

ALABAMA APPLESEED



AFTERWARD

WHEN VIOLENCE OCCURS IN ALABAMA, THE STATE'S CONCEPT
OF JUSTICE LEAVES OUT **THE VOICES OF MANY VICTIMS,
SURVIVORS, AND THEIR COMMUNITIES**

WHAT WOULD THEY SAY IF INVITED TO SPEAK?



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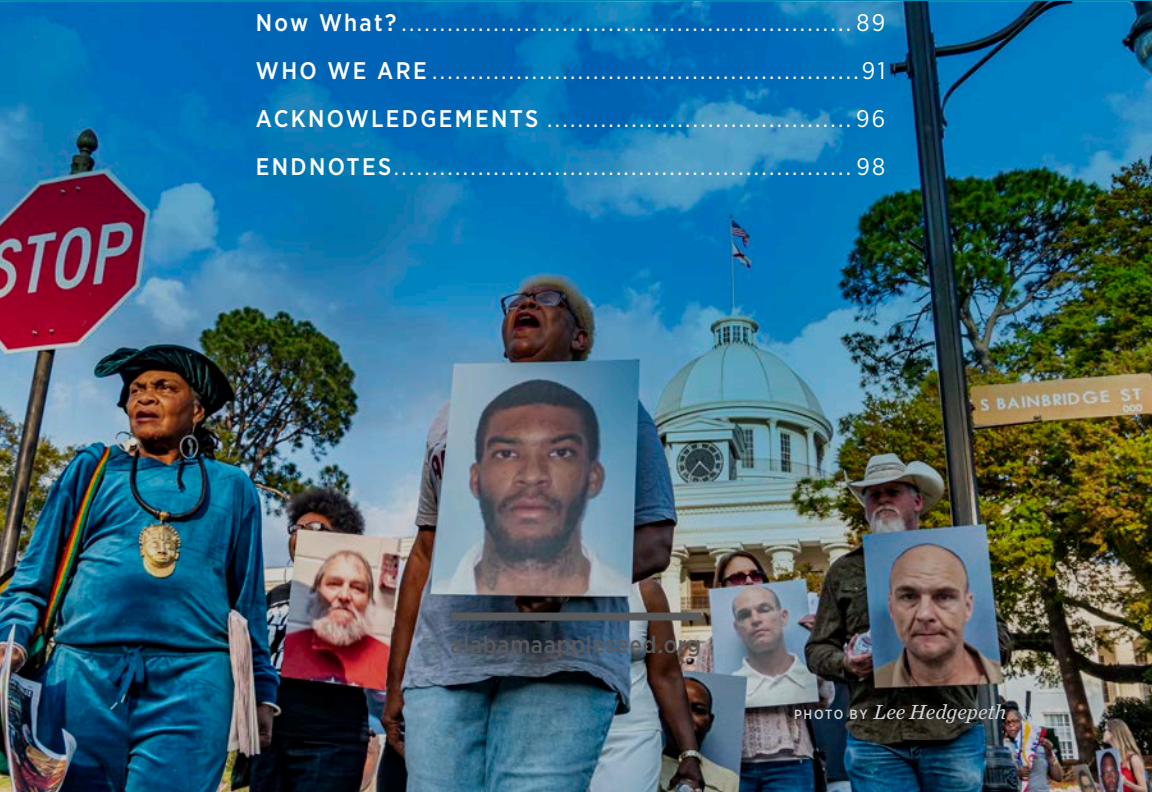
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Executive Summary

More than any other single theme, crime and punishment drive Alabama politics. Prison construction, getting tough on crime, mass incarceration, botched executions, defenses of those executions, murders of children, murders of mothers, murders in cars, murders in streets — talk of these things is unavoidable. Every time a major story about crime or violence breaks in the news, there is backlash from Alabama law enforcement and lawmakers calling for ever more punitive measures in response. That backlash often provokes passionate responses from advocacy groups who point toward existing failures in our system of mass incarceration, and who raise concerns about the likely effects of making our justice system even harsher. Every time there is a high-profile case of violence, these groups square off and resume familiar arguments in an effort to wrestle with the problem, which never seems to go away.

Too often lost in all this conflict are the victims and survivors of the crimes that are the object of the controversy. A few survivors' voices — mainly, those associated with the state-funded victim's right's group VOCAL — occasionally rise to the surface. But the people who have the most power to create or change laws and policies in the wake of violence bear little resemblance to the people who are most harmed by it. Meanwhile, the cycle continues.

This paper is an effort to broaden the discourse and bring unheard voices into the conversation where they belong. To that end, we surveyed 401 Alabama residents who were survivors of violence, who also belong to or reside in communities that experience high levels of violence. We asked detailed questions about their perceptions of and experiences with law enforcement and the criminal legal system.

We supplemented the survey with eight community conversations and numerous one-on-one interviews with people who took our survey.

We were intentional about ensuring that our investigation was inclusive of communities that are most vulnerable to violence. To that end, we hosted conversations with Hispanic Alabamians who are not US citizens, members of Alabama's LGBTQ+ community, formerly incarcerated people, justice-involved survivors of domestic violence, individuals in treatment for substance use disorder, and others from groups that are often excluded from conversations about what Alabamians want and need and even about who we are.

WHO WE SURVEYED

Demographics: Participants ranged in ages from 16 to 85. Compared to Alabama's overall population, our survey population was disproportionately female (57%), Black (63%, while the state's population is 27% Black), and LGBTQ+ (15%). The median age was 40.

Health and financial health: 57% of our respondents had at some point what they consider to be an unhealthy relationship with drugs or alcohol. Most were low-income, with more than half earning \$15,000 or less per year and only 21% earning more than \$40,000 per year.

Childhood experiences: Our survey respondents experienced many forms of childhood trauma that put them at increased risk of future harm. 62% grew up in a home with someone who was mentally ill, 67% grew up in a home with someone who drank excessively or used drugs, 50% had parents or other adults who were violent with each other, 51% had parents or adults who hit or beat them, and 45% experienced unwanted sexual contact in their homes as children.

Respondents grew up in unstable, impoverished, and often violent communities: 62% saw someone attacked, robbed, shot, or stabbed; 46% knew there were frequent of car and home break-ins in their neighborhoods; and 25% lived in neighborhoods where instead of working a regular job, people supported themselves with illegal activity, Social Security, child support payments, or other means.

58% of respondents remembered a time when, as children, they were treated negatively because of their race or ethnicity.

Justice involvement: 70% of our respondents had been

convicted of a crime themselves, including 65% who had been convicted of a felony. 59% had been incarcerated as part of their sentence. It is imperative to explore this overlap between people who survive crime and people who commit crime, especially given that the dominant narrative is that these are two distinct and separate groups. This report revolves around the premise that many of the same people who engage in acts that are unlawful are also people who experience and survive harm and violence. Safety will remain elusive until policymakers recognize the overlap and craft responses informed by reality, not political expediency.

WHAT WE LEARNED

Experiences with crime and violence: All our respondents were victims or survivors of some type of violent and unlawful behavior. Many had experienced more than one form of violent victimization. We asked about rape, sexual assault, assault and beating, gun violence, and loss of loved ones to homicide. Of these, the most common experience was assault. Overall, 59% of our survey respondents had been beaten, 56% had been sexually assaulted, 45% had been shot at, 39% had been raped, and 13% had been shot.

More than half (52%) had lost loved ones to homicide, and of that group, 60% had lost more than one loved one to homicide.

For every category except homicide, the majority knew the person who had harmed them, usually as a member of the family, a romantic partner, or someone from their neighbor-

Alabama's existing responses — which prioritize punishment and incarceration at enormous social and economic costs — do not keep us safe.

hood. Among people who lost loved ones to homicide, 41% knew the person who killed their loved one.

Perceptions of law enforcement: Despite the horrific things they'd endured — perhaps because of them — 53% of respondents said they never or almost never called the police when they experienced or witnessed a crime. Common reasons included fear of retaliation from the person who hurt them, fear that they themselves would be arrested, discomfort going to police because of their identity (race, gender, sexual orientation, immigration status), and the sense that police would not take them seriously or treat them well.

Perceptions of the criminal legal process and incarceration: Half of our respondents who reported the crime against them to law enforcement saw someone incarcerated as a result. Dissatisfaction with the process was widespread: Only 46% felt safer after the person who harmed them was incarcerated; only 42% felt the sentence the person received was fair; only 39% felt justice was served by the outcome of the case.

Only 29% of participants interacted with a victims' services specialist, and of those, only 50% were satisfied with the services provided. Asked what services they wanted but didn't get, they wanted counseling, guidance in keeping track of the person who harmed them to see when they would be released, help with medical bills, access to a safehouse, support for PTSD, an explanation of what was happening in court, and help dealing with eviction.

These findings represent just a few of the thousands of data points generated by this survey, which overall paints a bleak picture of how crime victims in Alabama perceive and experience the system that purports to serve their interests. In the coming months and years, we will leverage our findings and relationships to build a community of directly affected individuals and support them as they define their vision for healthier communities where violence is less prevalent and the state's response to it is more aligned with community needs. These findings make abundantly clear that Alabama's existing responses that prioritize punishment and incarceration at enormous social and economic costs do not keep us safe.

Introduction

Alabama is a poor and under-resourced state. Our healthcare, housing, public infrastructure, and education systems are famously among the worst in America, with predictable outcomes: high rates of chronic illness and preventable death, people living in substandard housing and without access to medical care, broadband internet, and in some cases living without modern sanitation systems.¹

Though no Alabamian can completely avoid the problems created by poverty and lack of resources, the consequences of these problems are inequitably distributed. Black and financially insecure Alabamians are more likely to experience the chronic and acute consequences of our state's investment choices than white and financially secure Alabamians.

There is one area where Alabama over-invests: Criminal punishment. Punishment apparatus in the form of law enforcement agencies, prosecutors, jails, and prisons consume an enormous quantity of resources that could be invested elsewhere. In 2021, lawmakers allocated \$1.3 billion dollars, including \$400 million in COVID relief funds, to pay for two new prisons.² That same prison system, declared unconstitutional by the United States Department of Justice,³ swallows 25% of the state's General Fund budget every year, more than what's allocated to public health, mental health, and social services combined.⁴ The cost of punishment keeps going up in Alabama. In 2023, a revised estimate revealed that construction costs of just one of the proposed prisons would be 56% more than originally planned. In response, the governor proposed to use \$100 million in education dollars to help bridge the gap and

pay for a single new prison in Elmore County that will now cost nearly \$1 billion in total — or more, if plans continue to change.⁵

Alabama’s criminal punishment system perpetuates the problems it is intended to solve. People who are incarcerated in Alabama experience violence at staggering rates, including assault, suicide, homicide, and excessive force at the hands of correctional officers. Alabama prisons have the worst violence in the country, according to the US Department of Justice.⁶ More than 6,500 Alabamians are released from these violent institutions every year back into communities with threadbare services. There is no state funding for re-entry housing and no continuum of care planning and services for people released with mental health issues or substance use disorders.⁷

On the other side of the criminal legal system, Alabama does little to address the individual needs of victims of violent crime, instead focusing almost exclusively on punishing the people who engage in violence. Survivors are often left to their own devices rather than offered comfort even when it is available and funded. One victims’ advocate in a major Alabama city told Alabama Appleseed she sometimes learns of homicides from funeral homes, not the police who respond to the scene of the crime.

Over decades of listening to and learning from the population of low-wealth and justice-involved Alabamians we serve and work with, Alabama Appleseed has come to understand that “victims” and “offenders” are not two siloed categories of people who only interact at the moment when one of them harms the other. The same person may experience violent victimization and loss one day and break a law the next.

For example, Callie Greer, of Selma, lost her son Mercury Colley to homicide on Father’s Day in 1999. He was 20. Callie, who now works at Alabama Appleseed, is a survivor of rape and abuse who has spent time in prison herself in connection with substance use disorder. Her brother Kelly Colley is serving a sentence of life without the possibility of parole. Her daughter Venus Colley-Mims died from breast cancer in 2013; lacking health insurance, she was unable to seek treatment until it was too late. Callie’s other adult children are in various ways justice involved as well.

Callie’s situation is not unusual; community violence is often committed by the same set of people it victimizes.

Callie’s perspective forms the backbone of this report. As she often reminds the victims and survivors and grieving family members who have joined us and shared their expertise to make this report possible: “Don’t waste your pain.”

Chronic violence creates a cycle of trauma and despair. Undisrupted, it perpetuates itself. Because of Alabama’s

uniquely dysfunctional prison system, punishment does not stop the cycle; instead, it subjects people who have done harm to further trauma and does little or nothing to address the needs of the people and communities who have been harmed.

This report is an effort to document what happens in Alabama after violence occurs. It includes descriptive statistics drawn from our survey of 401 Alabamians who have experienced violent victimization or the loss of a loved one to homicide. It also includes short- and long-form stories shared with us by people who felt they had more to say than could be captured by the survey alone.

This report raises more questions than it answers. The answers, we believe, can only be discerned through ongoing dialogue with people whose difficult lived experiences have made them experts in what else is needed in the wake of violence. We hope this paper will serve as a platform and resource for them — for all of us — to think creatively about how to build an inclusive systemic response to violence that focuses on restoration and meets survivors where they are.

Violent Victimization

THE NATIONAL LANDSCAPE

National Crime Victimization Survey (Bureau of Justice Statistics)

Every year, the Bureau of Justice Statistics (BJS) collects information about crime victims and their experiences via the National Crime Victimization Survey (NCVS). Among other things, they collect information about victims' demographics including age, race, sex, and income, and ask whether they called the police and why or why not. BJS defines violent victimization as rape, sexual assault, personal robbery, aggravated assault, and simple assault.⁸ Note, the BJS definition excludes homicide.

BJS data is not presented in such a way as to make answerable the question, "Which set of demographic characteristics correlate with the highest rate of violent victimization?" However, the ways it is presented do enable viewers to understand trends in violent victimization across time and among different demographic categories.

For instance, in 2022, BJS released a special report on violent victimization of LGBTQ+ individuals. Among other things, researchers found that between 2017 and 2020, people who were gay or lesbian were more than twice as likely to experience violent victimization than people who were straight; people who were transgender were 2.5 times as likely as cisgender people to experience violent victimization; violent victimizations of bisexual persons were less likely to be reported to police than violent victimizations of straight persons, and the violent victimization rate for bisexual females was eight times the rate for straight females.⁹

BJS research also shows that in 2021, the most recent year for which data is available, only 46% of people reported violent victimization to police.¹⁰

Comparisons developed using BJS' National Crime Victimization Survey Data Dashboard (N-DASH) reveal trends in victimization among people of different races and income levels. For instance, between 2017 and 2021, American Indians, Alaskan Natives, and people of two or more races experienced violent victimization at far higher rates than any other group between 2017 and 2021. Black, white, and Hispanic Americans experienced violent victimization at rates roughly similar to each other across that time period, and Asian Americans, Hawaiian Natives and Pacific Islanders experienced violent victimization at a lower rate than any other group during those years.¹¹

BJS statistics also indicate that lower income correlates with higher rates of violent victimization, with people who earn less

than \$14,999 consistently experiencing significantly higher rates of violent victimization than those who earn more.¹²

BJS statistics tell us that most people who experience violent victimization knew the person who harmed them, and that people earning less than \$14,999 were attacked by people they knew (intimate partners, other relatives, or well-known or casual acquaintances) at even higher rates than people who earned more.

WHAT'S HAPPENING IN ALABAMA

Methodology

Between March 2022 and March 2023, Alabama Appleseed surveyed 401 Alabamians who had experienced violent victimization or lost loved ones to homicide. We distributed surveys in partnership with second chance job fairs, libraries, houses of worship, drug treatment centers, discussion groups, and other gathering places. Our survey was in English, but we supplemented our work with a separate Spanish-language community conversation with survivors of violence who spoke Spanish as their

first language. Everyone who took our surveys or participated in a discussion group was compensated with a gift card.

Data from our surveys was entered into an online portal, then downloaded, cleaned, and analyzed. Additional analysis is possible, and data will be made available at Alabama Appleseed's discretion to individuals who request it.

We supplemented our survey work with community conversations held in various locations around the state including Montgomery, Selma, Birmingham, Bessemer, Huntsville, and Cullman. With the exception of our Spanish-language group, every community conversation was facilitated by a person who had experienced both violent victimization and incarceration. At every community conversation, we shared a meal with the people who joined us — usually, home-cooked food made by Appleseed Community Navigator Callie Greer, but occasionally, food brought in from a nearby restaurant. We sought in all conversations to make participants feel at home.

We further supplemented our work with one-on-one conversations with people who voiced a desire to share their experiences in greater depth.

Throughout this paper, we have only shared names and identifying information after obtaining explicit consent from the individuals identified. Many individuals felt more comfortable using initials or pseudonyms; others never shared their names at all. Due to the sensitive nature of the information, we took great caution in deciding whether to reveal identities even when permission was granted.

AGE RANGE

16-85

Participants ranged in ages from 16 to 85. The median age was 40.

DEMOGRAPHICS | WHO WE SURVEYED

Gender

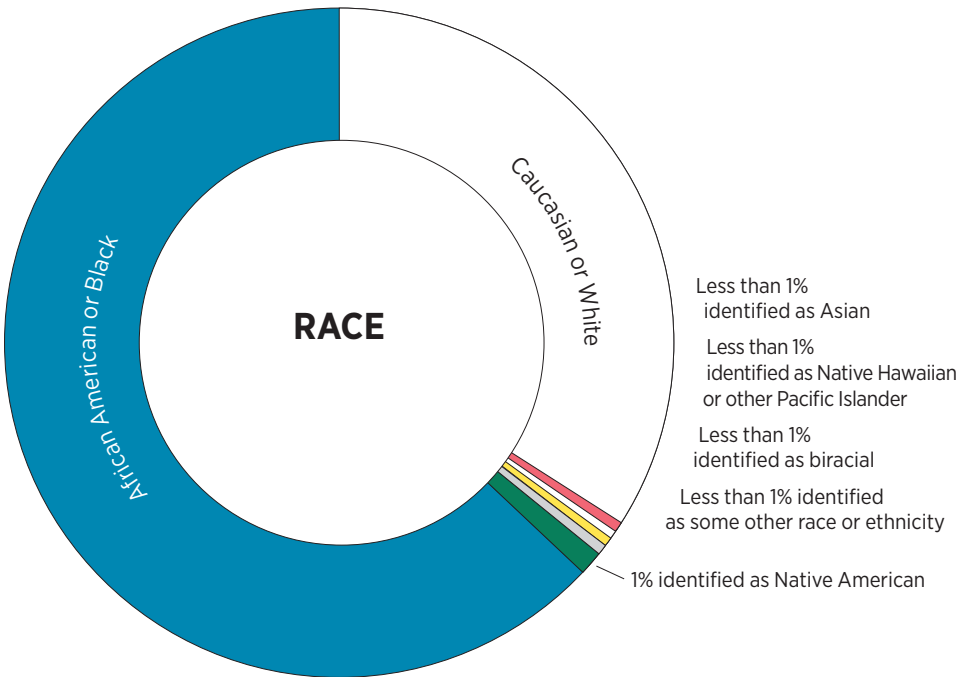
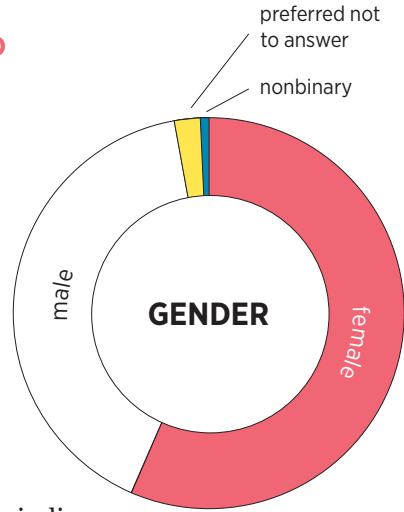
- 57% identified as female
- 41% identified as male
- Less than 1% identified as nonbinary
- 2% preferred not to answer

Sexual orientation and identity

- 15% identified as members of the LGBTQ population
- 2% identified as transgender

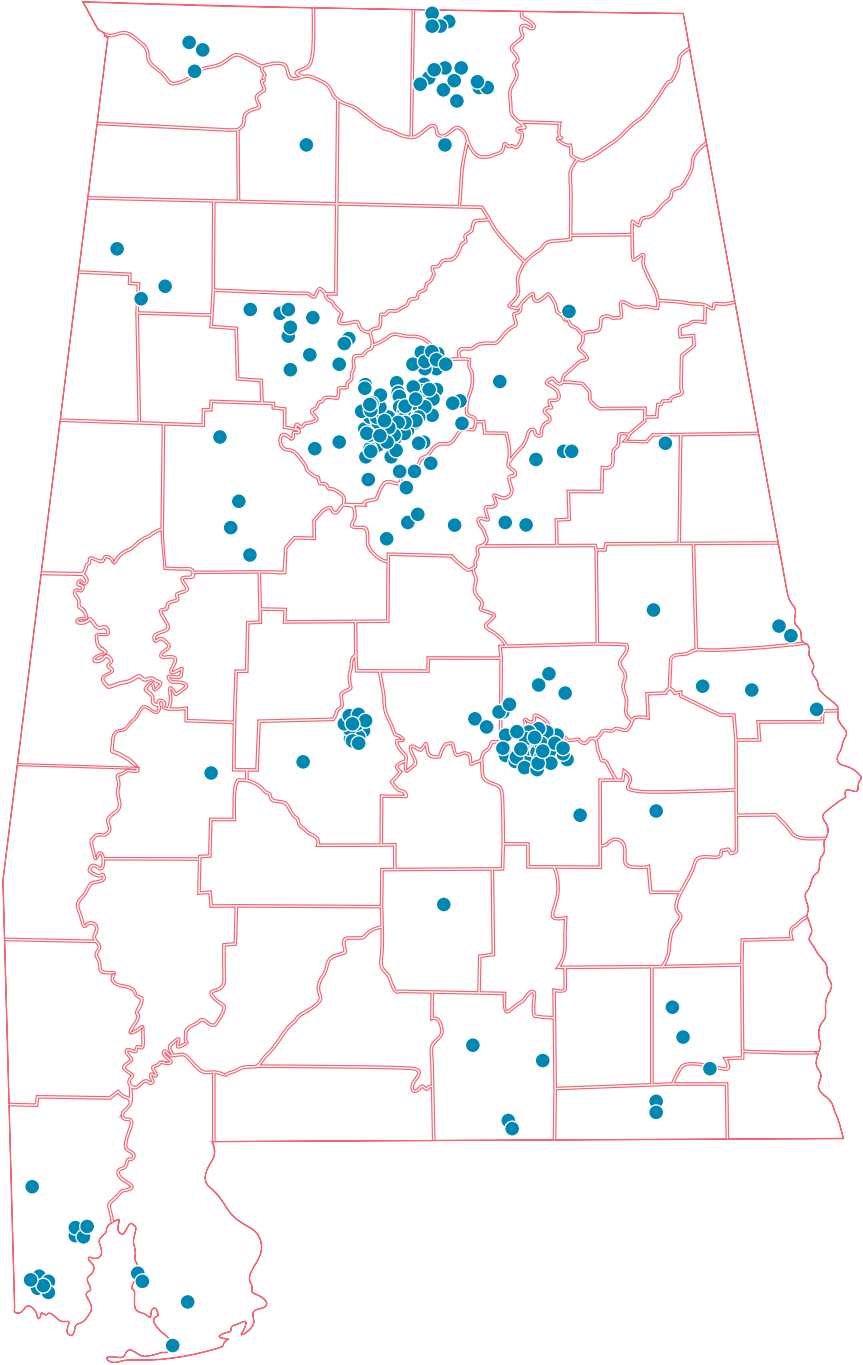
Race/Ethnicity

**A note about race and ethnicity:* None of the individuals who took our English-language survey identified primarily as Hispanic or Latinx. However, we separately conducted a community conversation with Hispanic/Latinx individuals who had experienced violent victimization or the loss of a loved one to homicide. Our findings are presented elsewhere in this report.

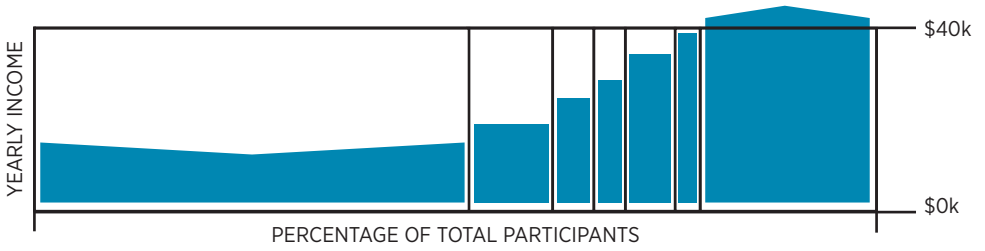


GEOGRAPHIC LOCATIONS

We surveyed 401 Alabamians from 28 counties about their experience with violence victimization and loss.



INCOME



51% reported **less than \$15,000**
 10% reported **\$15,000-\$19,999**
 5% reported **\$20,000-\$24,999**

4% reported **\$25,000-\$29,999**
 6% reported **\$30,000-\$34,999**
 3% Reported **\$35,000-\$39,999**
 21% Reported **\$40,000 or more**

CHILDHOOD EXPERIENCES

Because we were interested in the waters in which our survey participants were swimming and the worlds from which they came, Alabama Appleseed included in our survey the Adverse Childhood Experiences (ACE) survey, a 10-item measurement tool used to screen for trauma in childhood. The Centers for Disease Control and Prevention (CDC) and the Kaiser Permanente Preventive Medicine Department developed the ACE survey to collect nationwide data on the incidence and prevalence of childhood trauma.

In addition to the ACE survey, we asked participants questions about neighborhood conditions, seeking to understand our survey participants' exposure to crime, instability, and other adverse circumstances as children.

We are grateful to Dr. Dominique Maywald, Assistant Professor of Social Work at Jacksonville State University, for her support and co-authorship of this summary of research on child trauma, the ACE survey, and its meaning in the context of our survey.¹³

Trauma can be described as the emotional distress caused by direct or indirect exposure to an incidence that involved the possibility of death or serious injury. Trauma is subjective and does not exist on a linear scale.

Research indicates that exposure to traumatic events increases the likelihood of experiencing physiological, physical, emotional, and/or social harms throughout the lifespan. Traumatic injuries are the psychological consequences of exposure to violence, abuse, abandonment, grief, disaster, war, and other emotionally damaging experiences.

Health and wellbeing

57%

have at some point had what they consider to be an unhealthy relationship with alcohol or drugs, including prescription drugs

Trauma can manifest in childhood by way of adverse childhood experiences (ACE). Adverse childhood experiences can occur across socioeconomic structures, but poverty is a common precursor to experiencing some form of household dysfunction, abuse, violence, or neglect before adulthood. Adverse childhood experiences have been evidenced to negatively impact the neurobiological, emotional, and social development of children.

Research suggests that without intervention or interactions with trauma-informed systems, survivors of adverse childhood experiences are more likely to react to stress using maladaptive coping behaviors. Common maladaptive coping behaviors associated with childhood traumatic injuries include alcohol and substance misuse, self-injurious behavior, violence towards others, and other criminal or anti-social behaviors. Additional factors influencing the behavioral manifestations of traumatic

injuries include the frequency, duration, and severity of adverse childhood experiences. Many people who are victims or survivors of violent crime may engage in behavior that is potentially illegal.

Recognizing the impact trauma can have during childhood offers a diverse perspective on the behaviors of adults. The social and psychological toll of untreated trauma in childhood can expand massively across the stages and transitions of life.

As detailed below, we found a high prevalence of adverse childhood experiences and community dysfunction among surveyed participants.

40%

**of participants
went without water**

for drinking and/or
washing or without
heat in the winter



To add context and support readers' understanding of the stress and trauma survey participants experienced, we have used a color-coded system in places to identify the nature of the harm we are describing. Some harms fall into multiple categories.

As children under 18, participants lived in households where ...

44% moved a lot. ● ●

46% felt they didn't have enough to eat, had to wear dirty clothes, or had no one to protect them. ● ● ●

40% went without water for drinking and/or washing or without heat in the winter. ● ●

62% lost a parent through divorce, abandonment, death, or other reason. ● ●

62% someone in the household was depressed, mentally ill, or attempted suicide. ● ● ●

58% someone in the household experienced mental or emotional issues that made it hard for them to go about the regular activities of daily life. ● ● ●

67% someone in the household drank a lot or used drugs, including prescription drugs. ●

50% parents or other adults hit, punched, beat, or threatened to harm each other. ●

Of those, 84% reported they personally witnessed violence between the adults in their home. ●

61% someone in the household went to jail or prison. ● ●

73% parents or other adults swore at, insulted, and put them down. ● ●

51% parents or adults hit, beat, kick, or physically hurt them. ● ●

49% felt that no one in their family or household loved them or thought they were special. ● ●

45% experienced unwanted sexual contact, such as inappropriate hugging, shoulder massages, fondling, or oral/anal/vaginal intercourse or penetration. ● ● ●

45% had at least one consensual sexual relationship with someone who was four or more years older than they were.

45% at some point had to live with someone other than a parent (grandparent, foster care, etc.).

28% experienced eviction together with their families. ● ●

51% someone in the household had a serious illness such as cancer or kidney disease. ● ●

19% they did not usually go to a doctor, hospital, or other formal medical provider when they needed medical attention. ●

As children under 18, participants lived in neighborhoods where ...

62% remembered seeing someone attacked, robbed, shot, or stabbed. Of those, the overwhelming majority (88%) saw more than one person attacked, robbed, shot, or stabbed. ● ●

46% knew there were a lot of car and home break-ins in their neighborhoods. ● ●

75% of survey participants said most of the people in their childhood neighborhood worked at a job. For participants who lived in neighborhoods where most

people didn't work, the most common way their neighbors supported themselves was through illegal activity (27%), with other means of support including Social Security or disability payments, child support payments, and unemployment insurance. ●

20% reported there were not grocery stores nearby (food deserts). ●

Victims' Experiences Surviving Crime and Violence

The people who took our survey have many attributes and experiences in common with each other. Many had adverse childhood experiences that put them at greater risk for poor health outcomes, substance misuse issues, and involvement with the criminal legal system. Many were convicted of crimes and experienced incarceration.

Every single one of them had experienced violent victimization, either in the form of an attack on their person or the loss of a loved one to homicide. 63% of survey participants had been physically injured as a result of a crime or violence they experienced.

In this section, we discuss the experiences of people who survived physical attacks on themselves.

WHAT PARTICIPANTS SURVIVED

TYPE OF VIOLENCE	% OF SURVEY PARTICIPANTS WHO EXPERIENCED THIS VIOLENCE
Violent assault and beating	59%
Nonconsensual, unwanted or inappropriate sexual touching	56%
Loss of a loved one to homicide	52%
Being shot at	45%
Rape/non-consensual intercourse	39%
Gun violence and shooting	13%

WHO HARMED OUR SURVEY PARTICIPANTS

In the popular imagination, violent victimization often happens at the hands of strangers. We warn children about “stranger danger,” and news and popular media often sensationalize or dramatize random acts of violence. Politicians seize on this myth to frighten constituents and win votes.

The reality is different, however. National data shows that people are much more likely to experience violent victimization at the hands of someone they know than at the hands of strangers.¹⁴ Our research echoes this finding: With the exception of those who lost loved ones to homicide, the majority of survey participants knew the person who harmed them.

CRIME TYPE	% WHO KNEW PERSON WHO HARMED THEM	MOST COMMON RELATIONSHIP WITH THE PERSON WHO HARMED THEM
Nonconsensual, unwanted or inappropriate sexual touching	90%	Family member (52%)
Rape/Non-consensual sex	87%	Family member (43%)
Violent assault and beating	85%	Romantic partner (52%)
Gun violence and shooting	62%	From their neighborhood (56%)
Being shot at	60%	From their neighborhood (53%)
Loss of a loved one to homicide	41%	From their neighborhood (51%)

SPOTLIGHT

Community Violence in Selma and Montgomery

Almost two-thirds of the people we surveyed grew up in neighborhoods where they witnessed violence including seeing someone attacked, robbed, shot, or stabbed. As children, many of them saw those things frequently.

At the same time, as children, nearly all the people we surveyed experienced various forms of victimization in their homes, including 51% who were beaten and 45% who were sexually assaulted.

Childhood exposure to community violence, especially repeat exposure, is a risk factor for aggression and conduct problems, depression, anxiety, and post-traumatic stress disorder (PTSD). And “prior victimization predicts future victimization.”¹⁵

So it is not surprising that, as adults, many of our survey participants continued to live in communities with high levels of violence. Our data shows that survey participants who were shot or shot at, and who lost loved ones to homicide, were most likely to know the people who harmed them or killed their loved ones from their neighborhoods.

SELMA

Selma, Ala. is a beautiful old city with a storied history. It is also city plagued by poverty, chronic community violence, and underinvestment. Its residents and families have seen too much. They have endured too much loss. They have wept too often.

But on June 25, 2022, as Alabama endured a record-shattering heat wave¹⁶ and after hours of heart-wrenching conversation about violence and loss in the place they call home, Afriye Wekandodis,

Survey participants who were shot or shot at, and who lost loved ones to homicide, were most likely to know the people who harmed them or killed their loved ones from their neighborhoods.



Summer Sturdivant, Joyce Peoples, Appleseed’s Callie Greer and others found it in themselves to dance at Selma’s By the River Center for Humanity.

For the preceding several hours, they had gathered to take surveys, break bread, and talk about their experiences with violence in Selma, a city of 17,725¹⁷ where at least seven people had died by gun violence in 2022 as of the June 25 meeting date — the most recent, Kadeejia Lee, 28, allegedly at the hands of another Selma woman just one year older.¹⁸ Both women were familiar to some in the small crowd gathered at the By the River Center, who wondered aloud what would become of the women’s children now that one woman was dead and the other facing a possible death sentence.

Over lunch, those gathered reflected about their own experiences with violence and loss.

A man named Henry told the group that after he was robbed and hit in the head, the Selma police officer who showed up to take his statement didn’t leave a card, a case number, or even his name. Henry was angry “till I saw his face,” he said. He realized

Brenda, of Selma, often wears this necklace bearing a picture of her son who died by homicide

PHOTO BY
Leah Nelson



Reflecting on the losses they have all experienced as a result of community violence, Selma residents wept and comforted each other during a community conversation in June. Then, they danced.



PHOTOS BY LEAH NELSON

the officer was scared and didn't know what to say or do. "I had to almost talk him through it," he said.

Weeks passed with no news, then "they called me and asked if you have any more information. No. And they don't have any more information — no. Well, why the hell you calling me?" Henry wondered.

Brenda, a longtime Selma resident, told the group that her son's death by homicide is still unsolved. She feels like police don't care enough.

"We didn't get no call," she said. "A lot of people have someone come to their door, tell them to identify their child. I didn't get that. I had to find my son's body myself, in the woods."

"My son was my heart," Brenda told the group. "If my son had a stubbed toe I'm gonna take care of that toe. If I'm in Atlanta Georgia, I'm gonna come home and see about that toe."

Brenda said she had not sought counseling because she felt no counselor could understand what she had experienced. Standing before the group on that sweltering June day, she said, "I need you to give me some love." One by one, the group stood up and walked to her, formed a circle and embraced her.

As the group was about to depart, By the River owner Afriye Wekandodis exhorted them to dance. The embrace loosened, and so did the mood. They had wept. They had hugged. They had committed to going to the statehouse to insist on being heard.

They took to the floor. They danced.



MONTGOMERY

MONTGOMERY, Ala. (Sept. 24, 2022) — On a hot Saturday afternoon in early fall, Alabama Appleseed’s team traveled to west Montgomery’s Connecting Life Center to meet with a group of women who live in some of our city’s most neglected and violence-plagued communities. With Appleseed’s Callie Greer and local activist Karen Jones facilitating, the women — many of them professionals who have lived in the city for decades — shared their grief and frustration at living in a place where violence seems unavoidable and the communities most impacted by it lack the tools and resources to talk about the cycle of trauma they see.

“IT’S A DIFFERENT KIND OF VILLAGE THESE DAYS. THE VILLAGE ISN’T KIND TO EVERYBODY.”

KS, a counselor, talked about generational trauma. She recalled telling her children that their father had been murdered and how that changed both her life and her approach to counseling others who had experienced similar trauma.

“There’s so much missing from counseling,” she said. “I counsel women every day who not only have a situation with their domestic [partners], but they have unresolved feeling of grief, of abandonment, of fear. It’s so easy to throw them into a category” of people who don’t want to help themselves, she said.

But telling traumatized people to “get over it” or to leave the lives they’ve known, without addressing their trauma, is glib and misses the point, KS said.

“Telling people to get over it is toxic. Telling them to act like a man is toxic. They grow up to act like angry children in men’s bodies,” she said. “The problem with the statement ‘it takes a village’ is it’s a different kind of village these days. The village isn’t kind to everybody. ... We have generations that won’t even talk to each other.”

Responding to a question about what would make a real difference in her community, KS didn’t hesitate. “Follow-through. Don’t just come in and give a meal. Keep coming. Give us guidance in how to make change. Be someplace consistent. Give us something that can in a small area make a consistent change.”

Amelia, an educator, moved to Montgomery because her son, who is on the autism spectrum, needed services that were unavailable in the small east Alabama town where he was born. She left behind a husband who was physically abusive and set about building a new life in Alabama's capital city.

“What I experienced moving here is not really knowing what side of town to move to,” she said. She learned how common crime was in her part of town — and how little the city felt it could do — when she came out of the barber one day to find her car had been stolen.

“I called the police — he just was frank with me. He said ‘Ma’am, I’m gonna tell you, it’s a whole different ballgame down here ... and being that you and your son just live together alone I’m going to tell you to get a pistol,’” she said. “And I had to get one. I never knew anyone who got shot. I never knew anyone who got killed. Now I’ve been introduced to all of that. That was the welcoming committee.”

Sixteen years after that chilling welcome to Montgomery, Amelia has seen too much. She said she has tried not to let it change her.

“I’ve never been a mean person. I’ve always been a person who just liked to help out. It’s rough when you pull up in your yard and you got bullets flying at you,” she said. “I know some people that got killed and I know some people that did some killing, but the relationship with them is what I like to remember. I don’t like to remember how they got killed and I don’t like to remember how they got sent up.

“It seems like there’s a lot of good people in this city but it’s as if they don’t show each other love.”

“HE SAID ... BEING THAT YOU AND YOUR SON JUST LIVE TOGETHER ALONE I’M GOING TO TELL YOU TO GET A PISTOL.”

Survivors Who Lost Loved Ones to Homicide

According to the National Violent Death Reporting System, 598 Alabamians died by homicide in 2020.¹⁹ Each left behind people who loved them, who grieved their absence, who paid for funerals and bills for medical care that could not save their loved ones, who took in their children when necessary. They left behind people who were angry. They left behind people who had questions. They left behind people who had to figure out how to carry on anyway.

Of the people who died in 2020, 149 were white and 441 were Black. Controlling for population rates, this means that in 2020, Black Alabamians were more than seven times as likely to die by homicide as white Alabamians were. Put another way, white Alabamians were only 14% as likely to die by homicide as their Black neighbors that year.²⁰

On a national level, research shows that well-off white people who live in neighborhoods dominated by other well-off white people are much less likely to die by homicide than everyone else.²¹ Meanwhile, people who are not white and who lack wealth, and who live in neighborhoods dominated by others who are similarly situated, are at much greater risk of dying by homicide.

Appleseed has interacted extensively with victims' advocates over the years. Overwhelmingly, we are moved by their compassion, dedication, fierceness and big-heartedness; this project

was in many ways inspired by what they shared about where they saw weaknesses and deficits in the system.

The advocates we have interacted with include people of many races and ethnicities. It is clear from those conversations, and from conversations with victims, that differences in personal identity between advocates and victims do not prevent authentic and meaningful relationships. Talented advocates can forge connections and earn trust with many different kinds of people.

But diversity matters, especially at the top, where decisions are made and priorities are set. There is diversity among the rank and file of victims' advocates, those who are closest to victims and have the most nuanced understanding of their needs and complexities. But the people in Alabama who have the most prominent platforms and voices when it comes to determining what is prioritized in the wake of victimization are overwhelmingly white and relatively well off. In other words, they are not representative of the communities that are most impacted by violent crime and homicide.

These leaders include Alabama's attorney general, who has called himself a "voice for victims."²² They also include Victims of Crime and Leniency (VOCAL), an organization funded partly by the state of Alabama that describes itself as having "the purpose of improving the quality of justice for victims of crime."²³ Its state director, a white woman, lost her brother, a sheriff, to homicide in 1979. The man who killed him was originally sentenced to death and is now serving a sentence of life without parole.²⁴ Its founder, also a white woman, lost her daughter to homicide in 1976; three men were convicted including one who was later executed.²⁵

VOCAL has a practice of objecting to parole of people convicted of homicide regardless of what family members want. "The victim that is dead, if they come back and tell me that they don't want us to protest — I won't," the state director told a reporter in 2023. "But it has to come from them because that is who we speak for. It doesn't matter about the families."²⁶

Murder victims cannot speak. But their families — families of blood, families of choice — should matter. They do. They are the ones left behind after a person dies by homicide. Their perceptions, needs, wants, fears, questions, hopes, and experiences — their trauma — deserve our attention and concern. They deserve to be listened to and respected by the people who decide how public safety resources are allocated, how the state responds to

homicide, and what happens after someone dies violently.

But the opportunities for Alabama lawmakers, law enforcement leadership, and other elected officials to learn what survivors who lost loved ones to homicide need in order to heal are haphazard, at best, and often simply nonexistent. Despite a nominal victims' rights movement spanning 40 years, we know victims and surviving family are routinely overlooked or ignored, especially if their vision of justice does not square with what is politically expedient for elected officials.

Since Alabama leadership has not prioritized robust communication with a broad range of survivors who lost loved ones to homicide about what they have to say, we surveyed 210 Alabamians who had lost loved ones to homicide, including 125 people who had lost more than one loved one.

FINDINGS

Almost four in 10 saw the person who killed their loved one arrested. Among those individuals (many of whom lost more than one loved one to homicide), the majority at least sometimes saw the arrested person plead guilty or be found guilty at trial.

But findings of guilt — which in homicide cases result in incarceration — did little for their wellness. Fewer than half of survey participants felt the sentence the person who killed their loved one was fair. As documented below, this includes people who felt the sentence was too short and those who found it too harsh, including people who were horrified at the idea that the person who killed their loved one would themselves be put to death by the state of Alabama.

Fewer than half felt better after the person who killed their loved one was incarcerated. Fewer than half felt safer. Fewer than half felt that justice was served by the outcome of the case. And many were open to the idea that convicted murderers who bettered themselves in prison deserved a chance at early release, at least in some instances.

These findings should give pause to Alabama politicians and advocates who claim that they are speaking for victims when they say that justice in murder cases requires decades of incarceration or executions. The surviving family members we surveyed see things in a much more nuanced way.

Who our survey participants lost

- 13% Parent
- 16% Sibling
- 8% Spouse/Romantic Partner
- 3% Child
- 2% Grandparent
- 11% Aunt or uncle
- 30% Cousin
- 36% Close friend
- 25% Other family member or loved one

Case resolution

- 38% said the police found and arrested the person who killed their loved one
- Another 16% who lost multiple loved ones said sometimes yes, sometimes no

Complex relationships

- 41% knew the person who killed their loved one.
- 51% From my neighborhood
- 16% From my school
- 2% From work
- 21% They were also a member of my family
- 18% They were my loved one's romantic partner or spouse
- 20% Some other way

Criminal consequences & perceptions

Arrests have different outcomes. Of those who knew what had happened to the person alleged to have killed their loved one ...

- 50% the person was found guilty or pled guilty
- 37% the person was not found guilty
- 13% said that depending on the case, the person was sometimes found guilty or pled guilty, and sometimes not

For those whose loved ones' killers pled guilty

- 27% were informed there would be a plea deal beforehand
- 65% were not
- 8% said that depending on the case, sometimes they were informed and sometimes not

NOTE Throughout this section, we offered “sometimes yes, sometimes no” as an option to accommodate the experiences of people who lost multiple loved ones to violence. People who answered “sometimes yes, sometimes no” may have experienced different outcomes in different instances of the death by homicide of someone they loved.

For those whose loved ones' killers were sentenced

13% were able to have input into the sentence

81% were not

6% sometimes yes, sometimes no

28% felt their sentence was fair

55% did not

17% sometimes fair, sometimes not

41% felt safer after the person who killed their loved one was sentenced

42% did not

17% sometimes yes, sometimes no; depending on the case

34% felt better after the person who killed their loved one was sentenced

48% did not

18% sometimes yes, sometimes no; depending on the case

41% felt justice was served by the outcome of the case

51% did not

8% sometimes yes, sometimes no; depending on the case

We asked those who said the person who killed their loved one was still in prison whether the person should have a chance to be released from prison more quickly if they took classes and bettered themselves.

28% yes

24% it varies from person to person

48% no

Contact

We asked those who said the person who killed their loved one was out of prison if they had any contact with the person since their release.

22% yes

74% no

4% it varies

We asked if survivors had a chance to talk with the person who killed their loved one and ask them questions.

15% yes

82% no

3% it varies

We asked survivors who had not talked with the person who killed their loved on if they would like that chance.

27% yes

73% no

We asked those who said yes what they would have liked to say or ask. Overwhelmingly, they wanted to ask why.

SPOTLIGHT

The Execution of Joe Nathan James, Jr.

Toni and Terryln Hall begged Gov. Kay Ivey not to let the Alabama Department of Corrections kill the man who killed their mother, Faith Hall.

“It’s really bothering me to know that someone is going to lose their life,” Toni told a reporter. “At the end of the day, I feel like no human has the power to kill anyone whether they’re right or wrong.”

“I don’t want it to go forward,” Terryln said.²⁷

The governor, who has the power to commute death sentences to sentences of life without parole, brushed off their pleas. And at 9:27 p.m. on July 28, 2022, a doctor pronounced Joe Nathan James, Jr. dead at Holman Correctional Facility in Atmore, Ala.

“We must always fulfill our responsibility to the law, to public safety and to justice,” Ivey said in a statement released after James’ execution. “Tonight, a fair and lawful sentence was carried out, and an unmistakable message was sent that Alabama stands with victims of domestic violence.”²⁸

Alabama Attorney General Steve Marshall echoed her, writing, “Justice has been served.”²⁹

Faith Hall’s family issued a statement on the day of James’ execution too. “Today is a tragic day for our family. We are having to relive the hurt that this caused us many years ago. We write to inform you that we have decided to not attend the execution of Mr. Joe Nathan James Jr. We’ve asked Governor Kay Ivey and Attorney General Steve Marshall to hear our voices and respect our wishes. We know they decided not to,” it said.

“We pray that God allows us to find healing after today and that one day our criminal justice system will listen to the cries of families like ours even if it goes against what the state wishes. Our voices

matter and so does the life of Mr. Joe Nathan James, Jr.”³⁰

This series of statements — powerful white politicians crowing about justice, a heartbroken Black family having its pain exploited to serve political ends while its words were ignored — tell a complete story about whose priorities matter in the wake of violence. Given the choice between carrying out a politically popular execution and heeding victims’ wishes in a way that was constitutional and did not endanger public safety, Gov. Ivey made her values clear, and the attorney general cheered her on.

It was not the first time a white governor ignored a Black family’s plea for commutation of a death sentence to life without parole. In 2011, Gov. Bob Riley rejected a similar request from La Tonya White, who was 17 months old when her father, Leroy White, shot and killed her mother. La Tonya White was joined by her maternal aunt and her half-brothers — the victim’s sister and sons — in her request that Leroy White’s life be spared. Riley, according to news reports, “said... he found no reason to stop the execution.”³¹

In the weeks following James’ execution, a private autopsy revealed disturbing evidence that the execution team badly botched James’ before killing him, puncturing and cutting his skin repeatedly in an effort to set the lines that would deliver lethal chemicals into his veins.³²

Four months later, after two more botched executions, Gov. Ivey suspended executions and ordered the Department of Corrections to conduct a “top-to-bottom” review of the process. “I simply cannot, in good conscience, bring another victim’s family to Holman looking for justice and closure, until I am confident that we can carry out the legal sentence,” Ivey said.³³

Three months after that, following an internal investigation whose findings were not made public and a rule change that would give executioners more time to carry out the

process of killing, the governor lifted the moratorium.

“Far too many Alabama families have waited for far too long — often for decades — to obtain justice for the loss of a loved one and to obtain closure for themselves,” she wrote in a letter inviting Attorney General Steve Marshall to resume asking the Alabama Supreme Court to set execution dates. “This brief pause in executions was necessary to make sure that we can successfully deliver that justice and that closure.”³⁴

Before Joe Nathan James, Jr. was executed, Toni Hall, who was three when Joe Nathan James, Jr. killed her mother, told a reporter about what closure would have looked like to her. She wanted to sit down with James and talk with him. “There could have been a conversation to heal a little 3-year-old’s heart,” Hall said. Her request was denied.³⁵

Faith Hall’s brother Helvetius said of James’ execution. “It ain’t going to make no closure for us.”³⁶



“We’ve asked Governor Kay Ivey and Attorney General Steve Marshall to hear our voices and respect our wishes. We know they decided not to.”

Listening to Black Women

At 57% female and 63% Black, our survey population was far more likely to be female and Black than the population of Alabama overall, which is about 52% female and 27% Black. But Black women are disproportionately more likely to experience many forms of violence, including domestic and intimate partner violence and rape. According to 2022 research by the Violence Policy Center, the most recent available data shows Black Americans are more than four times as likely to die by homicide than the U.S. population overall, and nearly seven times as likely as white Americans to die by homicide.³⁷

Virtually all of these homicide victims leave behind Black family members, including Black women, who must pick up the pieces and carry on with their lives. Many of the people who participated in our community conversations were Black women who expressed grief and exhaustion with the community and personal violence they had experienced — but also determination to move forward, build community, find room for joy.

No single story captures the experience of a demographic as diverse as Black woman in Alabama. Even so, here, we dive into the experience of Summer Sturdivant, a young Black woman from Selma whose experience after her brother's 2021 murder includes many of the themes that came up in our listening sessions.

SUMMER STURDIVANT'S STORY

“The handling of humans”

Summer Sturdivant's telling of the day her brother was murdered tumbles out as disorderly as the day itself.

“When we got there, they were still surrounding the trailer he was in. And when they did arrest him, I asked him, why did you kill him? Why? Why did you do that? And he told me, ‘He stole \$100 from me.’ That's what he said. And I just couldn't even really think.”

Sturdivant, an activist and pastry chef, watched her little brother die. He lay in the street in Selma while the police captured the man who shot him. The ambulance made a wrong turn, doubled back, arrived when he was still alive but got there too late to keep him that way.

Sturdivant, then 25, didn't have time to digest any of it. “It was like the next thing and the next thing and the next thing. Trying to make sure my mom's OK, trying to make sure everybody's OK. Make sure my dad — because he is a hothead, and he got out there, and he has a gun

and I didn't want him to do anything out of emotion. I didn't have any time to grieve because I'm trying to make sure everybody's OK."

When she spoke with Appleseed nearly a year later, she was still consumed with that task. Her brother left behind a very young son. After her brother's death, she became the little boy's primary caregiver.

She was happy to do it — she loves her nephew — but legal obstacles and a bureaucracy that is ill-suited to the realities of her everyday life conspired to make it a heavy burden.

Because her brother never signed the birth certificate, the child is not legally recognized as being related to him and thus not eligible for support from the state. Without legal guardianship, which is complicated and time-consuming to obtain, Sturdivant was not eligible for the types of financial assistance that would be available to other single mothers or to people who unexpectedly became caregivers after the death of a close relative. Money for clothing and food and childcare came out of her own pocket. For lack of legal documentation connecting her to the little boy who had become her ward, she couldn't even take him to the doctor.



PHOTO BY LEAH NELSON

“It just makes you feel like you’re on an island.”

Sturdivant’s brother was young and beloved, and it was important to the family to honor his life with a funeral including visitation and burial. In Alabama, the average cost of a full-service funeral is \$7,775.³⁸ Sturdivant’s family paid as much as they could right away, but in the end, they still owed the funeral home about \$3,000, Sturdivant said.

Sturdivant applied for assistance from the Alabama Crime Victim’s Compensation Commission, which offers financial help to crime victims and their families. Funeral expenses are one type of cost they are commonly asked to cover.

Sturdivant’s mother was too overwhelmed with grief to complete the application, so Sturdivant did the paperwork herself.

“I did it immediately, went through all of those questions — they wanted to know how it happened, when it happened, what time,” Sturdivant said. The Commission didn’t respond. “I call probably every month. I try not to badger them. But I knew that balance would roll over into collections.”

It did, and the funeral home started talking about filing a case in Small Claims Court. Sturdivant had two different contacts at the District Attorney’s office. But neither one seemed to feel responsible for helping get her claim processed or take care of any of the myriad problems that arose in the wake of her brother’s murder.

“They didn’t really tell us about any type of services. They weren’t personable,” she said. Death by violence is “so normalized in this area,” she said, that victims’ advocates have become used to it. Their approach to the job is “not, ‘I’m doing this because I have a passion for this, because I experienced this, because I know people that experienced this,’” she said. “It’s like, ‘This is a job with state benefits, good security.’”

Asked what she would have liked the victim’s services workers to do differently, Sturdivant said she wanted to know more about resources but also she wanted to feel heard and respected, like her loss mattered to them.

“It doesn’t take but a few seconds to be personable with people,” she said. “You can’t just be cold and passing out paperwork. ... You gotta handle people delicately, especially in situations like that,” she said. “It’s a lot to bury a child and even be worried about where the money is coming from, then worry about whether you’re going to get to small claims court. You know, it’s just a lot.”

“It just makes you feel like you’re on an island. You’re by yourself, you’re just trying to figure out stuff by yourself, and nobody can really help.”

“I’m thankful to be connected to people that pour into me.”

Sturdivant practices what she preaches. Long before her brother was killed, she was active with Mothers and Men Against All Violence In Solidarity (MAAVIS), an organization founded by Callie Greer, who also works as Alabama Appleseed’s Community Navigator.

MAAVIS brings together families who have experienced loss to

help them process their grief together — over meals, through song, through art, through community, through activism. With the goal of building a more restorative community and defusing the retaliatory violence that can occur in the wake of a homicide, it also creates space for people to connect safely with the families of those who harmed their loved ones, if that is what they want to do.

Sturdivant relied on what she learned from Greer and MAAVIS when, the day after her brother died, the mother of the man who killed him reached out, wanting to talk with Sturdivant’s mother.

“I was like, No, my mom is not in a place for that,” Sturdivant said. “So I spoke with her, and I had a prayer with her. We talked, and I let her know she’s a good mom,” she said. “And she was just crying. She was crying because she lost somebody too, you know? She lost a child who — he might not be dead, but he’s in the system for good now.”

She wishes people who work for that system had the same compassion. “When you’re handling families and specifically Black families, you got to be careful. You got to be really careful how you talk to them,” she said.

She described a situation where a woman she went to church with was driving when she received a phone call from authorities, telling her that her son had been killed. “That person could turn their car and run into a tree, they’re so upset. Anything. But it’s just like — the handling of humans.”

Meanwhile, Sturdivant is handling her own struggles with grace. Even as she continued to deal with the bureaucratic, financial, and emotional aftermath of her brother’s death and the

“IT’S A LOT TO BURY A CHILD AND EVEN BE WORRIED ABOUT WHERE THE MONEY IS COMING FROM, THEN WORRY ABOUT WHETHER YOU’RE GOING TO GO TO SMALL CLAIMS COURT.”

sudden experience of parenthood, she also let herself find joy in building her small business as a pastry chef while maintaining and strengthening the relationships she formed through her work with MAAVIS.

“My brother got killed literally five minutes from talking to my mom to driving down the street in his car. You don’t know what can happen. Gun shots. Car accidents. Anything. I don’t want to be on my deathbed wishing I had done this or wishing I had done that,” she said. Her brother always encouraged her dreams of baking, and her business, which she said “was birthed out of a loss. I didn’t have it in me to start it before he got killed.”

Reflecting on a community event she attended with other women who had lost loved ones to violence, she said, “I’m thankful to be connected to people that pour into me. “To be the baby of directly affected women and still be able to give and even pour into other people.”

Experience with and Perceptions of Law Enforcement

Everyone who took our survey had experienced violence in one way or another. Conventionally, Alabama leaders and politicians give cover to their opposition to criminal justice reform by citing statistics and news coverage generated by that violence. They cite the violence as justification for expanding investment in existing law enforcement and punishment infrastructure.

And indeed, law enforcement plays a crucial role in responding to violence, including taking into custody people who commit it. Law enforcement can be hard, dangerous, and upsetting work.

But most of the people we surveyed and spoke with told us they could imagine few, if any, circumstances, under which they would call police. This was not because they were used to violence or because they didn't mind the harm that was done to them. Being harmed is not a lifestyle. Rather, their reluctance around calling on law enforcement came from experience.

Many who had experienced arrest and incarceration felt unworthy or unsafe calling police. Many worried that the kind of response police are able to provide — usually, temporary removal of a dangerous person — would not keep them safe and might even subject them to further harm. Some worried about the harm that might befall the person who was hurting them at the hands of law enforcement.

None seemed happy with this state of affairs. No one likes to feel unsafe and unprotected. Nonetheless, weighing the costs and benefits of calling for the help that is available, the majority of our survey participants felt it was best to go it alone.

WHEN VICTIMS AVOID LAW ENFORCEMENT

We asked survey participants whether they reported experiences of harm, crime, or violence to law enforcement.

53% agreed with the statement, “I never or almost never call the police in response to violence or crime that I experience.”

20% agreed with the statement, “I have reported crime or violence that I have experienced to law enforcement most or all of the time.”

27% agreed with the statement, “My decision to report crime or violence I have experienced to law enforcement is on a case-by-case basis. Sometimes I call the police, but other times I do not.”

We asked those who expressed mixed or negative feelings about involving law enforcement in the aftermath of harm or violence to tell us more about why they might not report. Participants were asked to check all options that applied to them. Choices not to call the police are varied and complex, but boil down to a few major themes...

Fear that calling the police would subject them to greater harm and/or that police could not protect them.

31% agreed with the statement, “I was afraid of retaliation from the person who harmed me, or their family or friends, if I reported what happened.”

21% agreed with the statement, “The person who harmed me was my domestic partner and I didn’t feel that police intervention was going to help make things better or safer for me.”

16% agreed with the statement, “There was a warrant on me and I was afraid to go to law enforcement because they would arrest me.”

9% agreed with the statement, “There was a warrant on someone in my family and I was afraid to go to law enforcement because of how that might affect them.”

53%
agreed with
the statement ...

“I never or almost never call the police in response to violence or crime that I experience.”

Feeling police would not want to help them

25% agreed with the statement, “I did not feel comfortable going to law enforcement because I have a record, I was on parole, and/or I was afraid they might charge me with something new if I drew attention to myself.”

24% agreed with the statement, “I did not think I would be taken seriously by law enforcement or that law enforcement would care about what happened to me.”

16% agreed with the statement, “I did not feel comfortable going to law enforcement because of my identity (for instance, gender, race, sexual orientation, immigration status.)”

6% agreed with the statement, “The person who harmed me was in law enforcement so I did not feel comfortable reporting what had happened to me.”

4% agreed with the statement, “The person who harmed me was a corrections officer and I was incarcerated and I did not feel comfortable reporting what happened to me.”

Feeling unworthy of help

23% agreed with the statement, “I felt that what happened to me was my own fault.”

27% agreed with the statement, “At the time what happened to me didn’t seem like a big enough deal to bring to law enforcement.”

Being too young to ask for help

21% agreed with the statement, “I was a child at the time the violence or crime occurred and I did not have the power to go to law enforcement.”

Autonomy

33% agreed with the statement, “I wanted to handle the situation myself.”

MANY PEOPLE WROTE IN RESPONSES.

Here’s a sample of what they had to say ...

“police always finds a reason to lock you up instead of help when you call on them for help”

“I was not out when I was raped by a man I knew. I didn’t want to come out against my will via a police report.”

“Because I worked in the strip club in the past I didn’t think they cared”

“I was afraid of what would happen to the person that assaulted me if I told law enforcement”

“cause I’m the person who always went to jail”

“scared to lose my kids”

ADDITIONAL COMMENTS ...

“racial bias” | “family” | “had done so before was told nothing could be done and made to feel like it was my fault” | “His brother is in law enforcement and politics.”



PHOTO BY LEAH NELSON

Memory and Policing in Montgomery

MONTGOMERY, Ala. (Oct. 21, 2022) — A month before Thanksgiving, Alabama Appleseed traveled to West Montgomery to share a meal and talk with congregants at St. Peter A.M.E. Church. Appleseed’s Callie Greer, who is friendly with St. Peter Pastor Valtoria Jackson, cooked and facilitated the conversation.

Community members gathered to share their experiences with and perceptions of crime, policing, and the court system as it plays out in their neighborhoods.

Again and again, older folks who spoke up started their stories with the phrase “I’ll never forget,” only to talk about an event that happened decades ago but remains fresh in their minds. Their children who were with them shared experiences that evidenced generational knowledge of their parents’ experiences.

Montgomery is home to thousands who remember the Bus Boycott, the Selma-to-Montgomery march, and the spates of vigilante and state violence that marked the civil rights era and its aftermath. Here, the refrain “I’ll never forget,” was a reminder that where the past isn’t even past, harms done are not erased or forgotten.

ROBERT WALTON

“They escorted me to the backdoor of the police station and the door went click.”

Robert Walton, 61, thought back to a night 40 years ago in 1982. “I’ll never forget,” he began. “I was heading home and the police pulled

up on me, jumped out the car, throw me to the ground, and said I had broke into somebody's apartment."

He continued, "They take me downtown to the station, take me upstairs to where the detectives are, and then finally take me to a room where somebody is supposed to identify me."

Handcuffed to a chair and terrified, he waited for the witness to come in. "I saw her shake her head and say, 'No that's not him.'"

After that, "The detectives come in they unloose the handcuffs on me and they say, 'You're free to go.' And I said, 'Well it's 3:30 AM, can you at least take me home?' They said it's not their responsibility. I said whose responsibility is it?"

It was no one's. "They escorted me to the backdoor of the police station and the door went click."

KAMARI HARRIS

Kamari Harris, 24, is Robert Walton's stepson. He has never been arrested, he said, because "I live in a world of absolutes. Don't get pulled over. Have your license. Have your insurance. Don't have drugs in your car, in your system," he said.



PHOTO BY LEAH NELSON

“Don’t take a piece of candy. Don’t assume anyone is going to be OK with anything,” he continued. “I don’t mess with folks that did this or did that or are known for doing this or doing that. Go to school. Come home.”

Acknowledging the stress and anxiety that comes with rigid adherence to every rule, Harris talked about generational memory. He said that he hasn’t had the same experiences as his stepfather or many men of that generation, and that he hopes things will change. At the same time, he said he would hesitate to call the police if he needed them because memories and attitudes are passed down within families.

“I LIVE IN A WORLD OF ABSOLUTES. DON’T GET PULLED OVER.”

TRACY REED

“I will never get those moments back”

Tracy Reed doesn’t even know why he was pulled over. It was the night before his brother and sister-in-law were due to renew their vows in a public wedding ceremony at which Reed was set to be best man. He was supposed to be at the rehearsal dinner soon.

But when police searched his car and found marijuana and a pistol for which the license had recently expired, they took him to jail and held him overnight, charging him with a felony for the marijuana and a misdemeanor for the unlicensed firearm.

“I missed the whole wedding. And I will never get those moments back,” he said.

“I was going through a lot and I didn’t want to hurt anybody”

Reed’s family needed those moments desperately. Six months earlier, Reed lost his nephew Jeffery Lamar Reed, 21, to homicide. The murder by gun violence occurred on January 29, 2022, at Bama Lanes, a bowling alley in Montgomery. It was a major news story in the community. Jeffery Reed was the only person to die, but six other people were hospitalized with gunshot wounds. The alleged shooter fled and was quickly captured. He bonded out of jail the next day.³⁹

“This hurt me to my soul. It hurt my husband, hurt his brothers and sister, and hurt his family members. This is a big loss, and something got to be done,” Kimby Reed, Jeffery Reed’s mother, told reporters the day after the shooting.⁴⁰

Kimby Reed was one half of the couple that was renewing their vows at the wedding Tracy Reed missed. Their second wedding and the party afterward was a celebration sorely needed by a family still mired in grief. And Tracy Reed missed it for behavior that is legal in much of America. (The majority of Americans live

in states where marijuana is legal; carrying a pistol in a vehicle without a permit became legal in Alabama six months after police charged Reed with a misdemeanor for doing so.⁴¹)

Reed said he used the marijuana medicinally to manage his emotions in the wake of his nephew's death.

As an introvert, "People are not the cure to my pain, people are not the cure to my depression problems, my stress issues and stuff like that. So I have to rely, and that's why I went to medical marijuana. Because I was going through a lot and I didn't want to hurt anybody," he said.

"It was hard, you know. Being there every step of the way. I had to write the obituary and I had to be at the funeral home and we had to put it together and figure it out because it was expensive. And it's hard, you know. I wouldn't wish this on any family."



The traffic stop was an ordeal he didn't need on the eve of his family's first celebration since that awful night. And the loss of his firearm, which he considers necessary protection from the frequent episodes of community violence that occur in the West Side of Montgomery where he lives, left him feeling frightened and vulnerable.

In his neighborhood, he said, "You can be friends with somebody, you can meet somebody, you can see them, you can shake their hand today and next Sunday you'll be at their funeral," he said.

Reed has had that experience.

"I had a friend named Greg Gunn, and he was murdered by a cop. It affected me as well. Because I used to talk to Greg all the time."

Gunn died in February 2016 after a Montgomery police officer stopped him on the way home from a weekly card game⁴² and asked if he would consent to be patted down.⁴³ When he ran, the officer chased, tased, and beat him before shooting him five times in West Montgomery. In 2020, the officer

was sentenced to 14 years in prison for manslaughter.⁴⁴ He remained free on an appeal bond through May 2022.⁴⁵

Gunn and Reed went to church together and had talked about seeing each other there the Sunday after Gunn died by homicide. Of police, Reed said, "It's not good when people are supposed to protect and serve and instead [they] do the most, you know,

**"YOU CAN SHAKE
THEIR HAND TODAY
AND NEXT SUNDAY
YOU'LL BE AT THEIR
FUNERAL."**



PHOTO BY LEAH NELSON

because of a badge or because they got a gun or because they feel like [they're] the overseer or have the most authority in the situation," he said. "So when you say, do I trust them? I don't."

When he spoke with Appleseed in June 2022, Reed radiated despair. "Trouble comes your way every time you try to help somebody or be around people. Trouble comes. So I don't help people. People ask me to borrow something — I can't do it, I don't have it, I'm not your friend," he said.

"I don't shop no more, I don't do nothing. My suit that I was supposed to wear to my brother's wedding, it's in the closet. Every day I look at that suit, and it reminds me of what I missed and what I'll never get back."

Perceptions of Criminal Consequences and Incarceration Among People Who Had Experienced Violent Victimization

Incarceration can serve many purposes, including incapacitation of a person who has done harm, punishment, and rehabilitation. As with all components of the criminal legal system, incarceration is not designed with the needs or preferences of crime victims in mind. However, in arguing for harsher and longer sentences, Alabama policymakers and law enforcement interests routinely invoke their own assumptions about what victims want as if victims are a homogenous group who all want the same things.

We asked survey participants who experienced violent victimization and have seen people incarcerated as a result of their reports how incarceration affected their feelings of safety. The majority of people reported that incarceration of the person who hurt them did not make them feel safer. They reported mixed feelings about whether the sentences the people who harmed them were fair and whether justice was served by the outcome of the case. And many would like to see opportunities for second chances, even for the people who hurt them.

Again, these findings should give pause to policymakers who claim to speak for victims. Victims are heterogeneous and their

wishes are diverse. For many, justice as currently conceived of and meted out in the state of Alabama is justice denied.

46% felt safer after the person was incarcerated

36% did not feel safer

18% said sometimes yes, sometimes no

42% felt the sentence the person received was fair

45% did not feel the sentence was fair

14% said sometimes yes, sometimes no

39% felt justice was served by the outcome of the case

51% did not feel justice was served

10% said sometimes yes, sometimes no

Some survey participants shared that the person who harmed them was still in prison. Of these,

38% thought the person should have a chance to be released more quickly (for instance, on parole) if they take classes and better themselves

44% did not

18% felt sometimes yes, sometimes no

Contact with the person who caused harm

People who experience violent victimization must live with trauma afterwards. Some prefer never to see or hear from the person who harmed them again, but it is not uncommon for people to want some type of contact with that person. And given the prevalence of domestic, family, and neighborhood violence, the reality is that many people cannot avoid contact whether they want it or not.

36% of survey participants talked with the person who harmed them and asked questions.

64% did not.

And 28% who did not have the chance to talk with the person who harmed them and to ask questions said they would have liked that chance. Of those, many would have liked to ask why. Some wanted an apology; some wanted closure; some wanted to know if they were getting help for the problems that caused the harm; and some wanted to tell the person they were forgiven.

DOMESTIC AND INTIMATE PARTNER VIOLENCE

Definitions: Intimate Partner Violence “is best understood as an ongoing pattern of power and control in romantic relationships that is enforced by the use of abusive tactics, such as intimidation, threats, physical or sexual violence, isolation, economic abuse, stalking, psychological abuse, and coercion related to

mental health or substance use.⁴⁶ It can occur in a romantic relationship regardless of whether the individuals involved are living together.⁴⁷

Domestic Violence is violence that occurs between people who are living together in the same place for the purpose of power and control, and can occur between romantic partners, parents and children, siblings, or roommates.^{48,49}

Experience with domestic and intimate partner violence was pervasive among our survey participants.

Overall, 39% of our participants were survivors of rape, 56% of sexual assault, and 59% of violent assault and beating.

Rape and sexual assault survivors most commonly knew their attackers because they were family members; violent assault and beating survivors most commonly knew their attackers because they were romantic partners. People who experience trauma and family violence as children are at higher risk for experiencing intimate partner violence as adults.⁵⁰ So it is not surprising that as children, more than half of our participants lived in

Overall ...

39%

of our participants were survivors of rape

56%

of sexual assault

59%

of violent assault and beating

households where parents or adults hit, beat, kicked, or otherwise physically hurt them and 45% experienced unwanted sexual contact with someone in their home.

Researchers have documented high rates of substance use and abuse among people living with intimate partner and domestic violence.⁵¹ Substance use disorder is associated with an increased likelihood of experiencing these types of violence, and experiencing these types of violence is associated with an increased likelihood of having substance use disorder.⁵²

But in Alabama and many other places, having substance use disorder is in effect a criminal act, because possession of controlled substances is unlawful. Possession of drugs is a major driver of contact with Alabama's criminal legal and corrections systems: thousands and thousands of Alabamians are under

supervision, on probation or parole, in drug court, or have outstanding warrants in connection with illegal possession of drugs.⁵³ For people in any of those situations, contact with law enforcement can mean arrest, conviction, and incarceration.

This reality puts people with substance use disorder who are experiencing domestic and intimate partner violence in a bind: They may need help from law enforcement to escape their situations, but calling law enforcement can rebound on them in terrible ways. Over and over in conversations with people who told us about their experiences with domestic and intimate partner violence, we heard the refrain “they’ll just take you both to jail anyway.”

One man who lived with substance use disorder told us his abusers mocked him when he mentioned police. He became homeless after running away from that situation. When we met him, he was in treatment but still worried about warrants.⁵⁴

Numerous women with substance use disorder told us about choosing not to call police because they worried about being arrested themselves. One woman who did call the police found herself in trouble when the officer who arrested her husband, who had strangled her, returned to the home because her husband told him there were illegal drugs there.⁵⁵ She was one of several survivors of strangulation, which experts on domestic violence considered a “red flag” correlating with a high risk that the next step will be murder, who told us they avoid calling police even when their lives are in danger because of issues related to drug possession.⁵⁶

Many of these women said they feared police would leverage their drug use to make them work as confidential informants, which they considered not only immoral but life-threatening. Some had seen confidential informants killed by the people they informed on. They were not interested in leaving one coercive and dangerous situation only to replace it with another.⁵⁷

There is not a straightforward way to answer the questions that proceed from the fact that intimidate and domestic partner violence frequently co-occur with substance use disorder. Though they possess discretion, police are generally expected to make arrests when they observe unlawful behavior. And Alabama’s drug laws are unforgiving, though there is increasingly a recognition that simple possession is best dealt with through treatment rather than prosecution.⁵⁸

But the fact that certain questions are thorny means simply

that we must reckon with them carefully. Even when simple answers elude us, there is much to learn from people who have experienced first-hand the dual health crises of substance use disorder and domestic and intimate partner violence.

CULLMAN WOMEN'S RECOVERY HOUSE

CULLMAN, Ala. (Feb. 13, 2023) — On a cool afternoon in the middle of February, Appleseed's team passed Chick-fil-a sandwiches and sweet tea around a fire pit in the yard behind the Cullman Women's Recovery House. All survivors of domestic violence or sexual assault, the four women who joined us were in the early stages of sobriety. Two had checked themselves into

the house; two had been referred there by probation officers. All had been involved with the legal system as offenders at various points in their lives.

Reflecting on the survey, the women began to talk about what they have seen and experienced and how they perceive the criminal legal system with which they have often interacted. Overwhelmingly, they described frustration with a system

that is not, in their experience, set up to keep vulnerable people safe.

This conversation group was arranged and facilitated by Stacey Fuller, a former RN and survivor of violence who spent time in prison in connection with substance use disorder before training as a peer support specialist.

“I'd never been scared of him before, but I was then.”

Like more than half of crime victims who took our survey, the women we met in Cullman all have had unhealthy relationships with alcohol or drugs at various point in their lives. We asked about how stigma and laws around drug use can make it harder for people in danger to get help.

What we learned was disheartening: In Cullman, many victims of violence who have substance use disorder feel there is nowhere to turn.

A woman who was recently sober after years of using meth-

**“MOST OF THE TIME,
YOU BOTH GO
TO JAIL.”**

amphetamines and abusing alcohol told us about thinking twice before she called the police on her partner after he strangled her. She was afraid there might be a warrant for her arrest, and it was only when her husband kicked in the door of their bathroom, shattering a mirror and covering her with broken glass, that she overcame her anxiety and called for help.

The officer who responded did take her husband into custody. But on the way to the police station, her husband told the officer his wife was a drug user and there were drugs in their home. Later that same day, still shaken and terrified from surviving strangulation and assault, she was forced to call police again because her husband's family was at her house banging on windows and issuing threats.

The officer who showed up was more interested in looking for the alleged drugs than protecting her from further physical harm. "He wanted to look around and search," she told us. "He wasn't even interested in that woman out there threatening to whup my ass."

She obtained a protection from abuse order requiring her husband to keep away from her, but he violated it. "I'd never been scared of him before, but I was then," she told us. She stayed at the house a few more days, "but I seen him in the woods, I heard him one night outside the garage cussing." She packed her things and moved into a friend's house.

A few days later, she was arrested in her car and charged with drug possession by an officer who mocked her addiction.

In the end, exhausted and disheartened, she dropped charges against her abusive husband. Summarizing her skepticism about calling police even when an abusive partner is threatening her life, she said, "Most of the time, you both go to jail."

"It was easier to find a place to stay when you were drinking and drugging with someone."

Another woman shared with us that she only took up drinking and using drugs because she needed a place to stay after fleeing her abusive partner. A former employee of a Cullman shelter for abused women, she shared the agony she experienced working in one of the only places where women who were abused could go, knowing that if she admitted that she herself was experiencing domestic violence, she risked losing her job.

When she finally got away from her partner, the only place she had to live was her car. “That’s where a lot of my drinking and drugging came from, because it was easier to find a place to stay when you were drinking and drugging with someone.”

When the abuse comes from within the system: “It’s never actually trying to get me help.”

Due to their substance use issues, some of the women had been on Color Code, which is the state of Alabama’s system for randomly drug testing people who are in drug court or under supervision. More than one had been supervised by a man named Winfred Eugene Vance, Jr., a Cullman County drug court official who in 2015 was charged with extortion and sodomy after two women he had supervised said he used threats of incarceration to coerce them into perform degrading sex acts.⁵⁹

Vance in 2016 pled guilty to extortion and was placed on five years’ probation. Officials described the deal as a way to let Vance’s accusers avoid the “embarrassment” of testifying about the abuse they experienced.⁶⁰ But the women we spoke with who had been supervised by Vance, experienced his abusive behavior, and knew firsthand that he manipulated the outcomes of urine tests, wondered why all of the cases he oversaw weren’t thrown out or at least reviewed.

Talking about Color Code, and more broadly about the system that has often ensnared her but never protected her, one woman said, “It’s never actually trying to get me help.”

THE LOVELADY CENTER

BIRMINGHAM, Ala. (Sept. 2, 2022) — The Lovelady Center, a residential recovery program for women located in Birmingham’s East Lake neighborhood, strives to provide bright, comfortable spaces for the 400-plus women who live there at any given time. Some residents are there of their own volition; others are ordered by judges to participate in programming as an alternative to sentences of incarceration. There’s a coffee shop, a hair salon, even a childcare center for children of women in the program.

So when the women here begin sharing their stories, it feels jolting to hear such consistent, collective pain and abuse in this homey setting.

“When I was nine it was the first time I smoked dope with my mom,” said 21-year-old S. from Houston County. “Any time I wanted to go talk to my mom about my day, I had to smoke dope with her.” S. has a 15-year prison sentence awaiting her if she does not successfully complete the program at Lovelady.

“I started shooting crystal meth when I was about 14 because that’s what everybody did,” said E., who like most everyone here has spent time in prison or jail, and also like most everyone here has survived sexual abuse or rape.

“I remember the first time my uncle molested me. He was the youth pastor and I had just accepted Jesus into my heart. Then we went home and he molested me,” said J., who spent time in foster care, in the juvenile justice system, and in multiple jails, following repeat sexual abuse as a child. “I always felt like it was my fault that I didn’t say ‘No’ loud enough. Or I just froze.”

Appleseed visited Lovelady over two days in September 2022. We surveyed more than 60 women the first day and their responses have been incorporated into this report. On the following day, we listened as 12 women shared the experiences in their lives that got them where they are now. The conversation was facilitated by Callie Greer, Appleseed’s Community Navigator, herself a survivor of child sexual abuse and drug addiction, who has spent time incarcerated.

Each woman gathered around the table acknowledged she had been to jail, often repeatedly. But before the police came, before they went to jail, before they were convicted of a felony, these women survived violence that no law enforcement and no jail could prevent. Abuse at the hands of relatives, partners, and clergy was a constant theme in their lives, often beginning when they were children and did not know how to contact law enforcement. The abusive situations and homes were crucibles for substance use, beginning in their teens or even earlier. Once drug use snowballed into their own involvement with the criminal justice system, law enforcement became even less accessible

**“YOU’VE GOT TO
REPROGRAM YOUR
WHOLE LIFE.”**

as a path to safety because their own warrants or felony convictions made them targets for police.

“As soon as they run that name, if you have a warrant, it don’t even matter what happened to you. All that matters is ‘you’re a drug addict and you put yourself in that situation,’” said A., who was jailed at age 18 on methamphetamine-related charges.

Another recurring theme was how women who experienced sexual abuse as children grew up to experience domestic violence as adults.

S., from Houston County, was raped as a young child, then later on, physically abused by men in her life, including being shot. Now 21, she has worked as an exotic dancer in Panama City, Fla., and spent 15 months incarcerated in Tutwiler Prison for Women for drug and theft charges.

“I was getting high in prison. They sent me to prison for drug charges but there was more drugs in prison. The CO’s [guards] are bringing it in. You pay dearly,” she said.

Given Tutwiler Prison’s troubling history, the fact that women who have been abused throughout their lives are then sentenced to such a place deserves examination. Three times since 1994, the United States Department of Justice has had to intervene against sexual abuse and sexual violence perpetrated by guards on incarcerated women. Most recently, the Department of Justice filed a complaint against the state over conditions at Tutwiler after finding, “[w]omen prisoners at Tutwiler suffer serious harm from sexual abuse and sexual harassment by staff, including rape, fondling, voyeurism, and sexually explicit verbal abuse,” the DOJ alleged in the complaint filed May 28, 2015 in the Middle District of Alabama. “Defendants have allowed a sexualized environment to exist at Tutwiler, such that sexual abuse and sexual harassment are constant, and pris-

oners must sometimes submit to unlawful sexual advances from staff in order to obtain necessities or to avoid punishment.”⁶¹

Ultimately, the State and the Alabama Department of Corrections entered into a settlement agreement designed to protect women from abuses at the hands of state employees.⁶² But the cyclical nature of sexual abuse emerging against incarcerated women at Tutwiler is deeply disturbing, and illegal drugs continue to flow into the women’s prison, making effective drug treatment behind bars often out of reach.

The size and success of the Lovelady Center provides a necessary alternative to prison or jail for hundreds of Alabama women. The fact that judges believe in the program sufficiently to order it in place of prison time demonstrates progress toward less reliance on incarceration and embrace of treatment and community-based options for individuals who need care and services, not cages and punishment.

As S. explained, Lovelady supports her thinking about how to live. “It’s hard to follow rules here because I’ve never followed rules. It’s not as simple as coming here and doing a program. You’ve got to reprogram your whole life.”

“I was getting high in prison. They sent me to prison for drug charges but there was more drugs in prison. The CO’s [guards] are bringing it in. You pay dearly.”

Undervalued Communities, Vulnerable Victims

In our survey, we asked participants if they believed the violence against them had been motivated by hate or bias. 18% said yes, and another 14% said sometimes yes.

Those who wrote in answers cited race, misogyny, and sexual orientation or gender identity as the most common reasons for hate-motivated violence. Responses included, “I was very young and attacked because I drink [sic] out of a fountain marked white only,” “I’m gay,” and “some men really HATE women.”

Some responses indicated the person was attacked while incarcerated, for instance, “being white in a predominantly black dorm,” and “Aryan brotherhood.”

To supplement these responses and learn more about the experiences of people who are intentionally marginalized due to their identities, Alabama Appleseed spent time with members of two communities that are routinely vilified by politicians, law enforcement, and in popular media: transgender people and undocumented immigrants.

Though these communities are distinct from each other, their experiences with crime and law enforcement are strikingly similar. Among other similarities, members of both groups voiced that simply being themselves was enough to prompt violence from predators and indifference from law enforcement. They experienced compound harm: first from the people who

physically attacked them; second from authorities who responded with disinterest or in ways that made their lives even more difficult.

THE KNIGHTS AND ORCHIDS SOCIETY

MONTGOMERY, Ala. (Oct. 29, 2022) In America, people who are transgender experience violent victimization at much higher rates than cisgender people.⁶³ And Black transgender women make up a staggering 68% of transgender victims of homicide by firearm in the United States since 2017,⁶⁴ meaning that among transgender people in the United States, Black women are most likely to die by gun homicide.

Researchers estimate that Alabama’s population in 2016 included 22,500 adults who identify as transgender.⁶⁵ Though only 0.61% of the state’s total population,⁶⁶ the intensity of violence and victimization they experience is staggering.

In October 2022, Alabama Appleseed sat down with members of The Knights and Orchids Society (TKO), a Montgomery- and Selma- based organization founded and run by Black LGBTQ+ Alabamians that provides healthcare and support to their community. Over a meal, we talked about TKO members’ experiences with violence and victimization — and with formal systems such as police that are ostensibly in place to respond when they are harmed.

Many of the trans women we spoke with expressed a sense of constant danger and having nowhere to turn. These feelings are born of experience. In January 2019, Dana Martin, a Black trans woman from Montgomery County, became the first known transgender person to die by homicide in the U.S. that year.⁶⁷ By the end of that year, a total of 26 would be killed across the country.⁶⁸ Following Martin’s death, local police and media reports misgendered her, with Montgomery police telling The New York Times that her gender identity “becomes relevant to our investigation only if it is determined to be the reason the victim was killed.”⁶⁹

The Montgomery Police Department committed to identifying ways to interact more respectfully with the LGBTQ+ community after members voiced their heartbreak and anger at their dismissive attitude toward Martin’s identity.⁷⁰ But in June 2020, during the 50th anniversary of the Stonewall uprising, Montgomery police raided a drag show fundraiser that was also the afterparty for the local Pride Month celebration. Police said it was all a misunderstanding, but the harm it did — especially on the heels of Martin’s death — was real.

**“WHEN THEY
FIND OUT YOU’RE
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SOMETIMES IT’S SO
SCARY THAT YOU
CAN’T EVEN TALK
WITH ANYBODY.”**



TKO's Montgomery building is a rare place of respite for trans Alabamians who face staggering levels of violence and abuse because of their identities.

PHOTO BY LEAH NELSON

Participants in our focus group had also experienced rejection, shaming, and violence including sexual violence as children that left them feeling disconnected and despairing. For instance, one trans woman's father went months without talking with her. At one point, he called a female sex worker and sought to force his daughter to have intercourse with her. Another woman's father tried to rape her with a broomstick. "He [said] that's what I wanted," she told Appleseed. Eventually, her father kicked her out of the house.

A third woman experienced harassment and bullying both in school and the apartment complex where she grew up. "I'd just be like out there and I'm getting punched and pinched and stuff and that's because I'm very fluently me, just very feminine."

"When they find out you're trans, it's scary. Sometimes it's so scary that you can't even talk with anybody," one woman told Appleseed. "They look at us like the bottom of the food chain."

"I didn't really feel like anybody would take me seriously."

B was sexually assaulted by the barber who had cut her hair since she was a child. "It was one night. I was his last customer. It was just me, his daughter and him in the barber shop," she said.

"He cut my hair and I paid him. I was waiting on my change, but he withheld my change. He wanted me to give him head to get my change. I couldn't leave — he had locked the door."

"I wasn't his first or only victim. He had been doing it for years," she said.

B never told law enforcement or her family what happened.

“I didn’t really feel like anybody would take me seriously. Also, I didn’t even tell my parents because I didn’t want my daddy to kill that person. I didn’t want my daddy to end up in jail,” she said. “I wonder what would have happened if I had called though.”

She continued, “But [the barber] was a well-respected man in the community. I was like, ‘No one is going to believe that.’”

“No one can help you but yourself.”

In addition to being a place where she experienced harassment and shaming, the home that E lived in as a child was the frequent target of break-ins by people who brought in weapons and threatened the family. Sometimes, the family called police, but, E said, “They come, they might ask you if you’re OK, then you don’t hear from them ever again.”

If she were to design a system to respond to crime and violence, E said she would focus on healing. “That’s what I really imagine. Every need. Welcoming, comfort for everything we need,” she said.

“That fear — you think it will go away because [the violence] happened three or four years ago. But it doesn’t. Something can happen and it comes back all over again. No one can help you but yourself,” she said.

“The ID is what puts me in danger a lot of the time.”

All of the trans women we spoke with still carried state identification cards describing them as male and featuring masculine-presenting photographs of themselves. Those result in tense, sometimes traumatic, interactions with police and leave them feeling alienated by the system in place to protect public safety.

“I’m trying so hard to drive straight that I just swerve,” one woman said while describing how nervous it makes her to see a police car. Describing a time she was pulled over, she said, “I gave him my license and registration but I had my old picture. When I say that man questioned me up and down...” she trailed off.

Another woman seemed to finish her thought. Describing encounters with police over the years, she said, “As I started to look and proceed more feminine, I get looked up and down. Looks of disgust, if I’m being honest.”

“The ID is what puts me in danger a lot of the time,” one woman said when considering whether it is safe for her to interact with the police. “People’s personal views go a long way in society, and I hate it because — who knows what they feel about a trans person?”

HISPANIC INTEREST COALITION OF ALABAMA (iHICA!)

BIRMINGHAM, Ala. (March 2, 2023) — On a rainy Thursday in early March, Alabama Appleseed sat down in the offices of the Hispanic Interest Coalition of Alabama (iHICA!) with 11 women who were victims of violent crime. Over tacos, we asked them to take our survey and invited them to talk with us about their experiences with violence and its aftermath.

All the women spoke Spanish more fluently than they spoke English, so we provided a Spanish-language version of the survey (translated by iHICA!) and facilitated the conversation in Spanish. A bilingual interpreter took contemporaneous notes translating participants' comments into English, and the author of this report debriefed afterwards with the Spanish-speaking facilitator to ensure that as little was lost in translation as possible.

To fill in knowledge gaps and develop an understanding of trends, Appleseed also spoke with several members of iHICA!'s Strong Families Program, who provide support to Hispanic Alabama residents who have experienced violent victimization.

The Spanish-language version of our survey was almost identical in content to the English-language version, but after consulting with the experts at iHICA!, we determined it did not make sense to merge the results of the two surveys or rely on the Spanish-language survey to meaningfully document what participants have lived through. Although the words were translated accurately, the Spanish speakers who took our survey have significant experiences that the survey was not designed to capture. For instance, for undocumented immigrants, any contact with the criminal legal system can trigger deportation, but the section of our survey designed to document the experiences of people who are justice-involved does not get at that reality. Nor was our survey designed to account for the fact that many of iHICA!'s clients undertook dangerous journeys to flee violence and broken justice systems in the countries where they spent their youths. They live with trauma related to those experiences.

iHICA!'s Strong Families clients often have that trauma compounded in the United States — first through violent victimization, then by the systems putatively in place to respond to it. Victim's advocates at iHICA! said their constituents are vulnerable to predation and violence because of language barriers, immigration status, and bigotry. Many are afraid to call the authorities out of fear that contact with the law could trigger deportation proceedings, or because they or people they know

have been treated callously in the past by law enforcement officials who make no secret of the fact that they consider Hispanic immigrants undeserving of equal protection.

iHICA! stressed that law enforcement practices vary around the state and observed that some jurisdictions are doing better than others to meet the needs of the immigrant and Spanish-speaking communities they serve. Prosecutors in the Birmingham and Bessemer divisions of Jefferson County, and police and Department of Human Resources staff in Shelby County, have done substantial work to become more inclusive and culturally competent, iHICA! said.

But challenges remain, especially in rural areas. Many law enforcement agencies have no protocol for securing interpreters. Officers frequently use young children as interpreters. In one instance, the English-speaking husband of a Spanish-speaking woman who had been attacked and raped was made to describe her injuries to police in detail, which worsened the trauma and horror of the rape.

Some officers refuse to take reports because of language barriers. In an incident that disappointed iHICA!, a mother of six called police after her partner strangled her twice in a single day. Two deputies showed up, but they refused to take a police report because the woman, for whom English is a second language, used the word “argument” to describe the incident instead of the word “fight.” The woman fled her home with her children and still has not returned because she fears for their lives.

iHICA! made sure the woman’s injuries were documented, and eventually police opened a case. But their refusal to take a report on the spot because of language issues undermined their credibility with both the victim and community members who heard about what happened. “In our community, when some-

“THEY KNOW THAT WE’RE SCARED TO CALL THE POLICE.”

one has a bad experience, everyone will know about it,” said Angélica Meléndez, who leads iHICA!’s victim advocacy work.

Contact with the system can even backfire, Meléndez said. iHICA! once told a woman whose intimate partner violated a Protection from Abuse order (PFA) to go to the police station to file a report. While she was there, officers asked her for identification. She didn’t have any. When she drove out of the police station, an officer followed her. “Pulled her over. Took her car. Left her in the middle of the road with her child,” said Meléndez.

iHICA! paid to get the car out of impoundment, but the whole incident undermined their work with that specific victim — and beyond. “How in the world, if somebody goes to file a police report because a PFA was violated and she was in danger, how are you more worried about the fact that the person didn’t show you an ID than the safety of the person?” Meléndez said. “When things like that happen, people don’t even trust us.”

COMMENTS AND STORIES from victims who spoke up during our community conversation.

“The police want to see blood for them to do something. If you don’t have something that shows blood or something, they do not listen.”

“You call the police, the first thing they ask is your name and if you give a Hispanic last name, they don’t show up until they want to.”

“The police say, call us if you experience violence, but my perpetrator confessed before the judge that he did want to kill me, and why couldn’t they arrest him right then and there.”

COMMENTS AND STORIES from victims who spoke up during our community conversation.

“In our home country, laws do not work at all. They work when we are dead. Supposedly, in this country, the laws are supposed to be better. They are not.”

“We come from countries where we are not educated on how much we are worth as women, and we are not taught that domestic violence is not okay.”

“People believe that this country is safe and is the best, but it is not. It helps us get ahead. But it is not safe, not for us Hispanics. Once they hear our Hispanic last name, they don’t help.”

“Police do not take the time to investigate, because they do not understand, they only get as much information as they want and do not take the thorough time to understand things the way they should.”

This documentation would not have been possible without the work of Facilitator Catherine Alexander-Wright, Interpreter/Notetaker Giovanna Hernandez-Martinez, and iHICA! Strong Families advocates including Angélica Meléndez, Adriana Alderete, and Ana Ockert.

“They are hunting us.”

In 2022, a spate of robberies targeting families and workers at construction sites rocked Jefferson County’s Hispanic community. More than 40 Hispanic residents of Jefferson County were robbed in October alone, including six people in five separate incidents on a single day.⁷¹

iHICA! explained that many of the people they serve do not have bank accounts and keep their money in cash because of their immigration status and lack of ID. A woman who joined our community conversation expanded on that: “We feel more vulnerable as Hispanics, because they know that we’re scared to call the police. They are hunting us because they know that a lot of Hispanics working in construction, they cash their checks at the gas station, and we carry a lot of cash. We are easy for them to target.”

The Birmingham Police Department includes some Spanish-speaking officers who encouraged victims to report these incidents, and police have charged several suspects.⁷² But a woman who called police after her husband and father-in-law were held at gunpoint and lost their IDs, wallets, phones, cash, and equipment on one of these incidents told our community conversation that the officers who arrived on the scene were shockingly insensitive to the trauma her family had just experience.

They “just kind of laughed and said ‘Oh, we got four more [victims],’” she said. “Like it was funny.”

“Only because I cannot speak English, I cannot explain things.”

One of the women in the conversation recounted a chilling experience in Chilton County, a largely rural central Alabama county where 8.1% of residents identify as Hispanic or Latino — a rate higher than the overall Alabama rate of 4.8%.⁷³

The woman, C, lives in Chilton County with her partner and her children. C’s partner is physically abusive, and one day in early 2023 C’s daughter called 911 because the partner was strangling C.

C’s partner was still restraining C when police showed up, but he also had marks on him from where C had fought back to save her own life.

The partner speaks English; C does not. He leveraged the language barrier to his advantage, making a police report against C before she had a chance to get an interpreter who could help her. Even though a recording from the 911 call makes it clear that C’s partner was strangling her, the fact that he was able to

make a police report first has put her in a disadvantaged and dangerous position. Chilton County law enforcement put C in jail and filed charges against her. She bonded out, but her status as a defendant became an obstacle to securing safety.

Police refused iHICA!’s efforts to help C file a Protection From Abuse (PFA) order, saying that because she was the defendant in the case and had not filed a police report (which was impossible due to the lack of an interpreter), she was ineligible for their help. After she was arrested, the children’s father took custody of them. She has not been able to get them back. She is afraid to return home, and police told her they would not help.

C wept as she shared her frustration, fear, and grief. “To the sheriff, I am the aggressor. Only because I cannot speak English, I cannot explain things,” she said. “To this day, I cannot get my kids back, because I am labeled the ‘aggressor.’”

AFTERMATH OF A MURDER

One of the women who joined our group had recently lost her son to homicide. Although her home address was on her son’s driver’s license (which police had in their custody), police didn’t come to notify her that he was dead. Instead, she learned about his murder from social media and confirmed it with a funeral home.

Her son was a U.S. citizen and left behind a child. The child’s grandmother is his next of kin, but because she is undocumented, she is not eligible for victim’s compensation or other funding she could use to help her grandchild. But because the woman’s son was not married to the child’s mother, there is no legal connection between them, so the mother of the child is not entitled to compensation either.

The murdered man’s grieving mother is working on getting documents that will allow her to become a citizen. All she wants, she said, is to get compensation so she can provide for the grandchild whose dead father no longer can.

Victims' Rights — and Realities

People who experience violent victimization in Alabama have certain rights. Law enforcement, prosecutors, or the court must notify them about various components of the trial process including proposed plea deals; give them an opportunity to make a Victim Impact Statement or provide information about their experience to the court; and permit them to be present during all stages of the proceedings.⁷⁴

Despite their reluctance to call police, 61% of our survey participants who personally experienced violent victimization had reported at least some experiences of harm to law enforcement. We asked them about their experiences with police and the criminal legal system, focusing on whether they felt the system helped them and asking questions about whether their rights were respected and honored.

COMMUNICATION WITH LAW ENFORCEMENT AND THE CRIMINAL LEGAL SYSTEM

Only 42% of our survey participants said law enforcement treated them with respect, and another 33% said their experience varied from situation to situation. A quarter of our survey participants who personally experienced violent victimization said law enforcement did not treat them with respect when they reported a crime. In conversations expanding on that, many told us that law enforcement made them feel like what happened to them was their own fault.

CASE RESOLUTION

Arrest

Only 29% said an arrest made in connection with their report, and 7% said an arrest was made in some instances but not others.

53% told us no arrest was made

11% said they didn't know

Disposition by plea deal

Of survey participants who saw the case against the person who harmed them resolved in court, 54% said the case was resolved by plea deal. Even though victims in Alabama have a right to be conferred with about possible plea deals, 65% of these respondents did not know about the plea deal before it was reached. And, only 24% said someone asked for their input about sentencing prior to resolving the case.

46% said the case against the person who harmed them was resolved by a trial. Of those, only 29% said someone asked for their input about sentencing.

SERVICES FOR VICTIMS

District Attorney victims' services specialists

Many prosecutors' offices employ specialists who work with crime victims. In preparing this report, Alabama Appleseed spoke with people who work in this role across the state. We found them to be compassionate, thoughtful, and nuanced in their perceptions of the people and communities they serve. Many had strong opinions about where the system falls short in meeting victims' needs. Broadly, they understand and endorse the notion that the criminal legal system must protect and prioritize the rights of the person who is accused of a crime.

The solutions and changes they argued for — things like more immediate communication from law enforcement after a homicide so they can get to families as quickly as possible, better coordination with lawyers and courts so victims and families don't take days off to come to court only to see cases continued — generally would not conflict with the interests of the accused.

Again and again, lack of resources came up as a primary obstacle to providing services to victims and families.

25%

of survey participants

who personally experienced violent victimization said law enforcement did not treat them with respect when they reported a crime.

We asked victims and survivors about their experiences with victim’s services specialists in prosecutors’ offices. Here is what we learned:

Only 29% of survey participants interacted with a victims’ services specialist in a District Attorney’s office. Of those, 50% were satisfied with the services provided, while another 19% said their experience varied from case to case (“sometimes yes, sometimes no.”)

Victims’ services specialists helped survey participants with the following:

- 36% helped with counseling
- 17% helped with financial assistance
- 17% helped with medical assistance
- 7% helped with some other form of support
- 24% of participants received no support

Crime Victims Compensation Fund

Alabama maintains a crime victims compensation fund which is intended to support survivors of crime with expenses connected to their experiences. The fund is overseen by the Crime Victims Compensation Commission (CVCC), and can be used to cover medical care, psychiatric care, losses due to work missed, funeral expenses, and rehabilitation.⁷⁵

CVCC requires people who apply for compensation to comply with an array of rules and requirements. To be eligible, they must have reported the crime to law enforcement within 72 hours unless they can show good cause for having failed to do so. They must cooperate with law enforcement officials, prosecutors, courts, and the CVCC. They cannot have participated or encouraged the crime; they cannot be convicted of a felony after making the claim; and they must not have “contribute[d] to the victimization.”⁷⁶

Many of these requirements shut out people who participated in our survey. People who feel unsafe remaining engaged with law enforcement; people who wait too long to report a crime because they are weighing the possible injury they could face if they do so; people who have substance use disorder and who are charged with felonies when they relapse after experiencing the trauma of violent victimization would all be ineligible under these rules.

People who are eligible face a daunting task. The application for compensation is 14 pages long and requires people to

describe the crime and its circumstances in detail. They must provide financial information, proof of citizenship, detailed documentation of expenses for doctors and funerals. They are warned that “knowingly submitting false information” to the commission is a Class C felony.⁷⁷

People who successfully fill out the application may face long waits. One woman who spoke to Appleaseed filed a request for compensation for funeral expenses for her brother only days after he died. Eleven months later, her claim had not been processed and the funeral home was threatening to take her family to court.

Her situation was not uncommon. In 2023, crime victims and families whose claims were processed slowly or not at all gathered at CVCC headquarters to demand answers. The commission’s executive director explained that funding has decreased substantially over the last decade, forcing the commission to cut staff.⁷⁸

In addition to federal grants, the CVCC is funded by revenue from fines and fees paid by individuals convicted of crimes. But people who owe fines and fees often struggle to pay them,⁷⁹ and the collections rate on fines and fees in Alabama’s largest counties hovers around 25%, only a quarter of what is imposed. In many places, collections rates are around 10%.⁸⁰

This problem got worse during the COVID pandemic, when collections on fines and fees dropped substantially as people struggled to pay for basic expenses.⁸¹ Overall, since 2013, CVCC revenue from fines and fees has dropped from \$4 million in 2012 to about \$2 million in 2022.⁸²

All of this impacts victims of violent crime, adding bureaucratic headaches and financial woes to the trauma of violent victimization.

Almost 20% of our survey participants applied for compensation from the Crime Victims Compensation Fund. They described an arduous, challenging process, which many of them faced alone.

Only 39% had help filling out their applications, usually from other family members and sometimes from funeral home directors.

Of those who applied, only 54% received any compensation. Fewer than half who received compensation said the money covered the costs they incurred as a result of the crime they survived.

The scarcity in state financial assistance to victims of crime — funds that could help people heal, become whole again, and move on to healthier lives — stands in stark contrast to the

billions we spend on systems of enforcement, punishment, and incarceration. But only through listening to diverse groups of victims does the impact of this mismatch come to light.

Restitution

Some sentences include restitution which is imposed on the person who committed the crime and is paid out to the victim over time. 36% of survey participants said a person who harmed them was ordered to pay restitution at some point. Of those, only 39% said they received payments at some point.

As with fines and fees, restitution is owed by people who have been convicted of crimes. Though morally different from other financial sanctions in the sense that it is intended to make whole people who have suffered loss, the reality is that many people who owe restitution cannot pay it. This problem is compounded by the fact that people who owe restitution but do not pay are charged a late fee of 30% of the total they owe in fines, fees, court costs, and restitution. In most Alabama jurisdictions, that late fee must be satisfied fully by the prosecutor and clerk's office before any money is paid out to the victim.⁸³

FAILURE TO NOTIFY, FAILURE TO FUND, FAILURE TO ACT

There is a long and complicated bureaucratic history associated with Alabama's attempts to implement functioning victim notification systems. The situation continues to remain inadequately resolved.

First, in 2008, the Alabama Criminal Justice Information Center was awarded a \$465,000 grant from the U.S. Department of Justice's Bureau of Justice Assistance to "enhance a statewide automated victim information and notification system in Alabama called AlaVINE."⁸⁴ AlaVINE is still active but appears only to be used by Sheriffs' offices in Alabama.⁸⁵

Yet another attempt to solidify a uniform database came in 2011. That's when Alabama lawmakers through the Alabama Act 2011-681⁸⁶ and Code 15-22-36.2 established the "Implementation Task Force" to support implementation of a statewide notification system,⁸⁷ that was later named the Alabama Crime Victims Automated Notification System, or AlabamaCAN.

The code also established the Victim Notification System Fund in the State Treasury to be paid out by the Alabama Law Enforcement Agency (ALEA) at the direction of the task force.

A History of Alabama's Crime Victim Notification Systems

2008

Alabama Criminal Justice Information Center **awarded a \$465,000 grant** from the U.S. Department of Justice's Bureau of Justice Assistance to "enhance a statewide automated victim information and notification system in Alabama called AlaVINE."

2011

Alabama lawmakers **established the "Implementation Task Force"** to support implementation of a statewide notification system later named the Alabama Crime Victims Automated Notification System (AlabamaCAN), which is now called the Alabama Victim Notification System (VNS).

2014

AlabamaCAN launches. A then-House Judiciary Committee Chair Paul DeMarco said: "In the past not all of the victims were getting notified. I think that is the most important part of this legislation. We are going to be sure everyone gets notified."

2015

The Council of State Governments in a 2015 **report noted that "AlabamaCAN is not yet operational** due to a lack of financial resources to complete the system, so victims are only able to receive notification by U.S. mail."

2016

Then-Gov. Bentley announced a **\$1.2 million grant to the Alabama Law Enforcement Agency (ALEA)** to expand the Alabama Victim Notification program. It's unclear how that money was spent.

2017

The Alabama Legislature sends a newly sworn in Gov. Ivey a General Fund budget that **stripped all money for the victim notification system.** A statewide crime victims advocacy group says "And two years later, the funding (for AlabamaCAN) is already being eliminated. That's very unfortunate and we hope that they'll restore it in future budgets."

2020

ALEA issues a **request for proposals for a new statewide victim notification system** that would allow the various state agencies to access the same data but this request for proposal is listed on ALEA's website as having been closed with "no award" given to any applying company.

2022

Attorney General Marshall sues the ADOC and ADPP over failure to notify victims over releases that had been authorized by legislation 15 months earlier.

The task force was to meet first on March 1, 2012, and once members voted that a system complied with requirements in Alabama codes, the task force was to “automatically convert to the Victim Notification Oversight Council.”

AlabamaCAN launched in October 2014 and was supposed to allow victims to be notified of parole hearings “via email, text message or automated phone call.”⁸⁸

But AlabamaCAN was troubled from the start, not in small part due to a lack of funding and coordination. The Council of State Governments in a 2015 report noted that “Alabama’s automated victim notification system is not operational and not all victims are notified when people are released from prison to the community.”⁸⁹

“AlabamaCAN is not yet operational due to a lack of financial resources to complete the system, so victims are only able to receive notification by U.S. mail,” researchers wrote in the 2015 report. “Currently, not all victims are notified when an offender is released from prison. There are gaps in the DOC notification process, such as victims not always being notified if the offender is released from prison for medical treatment or is released to a CCP work release program.”⁹⁰

More attempts to fix the issues came along in 2016. Then-Gov. Bentley announced a \$1.2 million grant to ALEA to expand the Alabama Victim Notification program.⁹¹ It’s unclear how that money was spent. A year later, after Gov. Kay Ivey was first sworn into office in 2017, the Alabama Legislature sent Ivey a General Fund budget that stripped all money for the victim notification system.⁹²

On Feb. 21, 2020, ALEA issued a request for proposal for a new statewide victim notification system that would allow the various state agencies to access the same data. Proposals were to be submitted by April 6, 2020, and the system was to be designed to “integrate with the Alabama Board of Pardons and Paroles (“ABPP”), the Alabama Department of Corrections (“ADOC”),

and other state agencies as may be needed” but this request for proposal is listed on ALEA’s website as having been closed with “no award” given to any applying company.⁹³

ALEA has not since issued a similar request for proposal for a new notification system, according to the agency’s website.

The Alabama Department of Corrections (ADOC) uses its own stand-alone system that requires users to register online.⁹⁴ An ADOC spokesperson explained to Appleseed that ADOC’s system doesn’t automatically enroll victims. Because of this, many victims don’t receive notifications.

To complicate matters, the Alabama Attorney General’s office and the Alabama Bureau of Pardons and Parole now use a separate notification system called the Alabama Victims Notification System (VNS), formerly called AlabamaCAN, but historically, data from that system hasn’t been shared with ADOC.

“The problem is that they don’t have access to the same database that we have,” Alabama Bureau of Pardons and Paroles Director Cam Ward told reporters, adding that this separation was enforced by law. “We need a new notification system.”⁹⁵

A Complicated Intersection

System-Involved Participants

Although lawmakers often talk about “offenders” and “victims” as though they are two completely different communities with no overlap whatsoever, it is not unusual for people who experience violent victimization to also have gotten into trouble with the law. Alabama Appleseed routinely works with people who are system-involved who have also survived violence and lost loved ones to homicide, and one of our interests in carrying out this survey was learning about life at that complicated intersection.

To that end, we asked our survey participants about their experiences with police, incarceration, and the corrections system. These results reflect the responses of people who took our English-language survey.

INTERACTIONS WITH POLICE

70% had at some point been stopped at a police roadblock near where they lived, worked, or worshiped

70% had been pulled over by police when they were sure they had done nothing wrong

76% had been arrested at some point

EXPERIENCES WITH CONVICTION

70% of all participants had been convicted of a crime themselves. Of these ...

65% were convicted of a felony

61% were convicted of a misdemeanor

37% were convicted of a violation like a traffic ticket

71% of participants shared what they had been convicted of. The most common offenses were theft of property, possession of a controlled substance, possession of marijuana, robbery, and receiving stolen property.

Of those who were convicted of a crime, 14% reported that the crime they committed resulted in physical injury to, or the death of, another person.

EXPERIENCES WITH INCARCERATION

Of survey participants who were convicted of a crime, 59% had sentences that included terms of incarceration. Of these ...

25% were incarcerated less than 6 months

11% were incarcerated less than one year

27% were incarcerated 1-2 years

15% were incarcerated 3-5 years

10% were incarcerated 6-10 years

2% were incarcerated 11-15 years

3% were incarcerated 16-20 years

4% were incarcerated more than 20 years, with the longest period of incarceration standing at 37 years.

The purposes of incarceration are usually considered to be incapacitation (making it impossible for the incarcerated person to break additional laws or harm anyone), punishment, and rehabilitation. We asked people who had been incarcerated if they had ever received services in prison that were helpful to them.

Less than half — 43% — said at some point while they were in prison they received services that helped them. These included substance use treatment, counseling, group meetings, classes, job skills, GED and college courses, religious activities, and art, literature, and writing courses.

EXPERIENCES WITH SUPERVISION

Not everyone who is convicted of a crime receives a sentence of incarceration. Many people instead are sentenced to supervision outside of prison or are given a sentence that includes fines and fees only.

60% of survey participants who were convicted of a crime were sentenced to some form of supervision or a sentence of fines and fees only at some point, though many of these also served terms of incarceration at other points.

We asked people who had been supervised whether the programming had been helpful to them.

53% said supervision was no help at all.

34% said the supervision helped keep them on track with things like getting substance use treatment, finding a job, advancing their education, or finding housing

13% said they received some help but could have benefitted from much more.

EXPERIENCES WITH FINES AND FEES

We also asked survey participants about their experiences with fines and fees, which are intended as a less-severe form of punishment than incarceration or supervision. Research shows that for people who cannot pay immediately, fines and fees create long-term problems.⁹⁶ Of survey participants whose sentences included fines and fees,

32% were able to pay what they owed within a year

52% had a warrant issued against them for unpaid fines and fees

40% spent time in jail because they didn't keep up with their payments

SPOTLIGHT

Linn's Story

Debtor's prison — being incarcerated for nonpayment of fines and fees — is illegal in America. But across Alabama, it is common for people who lack wealth to be arrested on failure to appear warrants for hearings related to noncompliance with orders to pay, then held without new charges until they come up with the money they owe or the court decides to free them.

Debt-related warrants and debtor's prison are nightmarish for anyone who experience them. For people who are vulnerable to victimization, they can make any contact with police — even a call for help — extremely dangerous.

CALHOUN COUNTY, Ala. (Oct. 12, 2022) — Bryttian Linn's mother, Jamie Linn, made the call to the sheriff's office to protect her children.

When the Calhoun County Sheriff's Deputy arrived at their home, Jamie Linn hoped it would be the end of the death threats to her family from a man who said he'd kill them all, but especially "that faggot," as the man called Bryttian Linn, Jamie's 26-year-old.

The call did result in an arrest — but not of the man who was issuing threats. Instead, Bryttian Linn, the subject of those threats, was the one handcuffed and taken to jail.

Bryttian Linn was assigned male at birth. While she does not identify as transgender, she uses female pronouns and wears her brown hair long, wavy and loose, often paired with lipstick and feminine clothing. She prefers to go by her last name.

"Did you know you have a warrant?" Linn said the deputy asked her at the door of their home, after running her driver's license. "She told me it was for tickets."

The deputy placed Linn in handcuffs and drove her 18 miles from her home just outside of Jacksonville to the Calhoun County jail. Because her feminine presentation put her at risk of violence

from other people incarcerated in the area of the jail reserved for men, Linn was placed in a cell alone, without running water or a working toilet and held for six days before a judge decided to release her.

Months earlier, Linn had been pulled over by a state trooper. Her sister was in the back seat and wasn't wearing a seatbelt. She didn't have auto insurance, and was ticketed for both, but couldn't afford to pay the fines and court fees so a hearing was set to discuss payment. Linn said she was in court in August and understood the judge to have agreed to push back that court date, so she didn't attend the September hearing. Her October arrest warrant was for a failure to appear charge related to that misunderstanding.

“I’M SO TIRED. IT’S BEEN HARD BEFORE, BUT IT’S NEVER BEEN THIS HARD.”

The deputy who arrested Linn took a report on the death threats and told Jamie Linn she'd have to follow up on the report if she wanted to press charges. That didn't happen, because after Linn's arrest, Jamie's focus shifted to getting Linn out of jail — and for good reason.

Linn had been sexually assaulted in the Calhoun County Jail in 2020, after a different arrest over other traffic tickets. Seeking to prevent that from happening again, jail staff in October placed her in a segregated unit. While Linn was protected against violence from other incarcerated people, the cell was dangerous in its own right.

“I didn't have any running water. It was horrible. I didn't have a working toilet. The smell in there ... It smelled like death,” Linn said. “There was blood splatter on the bedframe and on the walls.”

Deputies gave her a gallon of water when she first entered the cell. A sign outside the door warned deputies not to let Linn out, or anyone else in, Linn said. She never received an identification card that the jail requires in order to make phone calls, and only after five days of her and other inmates begging officers to let her out, an officer left the cell door open without saying a word, she borrowed an ID card from another incarcerated person and called her mother.

A Calhoun County District Court employee told Jamie that Linn could only be released from jail if she paid the court \$405 for those two tickets and fines and fees from older tickets. The family didn't have the money.



Six days after her arrest, Linn finally saw the judge by video from the jail. He released her soon after without requiring payment.

Linn said the ordeal has left her with “extreme anxiety” and depression. Her driver’s license is suspended, making traveling anywhere — for work, to do the community service the court wants her to do in lieu of payment — dangerous and challenging. The fact that her October arrest was precipitated by a phone call that was intended to remove a threat that came from a man who wanted to kill her because of her identity makes things worse.

“Just being here and dealing with all of this. I’m just tired,” Linn said.

The arrest has made both Linn and her mother leery of calling the police again. “Scared to,” Jamie Linn said, but especially if it has anything to do with Linn.

“I’m so tired,” Linn said. “It’s been hard before, but it’s never been this hard.”



THOSE WHO HURT OTHERS

Although 60% of our survey participants had experienced incarceration, **only 14% of them committed crimes that resulted in physical harm to others. We asked people who had physically harmed others some questions about the aftermath of causing harm.**

72% wished they could have sat down and talked with the person they harmed, but only 30% actually had sat down and talked with someone they harmed.

58% wanted to seek counseling, but few actually did so. Most said they didn't know how to find affordable services.

74% were required to pay restitution as part of their sentence. Of those, 56% made regular payments and 44% did not. Of those who did not make regular restitution payments, 100% said the reason they didn't pay was because they could not afford to.

LIFE AT THE INTERSECTION

What happens when people who are primarily viewed as criminals experience violent victimization?

Seventy percent of the people that we surveyed had been convicted of crimes themselves, and of these, 59% had served sentences in prison. Even more had spent time on probation, parole, community corrections, or some other form of state supervision short of incarceration.

In community conversations and in notes scribbled on surveys, people who had been incarcerated shared that they or other people they were imprisoned with had been assaulted, beaten, stabbed, poisoned, burned, raped, sexually assaulted, other otherwise violently attacked while in Alabama Department of Corrections custody. Some had witnessed murders while they were incarcerated.

People who had been under supervision, too, shared stories of violent interactions that resulted in life-threatening injuries to themselves.

All these people, too, are crime victims. But even when their lives are in danger, many of them are afraid to seek assistance. When they do, many are punished — and few are offered help. Here's what they told us.

SP, of Bessemer, explained that an outstanding warrant related to a probation violation once caused him to delay going to the hospital.

“I got stabbed twice,” SP said. “As soon as we walk in the hospital my sister starts crying and saying ‘My brother got stabbed.’”

SP knew that a report of stabbing would result in a police report that could entangle him in legal proceedings — and based on his past experience with the criminal legal system, that felt like a serious risk. So he left the hospital where his sister had announced that his injuries were the result of an assault and went to a hospital in a different county where he hoped he could get healthcare without having to interact with police.

There, a doctor stitched him up and sent him home. Once his wound healed, he took the stitches out himself rather than risk returning to the hospital.

“If you go and report you’ve been in an incident with somebody, I guess they got to call the police to investigate it,” he said. For SP and others whose interactions with police have resulted in criminal charges and incarceration, even seeking life-saving treatment can seem potentially dangerous.

“IF YOU GO AND REPORT YOU’VE BEEN
IN AN INCIDENT WITH SOMEBODY, I
GUESS THEY GOT TO CALL THE POLICE
TO INVESTIGATE IT.”

“THEY SAID, ‘GO AHEAD, CALL THEM, YOU’LL GO TO JAIL.’”

YJ, of Walker County, was homeless before he checked himself to the Foundry in Bessemer, Ala. He struggled with substance use for years and accumulated warrants in connection with drug possession.

For a time, YJ lived in a home with people who beat him, taunting him for his inability to call police because he had outstanding warrants. “They said, ‘Go ahead, call them, you’ll go to jail,’” he told us. “Nothing would have happened to them. So I just left.”

In 2018, YJ found himself in Walker County jail for four months on a drug possession charge. “They denied my bond three or four times. It’s just a possession charge I got. You’d have think I killed someone. They just put me in the jail and forgot about me,” he said.

His experience there was nightmarish. “They had Friday Night Fights at Walker County,” he said, and described a brutal weekly routine in which corrections officers left doors open and stood by while some of the incarcerated men forced others to fight for their lives. “It didn’t matter if you didn’t want to fight. You could stay in your dorm; they’d come in your dorm. I seen my buddy, they almost beat the life out of him.”

Terrified and with nowhere to turn in a system where even the people paid to oversee the jail were complicit in perpetuating violence, he pled guilty at his earliest opportunity and fled the county. He knows he will eventually be locked up again. “I’m scared to death when I go to court they’re gonna keep me,” he said.

D.L. Smith was beaten and stabbed to death on Oct. 1, 2022, at Donaldson Correctional Facility in Bessemer, Ala., one of three incarcerated men to die there between Sept. 29 and Oct. 1.⁹⁷

“We got a text message that morning [from someone incarcerated in the jail],” Linda Smith, D.L. Smith’s mother. “That’s

how we found out about our son.”⁹⁸

Smith, who spoke these words in front of Montgomery’s historic Dexter King Memorial Baptist Church at a March 2023 vigil for incarcerated people who died in Alabama, is far from alone in learning about her child’s death through the grapevine instead of from a warden or other official source. Of the dozens who spoke at the vigil, most heard about loved ones’ deaths on social media, via text, or from some other unofficial source.⁹⁹

According to the Alabama Department of Corrections, some 266 people died in custody in 2022 — the highest death count since at least 2002. At least 95 of those deaths were by homicide, suicide, overdose, or from some other preventable cause.¹⁰⁰ And 36 more incarcerated Alabamians died during the first quarter of 2023, including 27 suspected overdoses, a death by suicide, and four deaths by homicide.¹⁰¹

That’s not counting those who didn’t die but instead are beaten within an inch of their lives. According to reports too numerous to count that come from family members whose loved ones are incarcerated and from incarcerated people themselves, people who are attacked in Alabama Department of Corrections’ custody are routinely told that what happened to them is their own fault. Rarely does the state thoroughly investigate or attempt to prosecute the perpetrators of in-custody homicides and assaults. As a result, the horrific and frequent violence inside our government-run prisons is met with little in the way of accountability or repercussions.

“[B]oth [Corrections Officer 1] and [Corrections Officer 2] told them that they needed to grow up and be men, as they were bringing this on themselves, that they are [not] there to babysit them, and they don’t appreciate them calling their mothers and having them call up there complaining and if either one of their mothers calls back up there they will beat them both,” wrote the mother of an incarcerated man, pleading for help in a recent email to Alabama Appleseed. She wrote that after returning her son to his dorm at the prison, one officer

INSIDE THE ALABAMA DEPARTMENT OF CORRECTIONS

“IF YOU GET BEAT UP, DON’T CALL
[ME] FOR HELP.”



PHOTO BY LEAH NELSON

told him, “If you get beat up, don’t call [me] for help.”¹⁰²

This attitude, these experiences, are universal within the Alabama Department of Corrections. In 2019, the United States Department of Justice (DOJ) released a 56-page report that detailed intense physical and sexual abuse, corruption, and rampant drug use, stating that the ADOC “has violated and is continuing to violate the Eighth Amendment rights of prisoners housed in men’s prisons by failing to protect them from prisoner-on-prisoner violence, prisoner-on-prisoner sexual abuse, and by failing to provide safe conditions...”¹⁰³

In 2020, DOJ sued the Department of Corrections for failing to correct these conditions.¹⁰⁴ In fact, DOJ has pointedly and repeatedly called out the Department of Corrections for conduct that worsens the problems, from punishing terrified prisoners who ask for protection from those who are threatening them¹⁰⁵ to fostering an environment where uses of excessive forces by officers are so common “that some officers appear accustomed to that level of violence and consider it normal.”¹⁰⁶

SPOTLIGHT

The Alabama Non-Violent Offender Organization

HUNTSVILLE, Ala. (Aug. 25, 2022) — On a sweltering day in late August, Alabama Appleseed’s team sat down with constituents of the Alabama Non-Violent Offender Organization (ANVOO) at Ted’s BBQ, a lunch spot in Huntsville.

The people we met with were all under supervision and participating in programming at the Huntsville Day Reporting Center, a non-residential office run by the Bureau of Pardons and Paroles that provides classes and support to certain people on probation and parole. Several were in recovery from substance use disorder, and most had spent years in Alabama prisons. They were anxious to start rebuilding their lives — and they were anxious about whether that could be safely done. Some were grateful for the programming available at the Day Reporting Center; others felt some of the classes were inapplicable to their needs and a waste of time.

One man who had been in and out of prison for decades explained that between the violence of prison and the violence outside, he doesn’t expect to ever feel safe again.

Cyrus, 38, has little confidence in the criminal legal and corrections system. When he was young, he said, his cousin and girlfriend were both shot. The shooter aimed for him as well, and missed.

The person who did the shooting spent 16 months in prison before being released. After that, Cyrus was always “looking over my shoulder.”

He used drugs and got into trouble — enough to land him in prison between the ages of 21 and 27. Now 38 and still dealing with probation, his lack of trust in the systems putatively in place to respond to violence is palpable. He’s seen, and experienced, violence inside of prisons and violence outside of them.

“Me being on both sides, I don’t trust the rehabilitation techniques of the state of Alabama,” he said. “I’ve seen it debilitate people, if that’s a word.”



Alternatives to Incarceration

“I believe when I step out, I’m gonna be at least 80% better.”

This report revolves around the premise that many of the same people who engage in acts that are unlawful are also people who experience and survive harm and violence. It is a permutation of a common refrain in communities that see high level of violence: “Hurt people hurt people.” The flip side of that refrain is often framed as, “Healed people heal people.”

Platitudes, yes — but platitudes with some teeth to them. Evidence shows that people who experience trauma as children, as most of our survey participants did, are at risk for experiencing and engaging in trauma as adults.

But the criminal legal system isn’t designed for healing; it is designed for punishment and the incapacitation of people who do break laws. And the reality is that Alabama’s criminal legal system — particularly its overcrowded and unconstitutionally violent prisons — does a great deal of harm to many who run afoul of it.

But within that system, there are a few atoms of hope, even if imperfect ones. The Lovelady Center in Birmingham and the Foundry in Bessemer are both faith-based residential recovery centers to which some individuals are sentenced instead of jail or prison. Some of their residents are required to be there as a condition of sentencing; others check themselves in. They participate in counseling, job training, and other programs intended to help them move forward productively.

These programs are not for everyone. Among other things, their centering of Christianity — which many Alabamians find comforting — can alienate and exclude people whose beliefs and identities do not align with that faith tradition or who have experienced harm and abuse in church settings. They can be costly to participate in, though many residents receive financial assistance. They are not available throughout the state.

Even so, they represent a significant departure from the much worse norm within our criminal legal system, and a starting place for conversations about what a more restorative system could look like. In both places, we met people who shared



PHOTO BY CARLA CROWDER

experiences of healing and hope; people who were finally getting counseling and being listened to even as they were also expected to change their behavior and break old habits and practices. Here is what they told us ...

Tristan Bradley fought for her country as a military police officer in Iraq. Then she fought to stay out of prison for the drug cases that came later, after the pages of medications she was prescribed at the Veterans Administration did not address her PTSD.

Tristan shared her story with Applesseed at the Lovelady Center. She was days away from graduating from the rigorous program, excited about rejoining her family in Mobile, but understandably nervous about starting over at age 39.

Like all of the women we listened to in a community conversation at the Lovelady Center, Tristan was introduced to drugs at an early age. “I was already smoking weed and drinking alcohol by the time I was 10, and by the time I was 13, my dad had me smoking crack,” she

told us. Incredibly, she excelled in school and hid her drug use. “My mom and my grandmother all went to church and couldn’t admit that something like that could be going on in their family.”

Despite her childhood drug use, Tristan was determined to try to make a better life for herself and her daughter, who was born during Tristan’s first year in college. She served as a mili-

**“I DIDN’T KNOW
HOW TO BE A MAMA
BECAUSE THE
MILITARY TAUGHT ME
HOW TO BE A KILLER.”**

tary police officer from 2007 to 2009 while her mother cared for her daughter.

But she returned from Iraq and “I didn’t know how to deal with life. I didn’t know how to be a mama because the military taught me how to be a killer.”

Tristan attended counseling at the VA. She was prescribed methadone for her opioid addiction.

“At the clinic, I heard ‘Bradley, Bradley’ from the back of the line. Some guys were calling my name and I looked back and it was some guys I went to Iraq with. We all were at the methadone clinic. Ain’t that a shame?”

The most reliable systemic response to her substance use disorder has been jail, which never worked. “All it does is introduce you to more drugs. And then you meet more people you can get in touch with later.” She’s met people in jail, who’ve gotten out and used drugs together.

Based on her experience, Tristan believes that if the criminal justice system took a treatment-first approach to drug addiction and if the state invested more heavily in rehabilitation, there would be less addiction and women would be safer.

Like everyone we spoke with at Lovelady, her drug use was entangled with domestic violence. She could not get reliable assistance from law enforcement during episodes of abuse because when she called for help, she was usually high or had drugs on her and they would take her to jail rather than provide domestic violence services, she explained.

Finally, after giving birth to two children while using methamphetamine and after being charged with chemical endangerment of a child, Tristan got the help she needed. Her family paid a Mobile attorney to represent her in the chemical endangerment case. With agreement from prosecutors, a judge sentenced her to 10 years, then suspended the sentence and placed her on probation for three years and ordered her to complete the program at Lovelady, while under supervision of Mobile County Community Corrections.

Tristan wishes she could have come here a decade ago. She hopes it’s not too late to reunite with her children. “I feel awful. I don’t know my kids ... I’m lucky because they still love me as a mother, but you know what you’ve done.”

RS, of Chilton County, was 15 years old when his neighbor called him to say shots had been fired at his home. He got home to find his father’s girlfriend had shot his father in the head.

“I pulled out my shotgun. I was mad. I was mad,” he said. “They already had her in the cop car. They had to airlift my dad. He wasn’t dead there right then, but she shot him in the temple.” He later died.

The woman who killed him spent three years in prison, and during that time, RS' mother died in her sleep. He was orphaned at 16.

To cope with his rage and grief, RS turned to drugs. "My family [would ask], 'why you still doing this?' I do it just to keep the mind clear and wash the pain away," he said. He racked up six drug-related felonies and ended up in prison, but like many people in Alabama's horrifically violent and overcrowded correctional system, "When I was in prison, I got high."

We met RS at the Foundry, a faith-based recovery center in Bessemer, Ala., where he was living and participating in drug treatment and counseling after years of substance abuse, entanglement with the criminal legal system, and incarceration.

"When I was in [prison], I had three guards jump on me at one time. There are things going on in there that you wouldn't want sight to see," he said.

RS never filed a grievance about his beating at the hands of those corrections officers, though. He explained, "I didn't want to be labeled as a snitch. There's a lot of people in the prisons if you're labeled as a snitch, they're gonna be after you all the time."

Eventually, he was released, but his problems with substance abuse and unprocessed trauma remained with him. He spent time in an inpatient facility — "a crazy house," he called it — but says the medication they put him on only made him feel worse.

RS said he expects to live with images of his dying father for the rest of his life. "It's always gonna be in your head. I don't know — my counselor says it takes time, but I don't know if that picture ever comes out of somebody's head, especially if it's your parent." He said he has forgiven the woman who killed his father, but he never wants to see or talk with her. "Face-forgive?" he said. "That wouldn't go well."

"The most help I've got on this so far is being here at the Foundry. I got a counselor," he told us. "I believe when I step out, I'm gonna be at least 80% better. You're always going to have something in your life that's going to try to trip you. You just have to have the strength."

**"I DON'T KNOW IF
THAT PICTURE EVER
COMES OUT OF
SOMEBODY'S HEAD."**

NOW WHAT?

Start a Conversation

More than anything else, this report is intended to start a conversation — or many conversations — about what victims, survivors, and communities that experience high levels of violence need and want and create space for them to ask for it. It took years of research and listening to get to the point where this report could be written at all, but naming the harms and deficits of a system is not the same as knowing how to fix them. It is just a first step.

In recent years, Alabama has taken tentative steps toward shifting its perspective on substance use disorder from primarily a criminal justice approach that calls for punishment to a public health approach that calls for recovery. The state is beginning to invest in crisis centers where people with mental health and substance use issues can obtain treatment without going through the court system. This is a promising approach. Access to healthcare, including treatment and recovery and behavioral and mental healthcare, is critical. Alabama should continue and accelerate this work.

Policymakers should also take seriously the harms caused, and cycles perpetuated, by Alabama's heavy-handed

response to crimes, especially crimes of poverty. Excessive fines, extreme drug laws, and harsh sentences for offenses where no physical injury occurred entangle many people in a punishment system that does a great deal of harm and very little good. Policymakers should aggressively seek out ways to reduce the harm of the current system, including by scaling back punishments, reconsidering Alabama's criminal laws, and prioritizing the crisis in our deadly, dysfunctional, corrupt prison system.

Many of the groups we spoke with asked that we come back — not for any specific purpose, just because it meant something to them to be given space to think and talk about what they had been through. In substance abuse support, there is a model that calls for trained peer specialists — people who are in recovery themselves, including those who are formerly incarcerated — to work with people who wish to engage in treatment and get into recovery themselves. Perhaps a similar model, involving the training and development of peer specialists who have survived trauma and violence who could facilitate ongoing conversations in their communities, would be impactful in this space.

Our primary recommendation to readers of this paper, including funders and people who have influence and access to power, is that they invest time and resources in the Alabama communities most impacted by violence.

They are the experts. It is time to listen to their words.



WHO WE ARE

The Appleseed staffers and consultants who contributed to this report include people impacted by many of the harms we document here. Among us are formerly incarcerated people; people who have experienced violent victimization, sexual violence, and the loss of loved ones to homicide and incarceration; people who live with mental health challenges; and people who live or have lived in communities with high levels of violence.

Some of us live and always have lived very privileged lives; others, not so much. We are all Alabamians by birth or by choice. And we all want to see this complicated place we call home thrive.

CARLA CROWDER EXECUTIVE DIRECTOR

Carla Crowder is the Executive Director of Alabama Appleseed and a civil rights lawyer focused on challenging mass incarceration and excessive punishment in Alabama.



Carla leads Appleseed's reform agenda centered at the intersection of poverty and the criminal justice system. She is a frequent speaker on the human rights crisis in Alabama prisons and has contributed to state-wide and national publications on the topic.

Born in Selma and raised in Florence, Carla brings more than 30 years of experience, both as a journalist and attorney, in public policy research, advocacy, and litigation. She has won release for 12 men originally sentenced to die in prison, represented individuals on Alabama's death row, and successfully advocated for parole for numerous others.

Prior to law school, Carla spent 16 years as a newspaper reporter covering criminal justice, prisons, child welfare and the ways that government intersects with impoverished communities. Her early experiences as a crime reporter launched her pursuit of a deeper understanding of the entrenched inequities across the U.S. justice system, and she set out to document the experiences of incarcerated people as well as survivors of crime. Carla's work as a journalist earned multiple awards including the Thurgood Marshall

Award from the Death Penalty Information Center. She has twice been nominated for the Pulitzer Prize.

Prior to joining Appleseed, she was a staff attorney at the Equal Justice Initiative. She has B.A. in English and History from Huntingdon College and a J.D. from the University of Alabama School of Law with a certificate in Public Interest Law.

LEAH NELSON AUTHOR AND PRINCIPAL RESEARCHER

Leah Nelson serves as Research Director at Alabama Appleseed, where she coordinates and conducts original research into drivers of poverty and incarceration in Alabama. She is Appleseed’s principal expert on the collateral consequences of fines, fees, and other legal financial obligations and brings expertise in civil asset forfeiture, drug policy and drivers of incarceration to Appleseed’s reform agenda.

Prior to joining Alabama Appleseed, Leah spent five years in the Capital Habeas Unit of the Middle District of Alabama Federal Defenders, supporting the appeals of death-sentenced individuals seeking new trials. There, she witnessed the many ways in which intergenerational trauma and systemic neglect and oppression by state entities can engender family and community conditions where violence is the norm and wellness is almost impossible. She remains in contact with several of her former clients and had them — and the people they hurt — in mind as work on this report proceeded.

Leah is a 2006 graduate of Columbia’s Graduate School of Journalism, and a 2002 graduate of the University of Connecticut. She lives in Montgomery with her husband and two children.



CALLIE GREER COMMUNITY NAVIGATOR

Callie Greer was born in Montgomery, Ala., and spent most of her younger years growing up there. She is married to Alfonza Greer, the love of her life and a strong supporter of her work. She is the proud mother of five children: Venus (deceased), Mercury (deceased), Tiffany, Lawrence and Niaya, and grandmother of eight.

Callie started her advocacy work after Mercury, her son, was shot and died from those wounds on Father’s Day, 1999. She has worked as an organizer, trainer, and service provider with the Jubilee Community Center, Montgomery Transportation Coalition, Federation of Childcare Centers of Alabama, and Greater Birmingham Ministries. She is also a graduate of the Alabama Organizing Project.

Callie has been featured twice on PBS’s NOW program in their



award-winning story on poverty and tax fairness in the state of Alabama. She was formerly on the Board of Directors of Alabama ARISE and SRBWI past Board Member of SOS (Saving Ourselves Movement for Justice and Democracy), Alabama Moral Monday, Project Hope and MTC. She is also a national spokesperson for the Poor People's Campaign and Founder of MAAVIS (Mothers and Men Against All Violence In Solidarity). She is Alabama Appleseed's Community Navigator and a Kingian Nonviolence Trainer.

Callie is using her pain and creating something terribly beautiful out of it. She advocates for herself and others because she believes, if you're not at the table, then you're on the menu.

CATHERINE ALEXANDER-WRIGHT FACILITATOR

Catherine Alexander-Wright is a Licensed Independent Clinical Social Worker (LICSW) with over 20 years of professional experience. She holds a Bachelor's degree in Social Work from the University of Alabama and a Master's degree in Social Work (with a concentration in Management and Community Practice) from the University of North Carolina at Chapel Hill. She completed the Forensic Practice Certificate Program at the University of Alabama's School of Social Work in 2021. She is a member of the National Association of Social Workers and the National Organization of Forensic Social Work.



Catherine is a fluent speaker and writer of Spanish and has worked in several bilingual settings, including Lutheran Immigration and Refugee Service and the Hispanic Interest Coalition of Alabama, where she worked with Latinx/immigrant families attempting to navigate the child welfare system and/or who were survivors of domestic violence or sexual assault. She helped build Alabama Appleseed's re-entry program as a social worker, and before that served as Vice President of Safety & Supportive Services for the YWCA of Central Alabama, where she oversaw operations and personnel for domestic violence, shelter, and supportive services for Blount, Jefferson, and St. Clair counties.

Catherine also serves as adjunct faculty at Samford University, UAB, and the University of Alabama. Catherine lives in the Birmingham area with her husband and daughter.

EDDIE BURKHALTER CONTRIBUTOR

Eddie Burkhalter is a researcher for Alabama Appleseed. In that role he investigates Alabama's reliance on court fines and fees to fund government, predatory policing, and the state's troubled prisons.

Eddie spent almost a decade at The Anniston Star, covering education, business, crime, politics and winning numerous Alabama Press Association awards for his coverage. In 2019, he

began reporting for Alabama Political Reporter, where he covered state politics, prisons, COVID and Alabama connections to the Jan. 6, 2021 insurrection and events leading up to the deadly attack on the U.S. Capitol. Additionally, Eddie contributed reporting on COVID-19 in prisons for the New York Times, which was part of the overall COVID coverage that won the newspaper the Pulitzer Prize public service award in 2022.

He was selected to participate in the Poynter-Koch Media and Journalism fellowship program in 2019, and mentors current fellows in the program. Eddie lives in Piedmont, Alabama. Eddie graduated from Jacksonville State University with a Bachelor's degree in Integrated Studies.



STACY FULLER FACILITATOR

Raised in the military and a veteran of the US Army, Stacey is a long-time Alabama resident. She spent many years working as a critical care and emergency room nurse in the Birmingham area and is currently a certified peer for both mental health and substance use disorder. As a previously incarcerated person who is in recovery from an opiate addiction she has a strong interest in criminal justice reform, especially in the ways it impacts marginalized individuals. Stacey and her husband currently reside in a rural area of Cullman County.



DOMINIQUE MAYWALD CONTRIBUTOR

Dr. Dominique Maywald is an Assistant Professor of Social Work at Jacksonville State University. Her main areas of interest include increasing access to mental health services in Black and brown communities, social work professional ethics, veterans professional help seeking habits, experiences of Black female social workers, disrupting the school to prison pipeline, and increasing educational equity for students of color with protected disabilities.

Dominique is a certified clinical trauma professional. She is big on trauma informed care with clients and within systems and uses attachment theory and attachment informed interventions to guide clinical practice. She has seven years practice experience providing clinical mental health services to children, adolescents, and adults. While teaching, she continues to engage in activities that contribute to the social work profession through mentorship, research, and service-oriented learning.

Prior to becoming a clinician, Dominique served two years as an AmeriCorps member and eight years as a combat medic in the



United States Army (Air Assault). Later, she maintained a Jobs for Veterans Service Grant under the Department of Economic Opportunity in Northwest Florida.

Dominique obtained her Bachelor of Social Work (BSW) degree and Master of Social Work (MSW) degree from the University of West Florida. She obtained her Doctorate of Social Work (DSW) from Tulane University.

She is a certified yoga instructor who consistently looks for ways to increase mindfulness and self-awareness within professional roles among social work students and colleagues.



JUSTIN MCCLESKEY DATA ANALYSIS

A native of Decatur, Alabama, Justin enjoys using research and data to inform advocacy. He received his Bachelor's degree in Political Science from the University of Alabama in 2021 and will receive his Master's degree in Public Administration in 2023.

RONALD MCKEITHEN CONTRIBUTOR

Ronald McKeithen is a formerly incarcerated artist, advocate, and writer. He serves as Re-entry Coordinator and Advocate at Alabama Appleseed. Ronald's work is focused on assisting Appleseed clients as they transition from incarceration to lives of freedom. Additionally, he speaks widely about the experiences of long-term incarceration in Alabama's prisons and the need for criminal justice reform to address the injustices he has experienced firsthand.



Ronald spent 37 years in Alabama's prisons under the Habitual Felony Offender Act based on a robbery conviction at the age of 19. While he was incarcerated, he lost his mother to homicide. He used his time in prison to increase his education, become a barber, mentor others, and create meaningful connections with professors, journalists, and volunteers in the prisons. Ronald was freed in December 2020 after being represented by Appleseed.

DANA SWEENEY FACILITATOR

Dana Sweeney is the statewide community organizer at Alabama Appleseed. After growing up in a small town in southern Georgia, he moved to Alabama for college and has lived here ever since. Dana is a member of the LGBTQ+ community. Over the years, he has personally experienced the ways that these identities can shape encounters with law enforcement and exposure to violence in Alabama. He hopes that this work helps to build a foundation for making our state a more thoughtful, inclusive, responsive home for our communities.



ACKNOWLEDGEMENTS

This project is a collaborative effort made possible by support, input, and hard work done by many.

Alabama Appleseed Research Director Leah Nelson designed and developed this project and served as primary author of this report. Graduate student Justin McCleskey conducted data analysis, Mark Leslie copy-edited, and Val Downes designed this report.

Callie Greer's openness about her personal and family experiences with violence and incarceration inspired the concept of this project, and her life story served as scaffolding for the survey and a jumping-off point for our community conversations. She reminds us, "Don't waste your pain."

Ron McKeithen, Tari Williams, Catherine Alexander-Wright, and Dana Sweeney helped develop the survey and get it into the hands of people who needed to take it, supported by Alex LaGanke, Libby Hill, Carla Crowder, Elaine Burdeshaw, and Stacey Fuller. Eddie Burkhalter and Carla Crowder contributed reporting, and Dominique Maywald contributed expertise and writing. By reviewing the survey before we distributed it, Danielle Sered of Common Justice gave us confidence we were on the right track.

We are grateful to Stacey Fuller for facilitating two of our community conversations and broadening our reach in rural central Alabama.

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Most of all, **we thank the hundreds of Alabamians who generously shared their expertise and lived experiences with us** and trusted us to make something good of them. We hope we have not let them down.



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Black people were $(441/1,756,000) = 0.00025$ or 0.025% likely to die by homicide, while white people were $(149/4,364,000) = 0.000034$ or 0.0034% likely to die by homicide.
Dividing the likelihood of Black people dying by homicide by the likelihood of white people dying by homicide gives us $0.025\% / 0.0034\% = 7.35$. This means that Black people in Alabama were 7.35 times more likely to die by homicide in 2020 than white people.
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Uncle Junior's Macaroni and Cheese

BY CALLIE GREER

One of the mottos I live by is, “Don’t waste your pain. Turn it into something terribly beautiful.” I have been through a lot, and so have the people who shared their experiences with us for this report.

When I ask people to share, I like to share something of myself with them first. At our community conversations I always open by telling the people who gather something about who I am. Often, I talk about my son Mercury’s death by homicide on Father’s Day only a month after I was delivered from drug addiction, and my daughter Venus’s death from breast cancer in 2013. I consider Venus’s death a political murder. Her cancer could have been treated and probably cured if she had access to healthcare, and Alabama’s political decision not to expand Medicaid cost Venus her life because she couldn’t get treatment until it was much too late.

Sometimes I talk about my childhood and extended family. My great-grandmother, Big Mama, was born into slavery. I myself was born in a kitchen on Day Street in Montgomery, Alabama, and maybe for that reason I have always felt at home in kitchens. I love to cook and I love to feed people, to make them feel cared for and warm them.

One of the things I cook for nearly every gathering is Uncle Junior’s Macaroni and Cheese.

My Uncle Junior occupies a complicated place in my heart. He made the best macaroni and cheese. He was also the first man to sexually molest me, when I was only a young girl.

I’ll never forget what he did to me. But he was also family. I believe

I honor him, honor myself, and honor my experience when I make his macaroni and cheese. It's not about forgetting what he did or pretending it wasn't wrong. It's about turning it into something terribly beautiful — something that can be used to nurture others.

I cook by instinct and I don't do a lot of measuring, but here's the recipe I go by when I make Uncle Junior's Macaroni and Cheese ...

INGREDIENTS

Macaroni

Grated Extra Sharp Cheddar Cheese (set aside some for topping)

Carnation Canned Evaporated Milk

Eggs

Seasoning (Salt, Pepper, Onion Powder, Garlic Powder)

DIRECTIONS

Cook Macaroni al dente, drain, put in a large pan

Add other ingredients and mix.

Sprinkle the rest of the cheese on top.

Bake covered for 30-45 minutes at 350-375 degrees.

Finish baking uncovered for 10 minutes at 350 -375 degrees.



PHOTO BY LEAH NELSON

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DEDICATION

This report is dedicated to Mercury L. Colley and Venus Colley-Mims, who are no longer with us, and to Mercury Smith and Venus Williams, who are.



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