

# Asian Americans & Pacific Islanders BEHIND BARS

Exposing the School to Prison  
to Deportation Pipeline

Report | December 2015



## THE CONVENING:

On June 26–27, 2015, the first ever *AAPIs Behind Bars: Exposing the School to Prison to Deportation Pipeline* convening was held at San Quentin State Prison in Marin County, California, and at the Alameda Labor Council in Oakland, California. This historic convening brought together more than 100 stakeholders from diverse sectors, including Asian American and Pacific Islander (AAPI) community-based and national organizations, labor unions, foundations, elected officials, currently and formerly incarcerated AAPIs, educators, and researchers. The host for the *AAPIs Behind Bars* convening was the Restoring Our Original True Selves (ROOTS) Program at San Quentin. Every Monday, the Asian Prisoner Support Committee (APSC) holds a weekly ROOTS class with over 30 AAPI and “Other” prisoners at San Quentin. The ROOTS program, modeled after an ethnic studies curriculum, seeks to increase knowledge about AAPI culture, history, intergenerational trauma, health, mental health, and reentry. Many of the men in the ROOTS program were juveniles tried as adults and given life sentences.

## WHY THE CONVENING WAS HELD:

AAPIs are officially categorized as “Others” throughout much of the prison system, a fitting description for a population that is often overlooked.<sup>1</sup> In 2013, there were 118,100 “Others” in the state and federal prison system, comprising 9% of the state and federal prison system.<sup>2</sup> Women categorized as “Others” comprise 11% of the female state and federal prison system.<sup>3</sup> During the prison boom of the 1990s, the AAPI prisoner population grew by 250%.<sup>4</sup> During this time, Asian juveniles in California were more than twice as likely to be tried as adults, as compared to white juveniles who committed similar crimes.<sup>5</sup> Arrests of AAPI youth in the United States increased 726% from 1977–1997.<sup>6</sup> In cities such as Oakland, AAPI youth have had very high arrest rates: Samoans with 140 per 1000—the highest rate in the city, Cambodians with 63 per 1000, and Laotians with 52 per 1000.<sup>7</sup> Among “Others” released from state prisons in 2005, 72.6% were arrested for a new crime within three years.<sup>8</sup> Closely tied to the rise of mass incarceration is the growth of immigration detention and deportation. Deportations have increased for AAPIs overall, and Southeast Asian Americans in particular. Since 1998, at least 15,000 Southeast Asian Americans from Cambodia, Laos, and Vietnam have received final orders of deportation, despite many arriving to the United States with refugee status and obtaining



“I was born to Vietnam War refugees. Living with shame, uncertainty, and broken promises took their toll on an entire people. Forty years later, many of our parents (Vietnam War refugees and victims of the Khmer Rouge genocide) are still living in poverty. Many of us are in prison.”  
— Zitsue Lee

a green card. Furthermore, more than 12,000 of the final orders of deportation were based on old criminal records rather than current offenses. Due to stringent immigration policies enacted in 1996, Southeast Asian American communities are three to four times more likely to be deported for old convictions, compared to other immigrant communities.<sup>9</sup>

## RECOMMENDATIONS:

As the nation looks toward alternatives to mass incarceration and away from over-criminalization, warehousing, and extreme isolation, it is critical to engage the currently and formerly incarcerated AAPIs who are directly impacted by mass incarceration and deportation. In collaboration with the ROOTS program at San Quentin, the *AAPIs Beyond Bars* committee has developed the following set of **principles** to guide our work:

- 1) We seek mass labor and education, not mass incarceration. We must invest in solutions that promote restorative justice and healing rather than dehumanization.
- 2) National policy must be based on grassroots leadership and those who are directly impacted by mass incarceration and deportation.
- 3) We must build coalitions with AAPI groups and other communities of color on local, national, and international levels.
- 4) We seek transformative justice for all, and we oppose the “good prisoner versus bad prisoner” narrative.

<sup>1</sup> “Other” includes American Indians, Alaska Natives, Asians, Native Hawaiians, Pacific Islanders, persons of two or more races, or additional racial categories in the Bureau of Justice Statistics reporting information systems.

<sup>2</sup> Carson, E.A. Prisoners in 2013. Washington, DC: US Department of Justice Bureau of Justice Statistics, 2014. Available at: <http://www.bjs.gov/content/pub/pdf/p13.pdf>. Accessed 16 November 2015.

<sup>3</sup> Ibid.

<sup>4</sup> Oh, A., and Umemoto, K. AAPIs: From incarceration to re-entry. *Amerasian Journal*. 2005;31(3):43-59.

<sup>5</sup> Males, M., and Macallair, D. The color of justice. Washington, DC: Building Blocks For Youth, 2000.

<sup>6</sup> Asian/Pacific Islander Youth Violence Prevention Center. Asian/Pacific Islander communities: an agenda for positive action. Oakland: National Council on Crime and Delinquency, 2001.

<sup>7</sup> API Youth Violence Prevention Center (2007). Under the Microscope: Asian and Pacific Islander Youth in Oakland - Needs, Issues, Solutions. Oakland: National Center for Crime & Delinquency.

<sup>8</sup> Durose, M., Cooper, A., and Snyder, H. Recidivism of prisoners released in 30 states in 2005: patterns from 2005 to 2010. Washington, DC: US Department of Justice Bureau of Justice Statistics, 2014. Available at: [www.bjs.gov/content/pub/pdf/rprts05p0510.pdf](http://www.bjs.gov/content/pub/pdf/rprts05p0510.pdf). Accessed 16 November 2015.

<sup>9</sup> Transactional Records Access Clearinghouse [online]. Syracuse, NY: Syracuse University, 2015. Available at: [trac.syr.edu/phptools/immigration/court\\_backlog/deport\\_outcome\\_charge.php](http://trac.syr.edu/phptools/immigration/court_backlog/deport_outcome_charge.php). Accessed 25 August 2015.

5) Our work is based on compassion and commitment to our communities.

Based on conversations at the *AAPIs Behind Bars* convening and in collaboration with the ROOTS program, we have identified the following **opportunities** to address mass incarceration and deportation in the AAPI community:

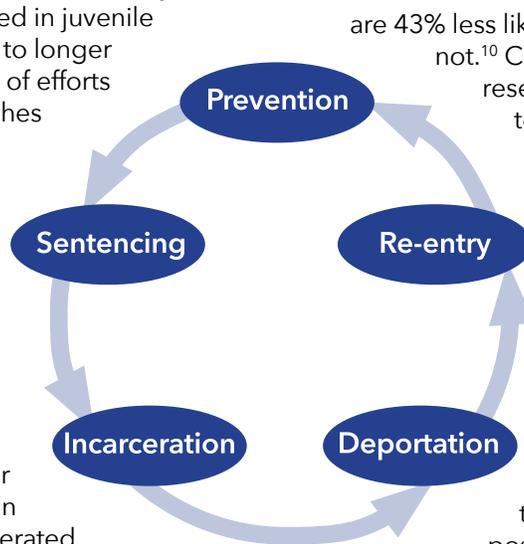
**1) Prevention:** Implement culturally competent programs that address intergenerational trauma among AAPI communities. Invest in public schools and living wage jobs. End police brutality and racial profiling.

**2) Sentencing:** Promote restorative justice and healing models. Implement a public health approach to mental health and drug abuse and end the “War on Drugs.” Reform draconian sentencing laws such as mandatory minimums, the Three Strikes Law, and California’s Prop 21 (expansion of mandatory detention; limits eligibility to be tried in juvenile court; expansion of crimes subject to longer sentences). Support the expansion of efforts such as California’s SB260 (establishes a parole consideration process for juveniles charged as adults and given life sentences) and Prop 47 (reclassifies some non-violent, non-serious crimes from felonies to misdemeanors).

**3) Incarceration:** Reinstate Pell grants so that prisoners can earn a college education. Replicate culturally relevant programs such as APSC’s ROOTS program at other prisons. Prisoners who participate in educational programs while incarcerated



“The stigma of being an ex-con is definitely a big challenge for any population [but] especially for the AAPI population...People actually disown people when they go inside the prison from certain cultures. ... That’s a lot to carry as an individual.” — Eddy Zheng



are 43% less likely to recidivate than those who do not.<sup>10</sup> Currently, we are pushing for more research and disaggregated data in order to reveal more accurate figures and characteristics of AAPI ethnic groups in prison.

**4) Deportation:** The Southeast Asian Freedom Network (SEAFN) is leading a campaign to amend the repatriation agreement between the United States and Cambodia, and any future agreement with Laos to follow the precedent set by an agreement with Vietnam stating that persons who entered the United States before the date of post-conflict normalized relations, would not be returned to those nations. Repeal the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which restricts due process and fairness for many immigrants and refugees with criminal convictions.

**5) Re-entry:** Create a prison-to-jobs pipeline for formerly incarcerated people. Implement “Ban the Box” in additional jurisdictions to remove questions about former criminal conviction records in hiring processes, and encourage civic engagement by expanding voting rights to formerly incarcerated people. Foster social entrepreneurship, create pathways to living wage jobs, and increase access to healthcare. Replicate innovative, culturally competent reentry programs, such as APSC’s community immersion reentry model—rather than solely funding traditional law enforcement systems that have aggressively sought “realignment” funding (probation, parole, sheriff’s departments, county jails, etc.). Formerly incarcerated people have also proven that they can play an effective role in violence prevention, conflict mediation, and youth mentoring work.



“At the age of 19, I was sentenced to 75 years to life and put on a bus to start my prison journey. ROOTS has had a huge impact in my healing process. The group helped me realize for the first time that besides my family, there are others in my own community that still cared. I had the privilege of meeting Molly, an 88-year-old Japanese American internment camp survivor. She changed my life when she encouraged me to ‘always have hope.’ I hope one day there will be a road for me to travel back home.” — Son Nguyen

<sup>10</sup> Davis, L. M., Bozick, R., Steele, J. L., et al. Evaluating the effectiveness of correctional education. Santa Monica: RAND Corporation, 2013. Available at: [www.rand.org/pubs/research\\_reports/RR266](http://www.rand.org/pubs/research_reports/RR266). Accessed 16 November 2015.

## CONVENING ORGANIZERS:

- Asian Americans Advancing Justice – Los Angeles
- Asian Pacific American Labor Alliance, AFL-CIO
- Asian Prisoner Support Committee
- National Education Association
- Southeast Asia Resource Action Center

## CONVENING PARTICIPANTS:

### Community Organizations

- 1Love Movement
- All Of Us Or None
- Anti-recidivism Coalition
- API RISE
- Asian Americans Advancing Justice – Asian Law Caucus
- Asian Pacific Islander American Health Forum
- Asian Health Services
- Asian Resources, Inc.
- Californians for Safety and Justice
- Cambodian Association of Greater Philadelphia
- Chinese for Affirmative Action
- Chinese Progressive Association
- CLUE-LA/ Interfaith Coalition for Immigrant Rights (Interfaith Movement for Human Integrity)
- DRUM – South Asian Organizing Center
- East Bay Asian Youth Center
- Ella Baker Center
- Empowered Pacific Islander Communities
- Formerly Incarcerated Group Healing Together (F.I.G.H.T.)
- Japanese American Citizens League PSW
- Kapor Center for Social Impact
- Khmer Girls in Action
- Legal Services for Prisoners with Children
- Mobilize the Immigrant Voice
- Onesimus Ministry
- PolicyLink
- PrYSM
- Revolve Impact
- Southeast Asian Coalition
- Southeast Asian Freedom Network
- Solano Prison NHPI Program
- University of San Francisco School of Law
- Until We Are All Free
- VAYLA-New Orleans
- Vietnamese Youth Development Center

### Labor

- American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
- American Federation of State, County and Municipal Employees (AFSCME)
- Alameda Labor Council, AFL-CIO
- APALA Alameda County
- APALA Los Angeles
- California Faculty Association (CFA)
- California Teachers Association (CTA)
- International Brotherhood of Electrical Workers (IBEW) Joint Apprenticeship Training Committee (JATC)
- New Haven Teachers Association
- Service Employees International Union (SEIU) 721

### Funders

- Asian Americans/Pacific Islanders in Philanthropy
- East Bay Community Foundation
- Four Freedoms Fund
- Robert Wood Johnson Foundation
- Rosenberg Foundation
- The California Endowment
- The California Wellness Foundation
- The San Francisco Foundation

### Policymakers

- Office of Alameda County Public Health Department
- Alameda County Supervisor Richard Valle
- Alameda County Supervisor Keith Carson
- California Assemblyman Rob Bonta
- San Francisco Board of Supervisor Jane Kim
- Office of U.S. Representative Barbara Lee

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