28] The *Wolff v. McDonnell* case involved a male prisoner from Nebraska state prison claiming that prison disciplinary proceedings violated the Due Process Clause of the Fourteenth Amendment.
[29] Amber Baylor, "Centering Women in Prisoners' Rights Litigation" *Michigan Journal of Gender & Law* (2018), 109.

for. On the first day of the strike police from the male maximum security section approached the protesters and asked them to go to the gym. Supporters outside the prison told them to "Lie Down. Don't resist."[30] Once a good number of women were in the gym, officers started to beat women who did not comply. This led to a fight between the women and officers with the women coming on top and the officers ordered to retreat.[31] Women from Action for Forgotten Women (AFW) had two representatives go inside the prisoner to negotiate and to check if anyone needed medical aid after the altercation. The State Director of Prisons, Ralph Edwards, negotiated with some of the women and could only agree to shutting down the laundry. The one demand that he absolutely refused to comply with was appointing Morris Kea as acting director of the Women prisons. Kea had shown genuine concern for the inmates and wanted to improve the conditions for the women, but Edwards informed them that it would be impossible because he would receive a $5,000 pay cut which would result in Edwards receiving a $5,000 pay cut.[32] A couple of days into the women's boycott, Edward sent out a response to their demands. He stated that the laundry would be stopped soon, but in case of an "emergency" the laundry needed to be reopened. With the response from Edwards, prisoners still refuse to comply in the case of an emergency laundry situation. Edwards, now frustrated, came back to prison with police and more prison guards in order to finally subdue the women's protest.

The media blamed supporters of the protest for instigating the violence that happened on the grounds of the facility. The debate of whether or not prisoners have the right to unionize or organize came to light, with the Director of Social Rehabilitation and Social Control, David Jones on the opposing side. Jones told the North Carolina Corrections Board that "when a person

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[30] Frances Chapman, "prisons news," *Off Our Backs*, March 1975.
[31] Three women were injured badly and required medical assistance, none of the guards were injured enough to seek medical attention. *Frances Chapman, "prisons news," Off Our Backs, March 1975.*
[32] Mecca Reliance, Marsha Segerberg, Anne Williams, "Raleigh Women Lose" *Off Our Backs*, July 1975.

has committed a crime…he doesn't have the right to organize."[33] Union leaders in North Carolina try to get prisoners' the right to organize. In the case of *Jones v. North Carolina Prisoners Labor Union,* the district and circuit courts ruled in favor of North Carolina Prisoners Labor Union. The court stated that "there [was] not one scintilla of evidence" that suggests the act of unionizing would pose a danger to North Carolina's prison system. Jones stated that having prisoners organized could encourage illicit activities and cause trouble within prisons. In 1977, the Supreme Court ruled in favor of Jones. The court believed that recognizing the prisoners' First Amendment rights for the inmates would be a threat to prison security. This decision was a huge setback in the prisoners' right movement.

Education for prisoners was one of the methods reformers tried to implement a form of rehabilitation. However, with the struggles to reshape curriculum and alter teachers' working conditions in the public school system, schooling in prison was not included in the discussion.[34] Prison education is separated from public education, there is no teachers' union or association able to defend working conditions.[35] While both men and women struggle to gain access for education, women have a much harder time receiving education. Because women make up a small portion of the prison population (as compared to men), it was costly for a smaller institution to provide a range of activities.[36]

Activists in California fought to expand incarcerated women's access to education. The Santa Cruz Women's Prison Project (housed in a California institution for Women) focused on rehabilitating prisoners by providing them with an educational course and allowing them to

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[33] Paul Horvitz,"18 Injured Here in Prison Riot," *Raleigh News and Observer*, June 17, 1975.
[34] Howard S. Davidson, *Schooling in a "Total Institution": Critical perspective on Prison Education* (Connecticut: Bergin & Garvey), xiv.
[35] *Ibid.*
[36] Rafter, *Even in Prison, Women are Second-Class Citizens*, 28.

express themselves through art. Led by Karlene Faith, a Canadian scholar who believed in the rehabilitation of prisoners, the program directors insisted that education in prison was the prerequisite for empowerment and liberation. The purpose of the program was to extend women's benefit of higher education and the empowerment that accrues from gaining political knowledge, recognizing constructive life choices and acquiring skills to act on them.[37] Tension between the prison guards and the volunteers of the program arose. Guards believed that prisoners have no right to receive free college education, while normal people who committed no crimes, must pay. Also, guards were suspicious that the classes really were a façade, allowing prisoners to organize and commit illicit activities. Prison officials would also try to censor the content of the lesson given by the volunteers. The courses that they provided were mainly arts and humanities courses, they would have courses that taught about politics, psychology, and creative writing.[38] When officials glance over any materials that relate to radical ideologies, the volunteer teacher could not be permitted inside the prison with the book. So, volunteer teachers would just rip the covers of books, so guards would not get a good idea on what those books would be about. Prison guards have convinced the warden of the California Institution for Women to suspend the program multiple times. However, Faith's tenacious spirit would push through and give the underrepresented women in the prison population a chance to experience the value of learning and to promote different forms of activism.[39] Even though Faith was responsible for the production of this program, much of the credit must be given to the women who not only helped themselves but also showed what incarcerated women are capable of.

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[37] Karlene Faith, *Unruly Women: The Politics of Confinement and Resistance.* (New York: Seven Stories, 2011), 301.

[38] Karlene Faith, *The Santa Cruz Women's Prison Project* in Howard S. Davidson, *Schooling in a "Total Institution": Critical perspective on Prison Education* (Connecticut: Bergin & Garvey), 183.

[39] Faith's belief in giving all incarcerated women a chance at rehabilitation had no bounds. The notorious Manson girls, Susan Atkins, Patricia Krenwinkel, and Leslie Van Houten were held at California Institution for Women when the Santa Cruz Prison Project started. Faith would keep a low profile on her work with the women. Susan Atkins would give extensive thanks to Faith and the work she has done for incarcerated women.

Women would share their work with other prisoners and encourage them to talk about their experience in the system.[40] Another example of incarcerated women making a voice for themselves is the Action Conference of Women Against Repression and Prison. It was organized by activist and female prisoners which focus on issues of specific concern to women in prison and are committed to providing means for former prisoners to attend.[41]

What makes this case study unique is the fact that these incarcerated women, with the help of outside activists, performed their activism through art and conferences. With time and organization, they were able to reveal the humane side of these prisoners. Such work sought to challenge the stigma of social deviance attributed to convicted women for centuries.

Conclusion

Throughout history, women have always been the group overlooked when it came to prison reform and prisoners' rights. Even though they had been victims of years of abuse and neglect, incarcerated women still fight for prisoners' rights. To limit understanding of women's contributions to the prisoner's right movement to just maternity rights and healthcare skews the important constitution and labor battles they waged. Having to reside in an institution that was built around having to house convicted men, women have been neglected and misunderstood. In the 1970s incarcerated women from across the country fought for the rights of prisoners. Women from Bedford Hills correctional facility, North Carolina Correctional center for Women, and California Institution for Women, challenged the U.S. prison system in re-evaluating the rights prisoners may or may not have. Carol Crooks and the women at Bedford Hills demanded the end of mistreatment of disciplinary decisions and the requirement of due process. The women in

[40] An ex-convict, Diane Ramsay worked with Faith to share her poems at the California Institution for Women. Faith, *Reflections on Inside/Out Organizing* , 159-160.
[41] ACTION CONFERENCE OF WOMEN AGAINST REPRESSION AND PRISON schedule, October 14-16, 1977.

North Carolina Center for Women challenged the working conditions in their prison's laundry room. Their fight would then lead to the debate whether or not prisoners have the right to unionize. And lastly, the women at California Institution for Women, with the help of Karlene Faith and the Santa Cruz Prison project, gave incarcerated women an outlet to share their struggles in prison. Incarcerated women in the 1960s-the 1970s had many factors against them in their fight for prisoners' rights. However, the women in the case studies took up the challenge, even though they are misrepresented and only make up a small percent of the prison population.