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BEYOND COURTS STUDY GUIDE

BY STEVIE WILSON AND COMMUNITY JUSTICE EXCHANGE

HOW TO USE THIS GUIDE

This guide was written by imprisoned organizer and educator, Stevie Wilson, in collaboration with Community Justice Exchange, to support people inside prisons and jails in their collective study and discussion of Beyond Courts. Inside the guide you'll find prompts and questions to think about what is written in each chapter. We offer you these questions as a starting place for discussion and as one way to navigate the content of the book.

NOTE FROM STEVIE WILSON

Every imprisoned person has lived experience(s) with the criminal court system. We know firsthand the processes and procedures. We know firsthand the harms inflicted. We know firsthand the failed promises of reform. To people without lived experiences with the criminal courts, these reforms, so-called efforts to make court processes and procedures fair, sound good and promising.

But imprisoned people know better. We have lived through multiple attempts to reform the courts. And the more things change, the more things stay the same. We continue to experience harm and oppression. We know courts cannot be reformed. They must be abolished. They were never meant to produce justice or safety for everyone. If we want real healing, justice and safety, we must abolish the courts.

CHAPTER 1: CRIMINAL COURTS 101

1. Ruthie Wilson Gilmore writes: "The challenge is to keep the entirety of carceral geographies- rather than only their prison and law enforcement aspects- connected without collapsing or reducing various aspects into each other."

    While the violence of prisons and policing are becoming more apparent to the public, why is the violence of courtrooms still hidden?

    Why is this component of the prison-industrial complex (PIC) left out of defund/invest conversations?

2. What do most people think is the purpose for laws and the criminal court system?

3. Look at the graphic on page 3. What stands out to you? Why do you think the author's illustrated criminal court like a machine?

4. While you read through the steps of a criminal case, reflect on your own prosecution and experience of criminal court. Did anything make you think differently or reveal something new about your own experience?

5. Throughout "Chapter 1: Criminal Courts 101" the author's include several "illusions" versus "realities." Did any of the realities surprise you? If you could come up with your own "illusion vs. reality" about criminal courts or the path of a criminal court case, what would it be?

6. Which image in this chapter stood out to you the most? Why so? What did it capture about the nature or workings of criminal court?

7. The authors assert that criminal courts, like cops and cages, are part of a system designed to punish.

8. What does this book reveal about the role of criminal laws, procedures and courts in our society?

9. Who has been the main target of the US criminal legal system, and how do courts and laws create and reinforce social hierarchies?

10. Why doesn't diversifying courts and prosecutors offices alleviate the harm courts cause?

CHAPTER TWO: COMMON QUESTIONS ABOUT CRIMINAL COURT REFORM

1. Why aren't "crime" and harm synonymous?

2. Provide two examples of "crimes" that aren't harmful. Provide two examples of harm that isn't criminalized.

3. What happens to a person or group once they have been deemed criminal?

4. Why do abolitionists say the court system isn't broken? What is one example of a reform described in this chapter that tries to fix the system? How does that reform ultimately fail to provide a meaningful fix?

5. How have courts and laws been used to dominate and oppress people historically in the United States? How have they been used to create and reinforce social hierarchies? Share one historical example that stood out to you from this chapter. Can you name other examples not included, from history or present day?

6. What is a reformist reform? Have you experienced any of the reformist reforms described in this chapter? What did you think about it then? What do you think about it now? What is an example, or two, of a non reformist reform?

7. Why isn't diversifying the bench or prosecutor's office a real solution to the harms caused by the criminal punishment system?

8. According to Dylan Rodriguez, what is the purpose of diversity, equity and inclusion efforts?

9. How do civil courts harm people? Provide two examples of how civil violations lead to incarceration.

10. What type of barriers have you or your loved ones experienced in your interactions with the courts or court actors? What ideas do you have for resolving them without increasing the courts resources?

11. Does prosecution of only the "real bad guys" eliminate the harm courts cause? What purpose do these prosecutions serve?

12. Describe a time you or someone you know addressed or resolved harm without the police or courts.

CHAPTER SEVEN: ABOLITIONIST PRINCIPLES AND CAMPAIGN STRATEGIES FOR PROSECUTOR ORGANIZING

1. Why is electing a new or different prosecutor never the goal of abolitionist prosecutor organizing?

2. Instead of focusing on an individual or personality, what does abolitionist prosecutor organizing focus on?

3. Why don't abolitionists call for the prosecution or incarceration of "killer cops"?

4. What is the best thing a prosecutor could do for people in need of social services?

5. Provide an example of resource shifting from carceral prosecution to carceral social services.

6. Have you experienced or witnessed any of the baseline tactics mentioned on page 93? If so, share your experience.

7. How are the two strategies " shrinking systems of harm" and "boosting resources for community" linked?

8. Select a demand from the example demands. Which strategies and tactics would you use to obtain your demand goal?

CHAPTER SIX: NO SUCH THING AS PROGRESSIVE PROSECUTORS

1. Why do abolitionists place the term "progressive prosecutor" in quotations?

2. What does the "progressive prosecutor" electoral strategy seek to do?

3. Besides decarceration, what metric do abolitionists suggest we consider when assessing "progressive prosecutor" office?

4. What is the measure of abolitionist change?

5. How have "progressive prosecutors" expanded the reach of the criminal punishment system into our communities?

6. Can you identify a way prosecuting offices in your community have increased their legitimacy by claiming to provide care, support or services?

7. How do "progressive prosecutors" use diversion programs?

8. What has been the relationship between prosecutors and activists/organizers in under-resourced communities?

9. How does targeting only one component of the PIC stymie abolitionist goals?

10. How do prosecutors, even so-called progressive ones, seek to uphold the legitimacy of the office?

CHAPTER THREE: PROBLEM CREATING COURTS

1. Why do you think the author's call the programs described in this chapter "problem creating courts"?

2. What is a diversion program?

3. What do you think is the appeal about a diversion program or speciality court? Why does the public believe these programs are good?

4. Why do defendants accept assignments to these programs?

5. How do people enrolled in diversion programs end up incarcerated anyway?

6. How do these programs entrench the legitimacy of the carceral state?

7. How do they evoke the long tradition of racial subordination in the U.S.? How do these programs enlarge the power of judges and prosecutors?

8. How is diversion already built into the system?

9. What do abolitionists want instead of diversion programs? Why should you have to be arrested to access services often provided through diversion programs?

10. Have you or anyone you know been assigned a diversion program? What was your/their experience?

CHAPTER FOUR: COMMUNITY INTERVENTIONS TO SHIFT POWER

1. Each stage of a criminal case is a potential site of contestation. Each stage can become an arena to shift power away from the system and towards people and communities. This chapter discusses interventions developed by individuals and communities to shift and build power. List and briefly describe the interventions mentioned.

2. How would you respond to someone who argues that focusing on individuals while all prisons need to be dismantled is a mistake?

3. Describe the power-shifting capacity of three of the interventions mentioned.

4. Have you ever participated in these kinds of interventions? What was your experience?

5. If you or a loved one has experience with the system, imagine what an intervention would have looked like and its impact. Share your imagining.

CHAPTER FIVE: DEFUNDING COURTS

1. How are campaigns to defund police and defund courts connected? What are their common goals?

2. The number of criminal cases prosecuted don't reflect the actual harm in our communities. What do they reflect?

3. How did prosecutors across the country help fuel mass incarceration?

4. Explain how criminalization is a root cause of mass incarceration?

5. What does Erica Perry mean when she says diversion programs are "coopting our language"?

6. Why does the Seattle Solidarity Budget target municipal courts?

7. What do budgets reflect? Why is contesting them important?

8. Consider yourself as the decisionmaker of a community. Instead of courts, police, prosecutors and jails, where would you like to see money spent? What would your top five budget priorities be?

9. Who could you partner with in your community to shift budget priorities and create safety?