

# Incarcerated AANHPI Data Report

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JANUARY 2024



# ABOUT US

The mission of the Asian Prisoner Support Committee (APSC) is to provide direct support to Asian and Pacific Islander (API) prisoners and to raise awareness about the growing number of APIs being imprisoned, detained, and deported. Since 2002, APSC has led programs in prisons, organized anti-deportation campaigns, provided resources to “lifers,” and developed culturally relevant reentry programs. APSC grew out of the campaign to support the “San Quentin 3”—Eddy Zheng, Viet Mike Ngo, and Rico Riemedio. The San Quentin 3 advocated for Ethnic Studies at San Quentin and in retaliation by the prison administration—were sent to solitary confinement and transferred to different prisons. After spending months in solitary confinement (up to 11 months), Eddy, Mike, and Rico were released and eventually, all received parole (Eddy 2005, Rico 2007, Mike 2011). For over a decade, APSC operated as an all-volunteer organization. In 2017, APSC hired its first paid staff employees and opened an office space in Oakland Chinatown. Today, APSC facilitates Ethnic Studies programs in prisons, provides community-based reentry services, and organizes deportation defense campaigns.



## ACKNOWLEDGEMENTS

We would like to extend our deepest appreciation to all the organizations and people who made this report possible. Thank you to the California Endowment for funding this project and to Human Impact Partners (HIP) for providing guidance and support in the preliminary analysis of the data. Thank you to Kenny Mai for spearheading survey design, to former intern Aisake “Kep” Tuiono and former intern (now staff) John Lam for leading survey outreach and data collection, and to the countless APSC volunteers for their dedication in cleaning and inputting survey data. Lastly, and most importantly, we would like to express our profound gratitude to all of the formerly and currently incarcerated AANHPI who shared their experiences with us, helped circulate the survey, and provided feedback on this report as it was being developed. We are honored and humbled to share your stories, and we hope this report does them justice.

This report was prepared by Kourtney Nham, Nate Tan, and John Lam.

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# INTRODUCTION

*“Thank you for not forgetting about us.”*

Incarcerated Survey Participant

There is a massive dearth of data and research on Asian Americans and Native Hawaiian Pacific Islanders (AANHPI) impacted by incarceration in California and across the country’s carceral institutions in general. Until recent changes in law which have mandated racial and ethnic disaggregation, the California Department of Corrections and Rehabilitation (CDCR) has chosen to report racial and ethnic demographic data using just four categories: Black, White, Hispanic, and Other. “Other” functions as a catchall category, aggregating Native Americans, mixed-race individuals, those whose race and ethnicity are unknown, and AANHPI into a singular amorphous group in its publicly available data. Contrary to what might be suggested by dominant racial discourse that casts AANHPI as the monolithic well-educated, class-privileged model minority, the relative absence of data and research on imprisoned AANHPI is not because AANHPI are untouched by the criminal-legal system. Rather, it is a product of institutional choices that have rendered them unseen.

Data, at its best, has the potential to shift narratives and advance social change; it also has the capacity to reproduce inequities, injustice, and erasures. This report pushes back

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<sup>1</sup> Asha Kalra, “Break Down the ‘Other’ Act,” Pub. L. No. AB943 (2023), <https://legiscan.com/CA/text/AB943/id/2828687>.

against the narrative reinforced by the state’s “Other”ing: that AANHPIs are unaffected by the nation’s voracious appetite for caging people or that the AANHPIs funneled into their cages are simply too few and far between to be worth recognizing. We have not forgotten AANHPIs who have been locked inside, and we believe their experiences deserve to be heard.

Showcasing responses from over 400 total surveys, this report aims to draw attention to some of the lived experiences of AANHPI impacted by incarceration prior to, during, and after incarceration. Data presented in this report is disaggregated by AANHPI ethnic subgroups to illuminate both the shared and unique experiences across the diverse communities included under the AANHPI umbrella, including Southeast Asians, East Asians, Native Hawaiian & Pacific Islanders (NHPI), South and Southwest Asians, and those identifying with ethnicities that span two or more AANHPI subgroups. By clarifying the connected yet particular ways that system-impacted AANHPI from various communities are affected by incarceration, this data underscores the importance of interventions and advocacy efforts that are attentive to the specific needs of different communities.

Notably, while we aim to situate the challenges experienced by system-impacted AANHPI in their specific sociohistorical and cultural contexts in this report, we also recognize that there are significant parallels between the experiences of AANHPI who are pushed through the school-to-prison-to-deportation pipeline and other communities who are ensnared in the carceral system. In fact, in many ways, this report reaffirms much of what is already known about the injustice and violence enacted by institutions of policing and imprisonment against other communities of color. In dissolving any illusions that AANHPI communities are exempt from such violence, we hope that this data will make clear the urgency of solidarity and robust coalition-building with other communities of color, especially Black, Latine, and Indigenous communities, who have long been at the forefront of the fight for freedom and reunification against systems of incarceration and deportation.

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<sup>2</sup>Latine is a gender-neutral alternative to Latino/a with origins in trans and queer communities in Latin America. Alicia Frausto, “The Importance of Inclusive Language,” Anti-Racism Daily (blog), May 27, 2022, <https://the-ard.com/2022/05/27/the-importance-of-inclusive-language/>.



# METHODS

## Survey Design

Following a brief review of existing literature on AANHPI incarcerated populations, APSC staff and volunteers designed a survey covering a range of areas where data on AANHPI communities is sparse. The survey was divided into ten major sections and included a range of questions about family immigration history, experiences in adolescence and early education, offense and sentencing, experiences with communication and healthcare inside, concerns and hopes post-incarceration, and more. The final survey sent to currently incarcerated AANHPI in California had 48 questions total with a mix of close-ended questions and open-ended free text questions for respondents to elaborate on their experiences and thoughts. The final survey sent out to formerly incarcerated AANHPI in California was a truncated version of the original survey sent out to currently incarcerated AANHPI.

## Data Collection

Data collection occurred primarily during 2020 and 2021. To collect responses from currently incarcerated AANHPI, APSC mailed over 2,000 paper surveys across California's penal system. However, identifying and contacting currently incarcerated AANHPI proved challenging due to lack of existing publicly available data and institutional barriers. Some prisons rejected the surveys and returned the mailings to APSC with no explanation. Surveys were mailed to incarcerated AANHPI with whom APSC had existing relationships. The CDCR inmate locator was also utilized to identify folks with common AANHPI last names – particularly common Vietnamese, Cambodian, Hmong, and Chinese last names – for survey dissemination. Lastly, currently incarcerated participants who received the survey requested copies or made copies of the survey to distribute to other AANHPI within the prison where they were located. Surveys aimed at formerly incarcerated AANHPI were sent out to APSC's extensive network of formerly incarcerated AANHPI as well as provided to other trusted organizations to share with their community members. The survey cover letter informed prospective currently incarcerated survey participants that their responses would be anonymized upon data entry. Participants were encouraged to leave any questions they did not feel comfortable answering blank.

## *Sample Demographics*

APSC received responses from 354 currently incarcerated AANHPI across all 33 CDCR facilities and a total of 93 responses formerly incarcerated AANHPI. A vast majority of currently incarcerated respondents (71.5%) were Southeast Asian. In particular, a large number of currently incarcerated respondents identified as Vietnamese, with the next five most common ethnicities being Hmong, Cambodian, Chinese, Korean, and Chinese-Vietnamese. A majority of formerly incarcerated respondents (63.4%) were Southeast Asian. The most common reported ethnicity amongst formerly incarcerated respondents was Vietnamese followed by Chinese, Cambodian, Filipino, Korean, and Mien.

<b>AANHPI Subgroup<sup>1</sup></b>	<b>Count</b> <i>Currently Incarcerated</i>	<b>Count</b> <i>Formerly Incarcerated</i>
Southeast Asian	253	59
East Asian	51	25
2 or more AANHPI subgroups	34	*
Native Hawaiian & Pacific Islander	*	*
South & Southwest Asian	*	0
All Respondents (n)	354	93

\*If cell counts were less than 15 (but greater than 1), we suppressed the data to protect the privacy of respondents by ensuring they are not identifiable.

<sup>1</sup> We recognize that these categories are imperfect and imprecise and that processes of categorization almost always result in the obfuscation and distortion of specific stories and experiences. Nonetheless, these categories were our best approximations of meaningful groupings that honor respondents' self-identifications. AANHPI subgroups were defined as follows:

- Southeast Asian: includes respondents who identified as Burmese, Cambodian, Filipino, Hmong, Indonesian, Lahu, Laotian, Malaysian, Mien, Mongolian, Thai, and Vietnamese, a mix of these ethnicities, or a mix of any of these ethnicities with a non-AANHPI ethnic identity (ex: Cambodian and Latino)
- East Asian: includes respondents who identified Chinese, Japanese, Korean, Taiwanese, a mix of these ethnicities, or a mix of any of these ethnicities with a non-AANHPI ethnic identity (ex: Chinese and White)
- Native Hawaiian & Pacific Islander: includes respondents who identified Native Hawaiian, Tongan, Samoan, Chamorro, Fijian, a mix of these ethnicities, or a mix of any of these ethnicities with a non-AANHPI ethnic identity (ex: Samoan and Black/African American)
- South and Southwest Asian: includes respondents who identified Bangladeshi, Pakistani, Indian, Sikh, Punjabi, Afghan, a mix of these ethnicities, or a mix of any of these ethnicities with a non-AANHPI ethnic identity (ex: Bangladeshi and Native American)
- 2 or more AANHPI subgroups: includes respondents who identified with 2 or more ethnicities that span AANHPI subgroups (ex: Chinese-Vietnamese, Filipino and Japanese, Indo-Fijians were included in this category)

A large portion of the currently incarcerated sample identified as men (94.9%) and far fewer respondents identifying as women, transgender, or gender non-conforming. A majority of respondents in the formerly incarcerated sample also identified as men (73.1%), though a significantly larger number of respondents identified as women (22.4%) compared to the currently incarcerated sample. The formerly incarcerated sample also had very few respondents identify as transgender and gender non-conforming. Currently incarcerated respondents' ages at the time of the survey ranged from 21 to 83 with the median age being 41. Age data was not collected for formerly incarcerated respondents.

## Analysis

APSC volunteers and staff worked to enter and clean data from completed surveys into spreadsheets. For this report, Python was used to perform a detailed descriptive analysis of the quantitative data collected. The qualitative data shared in the open-ended free text responses were thematically coded with particular attention towards capturing issues, concepts, complexity, and voice that may not have been represented in associated close-ended questions on those topics.

After putting together an initial analysis of the data, we convened a group of formerly incarcerated AANHPI community members and leaders to provide feedback on the findings. Following a presentation of the data, we facilitated a discussion with the group to get a sense of whether the findings resonated with their experience and if there were areas of the data they found particularly significant to uplift. Community members also shared well their input on framing, flow, and possible recommendations for this brief. Reflections and responses from this conversation heavily informed this report.

## **Limitations**

This project has several limitations. Foremost, we recognize that our sample may not be statistically representative of AANHPI inside due to survey dissemination constraints. In particular, our data collection method was heavily weighted towards collecting responses from Southeast Asians. The relatively smaller proportions of other ethnic AANHPI subgroups represented in our sample compared to Southeast Asians is likely partially due to the specific surnames used to invite AANHPI to participate in the survey through the CDCR inmate locator. Furthermore, we recognize the ability of our data to reflect the specificity of experiences that women and trans and gender non-conforming people impacted by incarceration have is limited given the gender composition of our sample.

Beyond limitations in data collection and our sample, we recognize that the process of consolidating and summarizing large volumes of data into a manageable scope has entailed making compromises about the extent of the analysis and exposition of our findings. While we strived to situate and elaborate the nuances of experiences and histories across diverse AANHPI communities in the depth that they deserve, we humbly acknowledge that this report is not exhaustive and will ultimately fall short in doing so in many places. In spite of these limitations, we believe our findings make significant contributions to understanding the experiences and stories of AANHPI impacted by incarceration.





# FINDINGS

The results of our survey are divided into three major sections: 1) life before incarceration experiences, 2) incarceration and experiences inside, and 3) challenges, concerns, and hopes post-incarceration. These sections trace the trajectories of incarcerated and formerly incarcerated AANHPI's lives and experiences prior to, during, and after incarceration and the cumulative challenges faced at each stage.

## Childhood and Life Before Incarceration

This section covers a number of findings related to childhood and life before incarceration for currently and formerly incarcerated AANHPIs. In particular, this section provides an overview of data gathered on immigration history, experience of economic hardship growing up, difficulties faced in school, exposure to violence and abuse, substance use, and gang involvement. While dominant narratives about incarceration often treat it as a result of “individual failures,” our findings affirm that understanding criminalization and incarceration in AANHPI communities, as with other system-impacted communities, requires deep engagement of the sociopolitical contexts and circumstances that surround imprisonment at structural, community, and interpersonal levels. AANHPI have both unique and shared experiences across diverse subgroups that make evident that criminalization and incarceration do not occur in a vacuum. Rather, criminalized actions often arise out of reactions and efforts to survive entrenched, intergenerational cycles of poverty, violence, and trauma. In providing more insight into the interrelated struggles faced by many system-impacted AANHPI community members, our survey findings illuminate cycles that are made possible and sustained by ongoing legacies of racism, capitalism, colonialism, imperialism, and war.

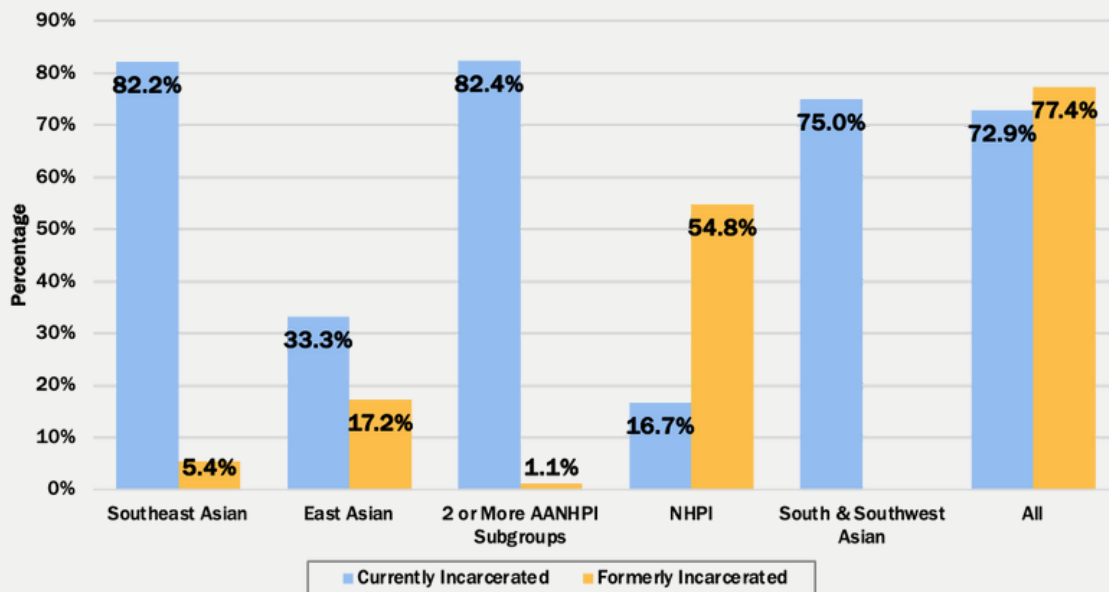
## Immigration

***“I think it was very hard for my parents to have to come to a new country and start from scratch, especially coming from a war-torn country. For me it was hard getting used to the worlds and different cultures at home and at school. We are not able to talk about old traumas and process how and why those things happened.”***

Incarcerated Survey Participant

The story of AANHPI incarceration would be incomplete without an understanding of the conditions that brought many of their families to the United States in the first place. Overall, around three out of four of currently incarcerated respondents (254) and formerly incarcerated respondents (72) could be characterized as refugees, indicating they left their home countries due to war, genocide, political persecution, religious persecution, natural disaster, or extreme poverty.<sup>3</sup>

### Refugee Status

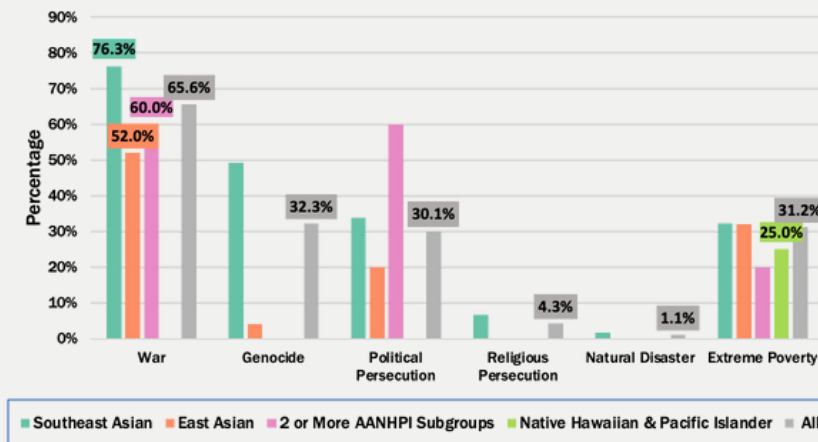


Unsurprisingly, war was reported as the reason for immigration for currently and formerly incarcerated Southeast Asians at high rates. It was also the most cited reason for both currently and formerly incarcerated 2 or more AAPI subgroups respondents and formerly incarcerated East Asians – a substantial number of which are ethnic Chinese from Southeast Asia. Currently incarcerated East Asians were less likely than their formerly incarcerated counterparts to select war or any of the other reasons provided. Of the options, they reported extreme poverty most frequently. This may be explained in part

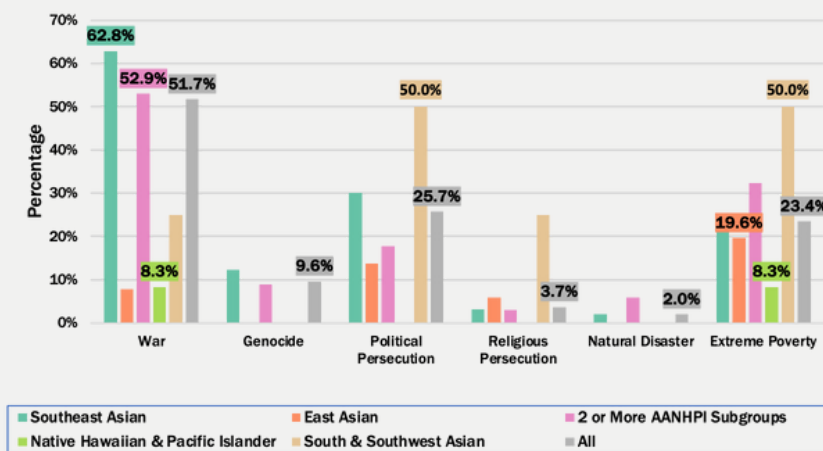
<sup>3</sup> “Refugees,” United Nations (United Nations), accessed December 18, 2023, <https://www.un.org/en/global-issues/refugees>.

by the fact that a significant portion of the formerly incarcerated East Asian sample is made up of ethnic Chinese from Southeast Asia who self-identified as only Chinese, while the currently incarcerated East Asian sample was primarily made up of Koreans and Chinese from China. Currently incarcerated and formerly incarcerated NHPI reported extreme poverty and war as their most common reasons for immigrating. Overall, however, NHPI had far smaller proportions of individuals who selected any of the provided immigration reasons. Finally, the small sample of currently incarcerated South and Southwest Asian respondents cited political persecution and extreme poverty most frequently.

## Immigration Reason(s) *Formerly Incarcerated*



## Immigration Reason(s) *Currently Incarcerated*



This data highlights the tumultuous immigration conditions for many system-impacted AANHPI and their families, with many leaving their homelands due to various forms of instability and violence. In particular, this data is an attestation to the US’s devastating imperial military intervention in Southeast Asia. The war in Vietnam, the secret bombings of Laos, and the rise of the genocidal Khmer Rouge regime in Cambodia culminated in a colossal loss of life with millions dead and a mass exodus of refugees from the region. As of today, 1.1 million Vietnamese, Laotian, Hmong, Khmer, and ethnic Chinese refugees have been resettled in the US in a process of militarized displacement that began in the 1970’s.<sup>4</sup> Additionally, the small sample of South and

<sup>4</sup>Jonathan Neale, *A People’s History Of The Vietnam War*, Reprint edition (The New Press, 2004); Katrina Mariategue and Quyen Dinh, “Southeast Asian Journeys: A National Snapshot of Our Communities,” February 27, 2020, <https://archive.advancingjustice-la.org/media-and-publications/publications/southeast-asian-journeys-national-snapshot-our>.

Southwest Asians also indicated that they or their families left due to distressing conditions at high proportions. Persecution of Sikhs and Muslims in India, caste oppression, and the Cold War proxy conflict in Afghanistan may be among the factors that contributed to their migration.

While NHPI marked the provided reasons at lower rates, the more frequent selection of extreme poverty can also be productively situated in particular geopolitical dynamics. Various colonial relationships between Hawai‘i and the Pacific Islands and the US – such as the illegal annexation of Hawai‘i as a US state, incorporation of “American” Samoa, Guam, and the Northern Mariana Islands as US territories – help contextualize NHPI immigration. Land theft and the destruction of indigenous lifeways due to settler colonialism and militarization in Hawai‘i and the Pacific Islands have created the conditions for poverty that have increasingly pushed NHPI out of their ancestral lands. For example, in Hawai‘i, Native Hawaiians and other Pacific Islanders are disproportionately impacted by homelessness, and Native Hawaiians have the highest rates of poverty compared to any other ethnicity in the state.<sup>5</sup> Now, more Native Hawaiians live in the US “mainland” than in Hawai‘i.<sup>6</sup>

Lastly, data collected on age of immigration showed that most currently incarcerated respondents were quite young when they came to the US, with an average immigration age of a little over 11 and a half years old.

<b>AANHPI Subgroup</b>	<b>Average Age of Immigration (Years) <i>Currently Incarcerated</i></b>
Southeast Asian	11.4
East Asian	14.6
Native Hawaiian & Pacific Islander	12.8
2 or more AANHPI subgroups	9.9
South & Southwest Asian	10.5
<b>All Respondents</b>	<b>11.6</b>

These conditions of immigration reverberate through other experiences of AANHPI system-impacted communities during their childhood and prior to incarceration as well as have significant implications for many AANHPI post-incarceration, especially those without citizenship.

<sup>5</sup> Mary Frances Kenion, “Long Overdue: Visibility for NHPIs Experiencing Homelessness,” National Alliance to End Homelessness, August 14, 2023, <https://endhomelessness.org/blog/long-overdue-visibility-for-native-hawaiian-and-pacific-islanders-experiencing-homelessness/>.

<sup>6</sup> “New Census Data Confirms More Native Hawaiians Reside on the Continent than in Hawai‘i,” The Office of Hawaiian Affairs (OHA), accessed December 18, 2023, <https://www.oha.org/news/new-census-data-more-native-hawaiians-reside-continent/>.

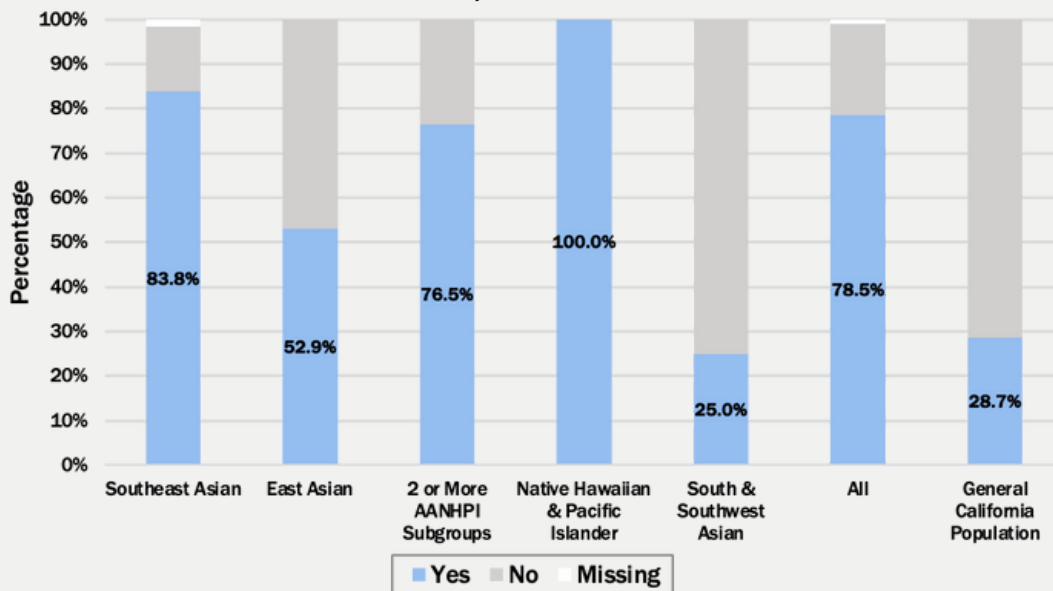
## Economic Hardship and Poverty

***“I grew up in a poor community and gang members everywhere. It was very hard for my parents to find jobs, let alone feed 8 children. My family was evicted many, many times. They struggled to provide a decent meal. So, when I got older, I told myself that my family will never struggle again. Joined a gang because the majority of friends were & started robbing & sell[ing] drugs.”***

Incarcerated Survey Participant

Despite many of our respondents and their families fleeing their homelands to escape instability due to war, persecution, and poverty, many found that the precarity did not end after leaving. Many struggled with lasting economic hardship upon arrival. Over three-fourths of all currently incarcerated survey respondents indicated that they faced persistent economic hardship or poverty while growing up. For comparison, 28.7% of the general California population in 2021 were considered poor or near poor.<sup>7</sup> AANHPI communities are thus no exception to the well-documented fact that carceral institutions target people from poor and working-class backgrounds. In general, boys from the poorest families are exponentially more likely to be imprisoned in their 30’s than boys from the wealthiest families.<sup>8</sup>

### Experience of Persistent Economic Hardship or Poverty Growing Up Currently Incarcerated



<sup>7</sup> Sara Kimberlin et al., “Poverty in California” (Public Policy Institute of California, 2023).

<sup>8</sup> Bernadette Rabuy and Daniel Kopf, “Prisons of Poverty: Uncovering the Pre-Incarceration Incomes of the Imprisoned,” accessed December 15, 2023, <https://www.prisonpolicy.org/reports/income.html>; Adam Looney and Nicholas Turner, “Work and Opportunity before and after Incarceration” (Brookings Institution, March 14, 2018).



Notably, NHPI and Southeast Asians had the highest proportions indicating they struggled with persistent economic hardship growing up. In Hawai'i and the Pacific Islands, patterns of continued land dispossession, resource extraction, an exploitative tourism industry, and militarization have driven up the cost of living and created conditions for vicious cycles of economic hardship and poverty in homelands and for NHPI in the diaspora. For refugees from Southeast Asia, fragmented and neoliberal resettlement policies in the US that often resulted in the concentrated resettlement in areas of poverty set the stage for persistent economic hardship in these communities. Failing to account for trauma, language barriers, and other challenges faced by SEA refugees upon arrival, neoliberal policies instead emphasized economic self-sufficiency, dispersal, and rapid integration, providing SEA refugees with little social or economic support and pushing them into low-wage occupations.<sup>9</sup>

### ***Childhood Traumatic and Adverse Experiences***

On top of (and related to) immigration difficulties and economic hardship, data on exposure to a number of adverse and traumatic experiences captured in our surveys provide significant insight into the family and community conditions that shaped currently and formerly incarcerated AANHPIs lives growing up. Our survey collected data on exposure to violence and emotional abuse as well as family history of substance abuse.

***“Growing up, I thought physical violence was normal being I witnessed it regularly between my father and mother. As for myself being abused, I thought it was because I deserved it and just grew up thinking it was normal. It wasn't until I was in my recovery that I realized how much the abuse shaped and influenced my later years. I do not blame or use the abuse as excuse for myself making the bad choices that I have made...”***

Incarcerated Survey Participant

Both currently and formerly incarcerated respondents reported high rates of growing up in environments (households, buildings, neighborhoods) where physical violence was present – many shared that they were direct victims of physical violence and abuse, grew up with domestic violence in their homes, and/or were frequent witnesses to violence and abuse in their communities. 67.2% of all currently incarcerated respondents and 82.9% of all formerly incarcerated respondents reported exposure to physical violence growing up. Notably, *all* currently and formerly incarcerated Native Hawaiian and Pacific Islanders surveyed indicated growing up in environments where physical violence was

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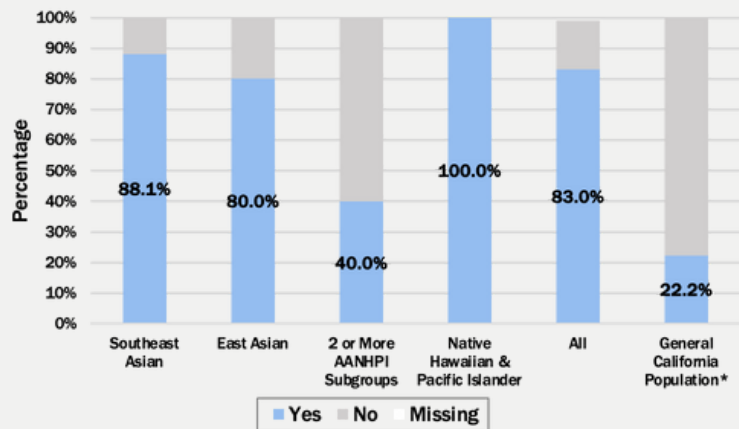
<sup>9</sup> Anastasia Brown and Todd Scribner, “Unfulfilled Promises, Future Possibilities: The Refugee Resettlement System in the United States,” *Journal on Migration and Human Security* 2, no. 2 (2014): 101–20, <https://doi.org/10.14240/jmhs.v2i2.27>.

present. Currently and formerly incarcerated Southeast Asians respondents reported the second highest proportion of the AANHPI subgroups that grew up with exposure to violence in their environments at 78.7% and 88.1% respectively. While there is little data on general exposure to physical violence in childhood for a more congruent comparison, an estimated 22.2% of the general CA adult population and 60% of the incarcerated men in the general US prison population retrospectively self-report direct experience of childhood physical abuse.<sup>10</sup>

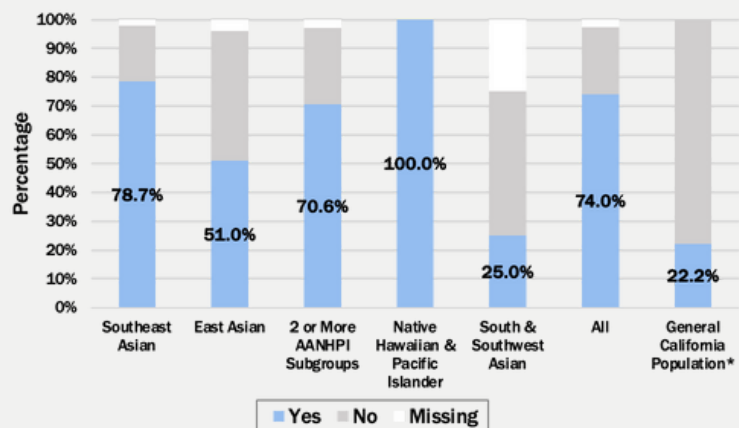
A staggering 43.6% of currently incarcerated respondents reported first witnessing or experiencing physical violence (murder, sexual violence, physical assault, domestic violence, etc) between the ages of 6-10. For NHPI, East Asian, and 2 or more AANHPI subgroups or currently incarcerated respondents it was more common to have had their first witness or experience of physical violence between birth to age 5.<sup>11</sup>

## Exposure to Physical Violence Growing Up

### Formerly Incarcerated



### Currently Incarcerated



\*Data drawn from California Department of Public Health’s (CDPH) “Adverse Childhood Experiences Among California Adults, 2015-2019” snapshot. Data from the CDPH snapshot reflects self-reported direct experience of physical abuse during childhood. While our data may include a broader set of childhood exposures to physical violence, such as witnessing ongoing physical abuse or various incidents of violence, the comparator data does not.

***“My father was not only [physically] abusive but emotionally abusive as well. He'd call me dumb and stupid throughout the years which made me feel defective, not good enough... So I continued to become destructive to seek attention at whatever the cost is.”***

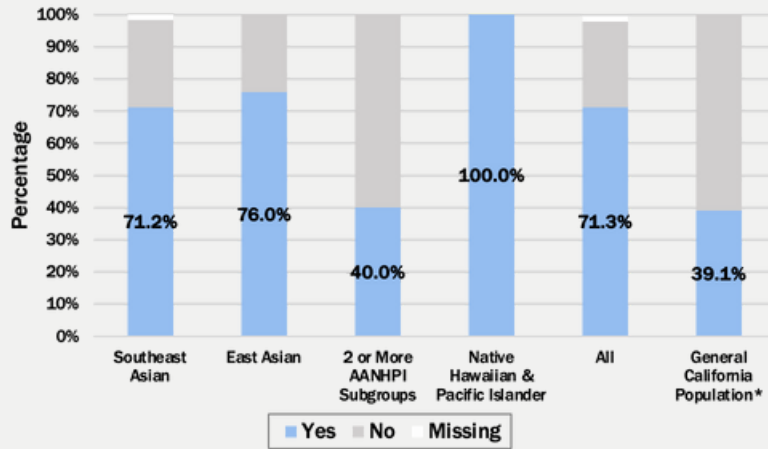
Incarcerated Survey Participant

<sup>10</sup> “Adverse Childhood Experiences Among California Adults, 2015-2019” (California Department of Public Health), May 2023); “Childhood Trauma Statistics,” Compassion Prison Project, accessed December 18, 2023, <https://compassionprisonproject.org/childhood-trauma-s>

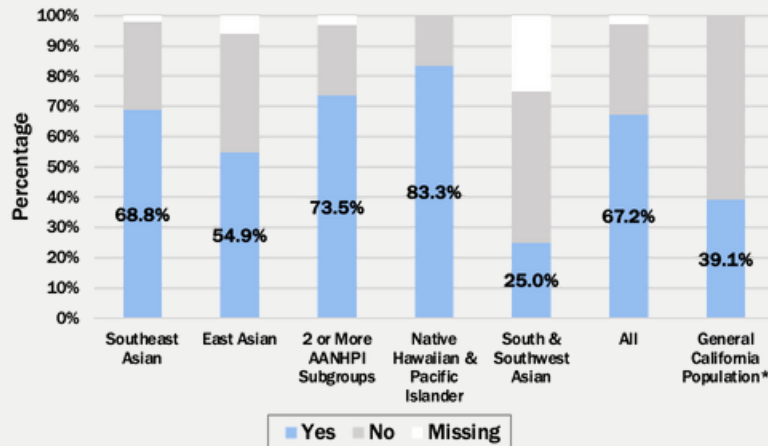
<sup>11</sup>See Appendix A

## Exposure to Emotional Abuse Growing Up

### Formerly Incarcerated



### Currently Incarcerated



\*Data drawn from California Department of Public Health's (CDPH) "Adverse Childhood Experiences Among California Adults, 2015-2019" snapshot. Data from the CDPH snapshot reflects self-reported direct experience of emotional abuse during childhood. While our data may include a broader set of childhood exposures to emotional abuse, such as witnessing it, the comparator data does not.

Growing up in a household environment with emotional abuse was reported at a similar proportion as physical violence at 67.2% for currently incarcerated respondents. Formerly incarcerated respondents reported slightly lower rates of emotional abuse at home compared to growing up in an environment with physical violence at 71.2%. For both currently and formerly incarcerated respondents, NHPI reported the highest rates of growing up in households with emotional abuse. The second highest frequency of exposure to emotional abuse growing up were currently incarcerated 2 or more AANHPI subgroups respondents for and formerly incarcerated respondents East Asians. For comparison, 39% of the general CA adult population and 63% of incarcerated men in the general US prison population retrospectively self-report direct experience of childhood emotional abuse. Similarly to childhood physical violence statistics, there is little data on general exposure to emotional in childhood for a more consistent comparison.<sup>12</sup>

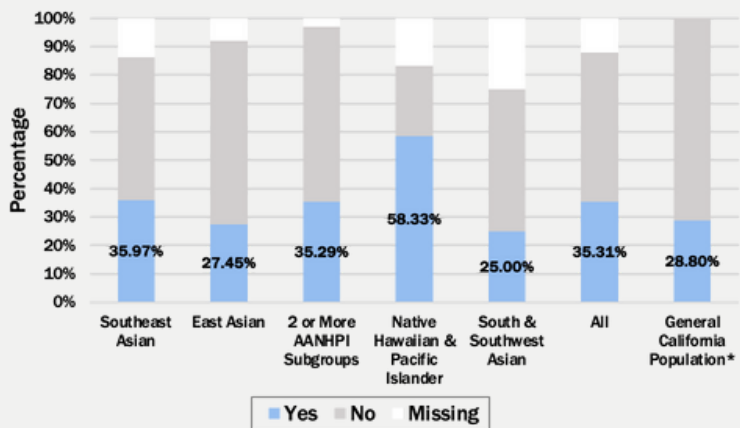
<sup>12</sup> "Adverse Childhood Experiences Among California Adults, 2015-2019"; "Childhood Trauma Statistics."

***“I [lived] with [my] Dad, who had a bad addiction to drugs and alcohol. He did not raise me, even though I was living with him. He never spoke with me in terms of a back and forth, it was always a one-way street, yelling and cussing. Dad didn't know how to raise his children because he himself had no guidance, no one showed him how to be a Dad...”***

Incarcerated Survey Participant

A little over a third of respondents reported that their parents, guardians, or relatives have a history of drug or alcohol abuse. For comparison, 28.8% of the general California population and 63% of incarcerated men indicated they grew up with household substance abuse.<sup>13</sup> NHPI respondents reported the highest rates of having parents, guardians, or relatives with a history of drug or alcohol abuse, followed by Southeast Asian and 2 or more AANHPI subgroups respondents.

### Family History of Substance Abuse Currently Incarcerated



\*Data drawn from California Department of Public Health's (CDPH) "Adverse Childhood Experiences Among California Adults, 2015-2019" snapshot. Data from the CDPH snapshot specifically reflects those who self-report growing up with someone who abused substance(s) in the household. While our data may include folks who have a history of substance abuse in their family or guardians that they did not live with, this comparator data does not.

The ramifications of types of adverse and traumatic experiences on individuals, families, and communities extend far beyond childhood. Experiences such as direct experience of physical and emotional abuse, witnessing domestic and community violence, and growing up with substance abuse in the household increase likelihood of victimization, criminalization, poor health, and problematic substance use in adulthood.<sup>14</sup> Incarcerated populations have experienced childhood trauma at alarmingly high rates, with an estimated 98% of all incarcerated people having experienced at least one adverse childhood experience compared to 64% of the general population.<sup>15</sup> Though the comparisons are imperfect, our data reveals that many AANHPI incarcerated community members have similarly lived through some of the most traumatic events a child can be exposed to. Many of our respondents contextualized their experiences within their particular histories and circumstances, drawing connections between fleeing war, surviving poverty, the normalization of misogyny and corporal punishment in their families, and more, to the cycles of harm that saturated their lives growing up.

<sup>13</sup> "Adverse Childhood Experiences Among California Adults, 2015-2019"; "Childhood Trauma Statistics."

<sup>14</sup> Phelan Wyrick and Kadee Atkinson, "Examining the Relationship Between Childhood Trauma and Involvement in the Justice System," National Institute of Justice Journal, 2021.; Laura Lander, Janie Howsare, and Marilyn Byrne, "The Impact of Substance Use Disorders on Families and Children: From Theory to Practice," Social Work in Public Health 28, no. 0 (2013): 194-205, <https://doi.org/10.1080/19371918.2013.759005>.

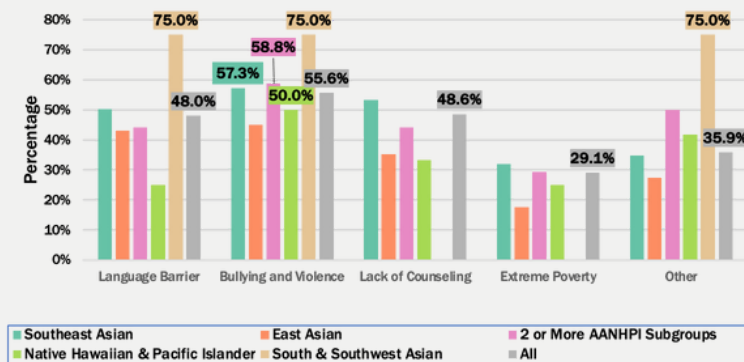
<sup>15</sup> "Childhood Trauma Statistics."

## School

***“When I first started school in America, I couldn't communicate with my teachers, and I didn't receive much support from them. If I get into trouble, they usually let the school cop deal with me. That kind of turn[ed] me away from the system.”***

Incarcerated Survey Participant

### Difficulties Faced In School *Currently Incarcerated*



For many system-impacted AANHPI, school was not a space where they found relief from the struggles and stressors they faced at home and in the streets. In fact, bullying and violence was the most commonly reported difficulty faced in school by all AANHPI subgroups, with over half of all respondents marking it as an issue they struggled with in school. Around half of all respondents also

struggled with language barriers in school, making it difficult to communicate with teachers and peers to the detriment of their learning. Significantly, many respondents lacked guidance and support to deal with issues of bullying and violence, language barriers, learning difficulties, and other issues, with approximately half of all respondents marking that they lacked school counseling. In fact, rather than receiving supportive institutional interventions to encourage their success, many respondents shared that they faced explicit racism and discrimination from teachers and other school officials who instead punished and criminalized them. Disaggregated data indicates that, of the other school difficulties listed besides bullying and violence, Southeast Asians reported lack of counseling and extreme poverty at the highest frequency compared to other subgroups, while the small sample of South and Southwest captured in our data indicated struggling with language barrier and other difficulties and schools at the highest rates.

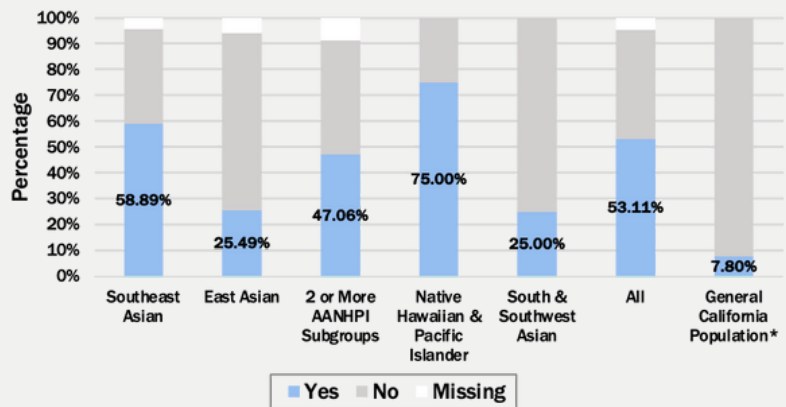
The impacts of these school difficulties are reflected, in part, by the number of respondents who indicated that they dropped out of school at high school or earlier. 53.1% of currently incarcerated survey respondents reported they did not finish high school – nearly 7 times that of the general California population, which has a high school dropout rate of 7.8% according to latest data provided by California Department of Education.<sup>16</sup> NHPI and Southeast Asian respondents surveyed had the highest proportion of not completing high school at 75% for NHPI and 58.9% for Southeast Asians. For comparison, 68% of the entire US prison population does not have a high school diploma,

<sup>16</sup> “2021-22 Four-Year Adjusted Cohort Outcome” (California Department of Education), accessed December 18, 2023, <https://dq.cde.ca.gov/dataquest/dqcensus/CohOutcome.aspx?cde=00&aggllevel=state&year=2021-22>.



and 27% of incarcerated white people, 44% of incarcerated Black people; and 53% of incarcerated Hispanic people did not complete high school according to the Bureau of Justice Statistics (BJS).<sup>17</sup> Low rates of high school completion among incarcerated AANHPI respondents reflects existing understandings of the school-to-prison pipeline and patterns of educational attainment and incarceration across communities.

## Dropped Out of High School Or Earlier Currently Incarcerated



Our data reflects the ways that AANHPI youth are deeply impacted by the school-to-prison pipeline. Under-resourced schools in impoverished communities that rely heavily on punitive measures like zero tolerance policies and lack effective teachers, materials, and other support services function to make school an incredibly hostile environment, forcibly driving impacted communities, including AANHPI, out of early education.

### Gang Involvement and Personal Substance Use

***“Growing up my family was poor. At a young age, I experienced racism. When I was 13, I joined the local gang. I dropped out of school because it wasn't safe. Soon after, I started using drugs and alcohol. From there my life spiraled out of control. And now I am serving a life sentence.”***

Incarcerated Survey Participant

***“Crime & drugs were a survival for me, not something I wanted to do. It was the only choice I knew to [make].”***

Incarcerated Survey Participant

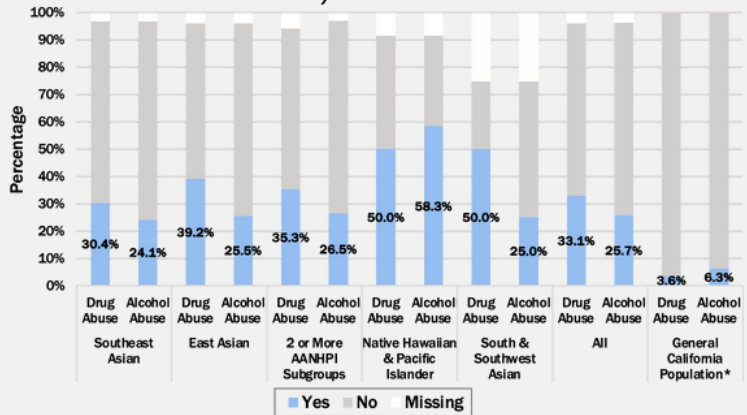
For AANHPI community members who responded to the survey, these traumatic and difficult experiences at home, school, and their communities drove many people to unsafe and unhealthy paths; many turned to substances and gangs to cope with and survive incredibly difficult circumstances.

Around 25% survey respondents reported ever having alcohol use that interfered with their daily activities and 33.1% reported ever drug use that interfered with daily activities. Although these are considerably lower than the general incarcerated population in California where 60% are estimated to have substance abuse issues, these abuse rates

<sup>17</sup> Caroline Wolf Harlow, “Education and Correctional Populations,” Special Report (Bureau of Justice Statistics, January 2003).

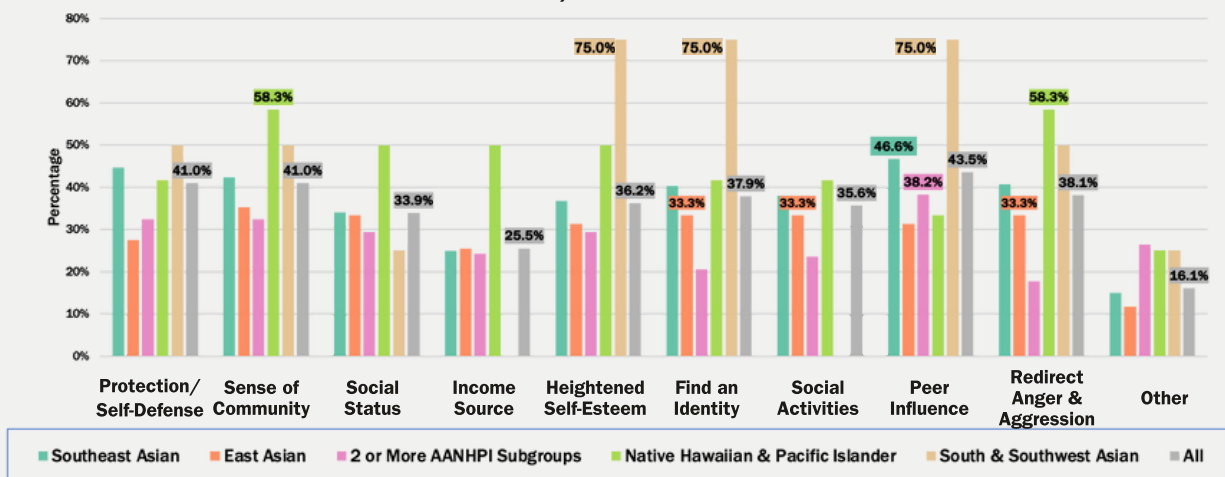
are still around four times that of the general California population aged 12 and over for alcohol (6.8%) and around nine times that for illicit drug use (3.6%). NHPI and 2 or more AANHPI subgroup respondents had the highest proportion of alcohol abuse at some point in their lives at 58.3% and 26.5% respectively. 50.0% of both NHPI and South and Southwest Asians reported drug abuse at some point in their lives.

## Personal Substance Abuse Currently Incarcerated



Furthermore, a majority (60.4%) of currently incarcerated respondents reported gang involvement, with the highest rates of gang involvement reported by NHPI, Southeast Asian, and South & Southwest Asian respondents. For those with a history of gang involvement, peer influence, protection and self-defense, and sense of community were the most commonly cited reasons for joining a gang in the aggregate. These reasons reflect the ubiquity of gang activity and street violence in incarcerated respondent’s communities growing up as well as experiences of racism and cultural and linguistic alienation many immigrant/refugee AANHPI shared that they faced in their schools and communities. Broken down by subgroup, NHPIs as well as East Asians sense of community was the most cited reason for joining a gang. For Southeast Asian and 2 or more AANHPI subgroups respondents, peer influence was the most cited reason for joining a gang. In the small sample of South and Southwest Asians collected, heightened self-esteem, finding an identity, and peer influence were cited equally as the most common reasons for gang involvement.

## Reasons for Gang Involvement Currently Incarcerated



<sup>18</sup> Substance Use in California, 2022: Prevalence and Treatment,” Substance Use Disorders, January 2022; “From Corrections to Community: Reentry Health Care,” California Health Care Foundation, accessed December 18, 2023, <https://www.chcf.org/project/corrections-community-reentry-health-care/>.

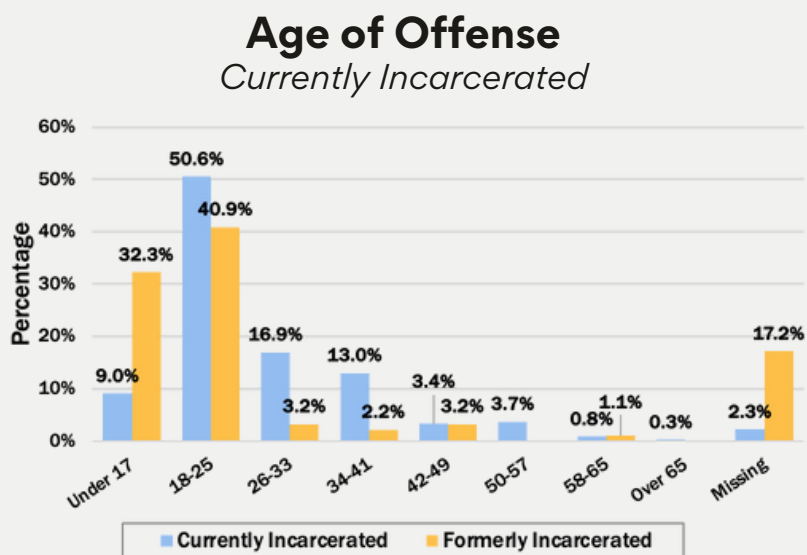
## Experiences With/in the Criminal-Legal System

System-impacted AANHPIs’ pathways to prison have largely been characterized by struggles with violence, poverty, and other hardships that span across generations and borders. Despite continued efforts to position prisons as institutions of justice, accountability, and rehabilitation, our data on AANHPIs’ experiences with the criminal-legal system and during incarceration reinforce our understandings that prisons are, in fact, traumatizing and violent institutions that ultimately fail to address many of the key social conditions that drive criminalization and incarceration in our communities. Despite “model minority” discourses that often invisibilize AANHPI from discussions about incarceration, our findings highlight the reality that AANHPI community members are not exempt from the trauma and harm inflicted by carceral institutions. Data on unique and shared experiences across AANHPI communities with time served, sentencing, solitary confinement, communication, and health and healthcare inside emphasize the deeply unjust, isolating, and dehumanizing conditions inherent to imprisonment.

### Age of Offense, Time Served, and Sentencing

Various struggles and adverse circumstances brought many of our AANHPI respondents in contact with the criminal-legal system at a young age. The average age of committing the offense for which currently incarcerated respondents were serving time was around 27 years old. The average for formerly incarcerated respondents was 21 years old. However, a breakdown of age shows that a majority of currently and formerly AANHPI incarcerated respondents were youth (under the age of 26) at the time of their offense. Nearly a third of formerly incarcerated respondents were under the age of 18 at the time of their offense. Though California data on AAPI youth incarceration is sparse, prior analysis has shown that, compared to other racial groups, AANHPI generally had younger ages of commitment compared to other racial groups.<sup>19</sup>

Among currently incarcerated respondents, Southeast Asians had the largest proportion of individuals incarcerated for an offense committed before the age of 25 at around 60%, followed by NHPI and the small sample of South and Southwest Asians. For the formerly incarcerated sample, Southeast Asians and 2 or more AANHPI subgroup respondents had the largest



<sup>19</sup> Raymond Magsaysay, “Asian Americans and Pacific Islanders and the Prison Industrial Complex,” *Michigan Journal of Race & Law*, no. 26.2 (2021): 443, <https://doi.org/10.36643/mjrl.26.2.asian>; Angela E. Oh and Karen Umemoto, “Asian Americans and Pacific Islanders: From Incarceration to Re-Entry,” *Amerasia Journal* 31, no. 3 (January 2005): 43–60, <https://doi.org/10.17953/amer.31.3.g01428017553275j>.

proportions of youth offenders at around 80%, followed by NHPI respondents.<sup>20</sup> Although there is little statewide disaggregated data, studies from the early 2000’s based on San Francisco county and Oakland found that Samoan, Vietnamese, Cambodian, and Laotian youth had disproportionately high arrest rates.<sup>21</sup> These patterns were reflected in our data as well.

The large proportion of AANHPI who are adolescents or young adults at the time of their offense is notable because a strong body of human developmental research indicates that full brain maturation does not occur until 25 years old, significantly impacting decision-making abilities. This stage of development also means that people at these ages have great capacity for personal growth and change that is stymied rather than encouraged through punishment and incarceration.<sup>22</sup>

The high proportions of AANHPI who are locked away for offenses committed as youth is also significant because our data also shows that many AANHPI survey respondents have been condemned to extremely lengthy sentences. 68% of currently incarcerated AANHPI had already served a decade or more in prison at the time of the survey, a rate that is over 2 times higher than the rate of the general prison population in California who had already served at least 10 years (29%) in 2019.<sup>23</sup> Currently incarcerated respondents at the time of the survey had served around 15 years of their sentence and formerly incarcerated respondents served nearly 13 years on average. Currently and formerly Native Hawaiian & Pacific Islanders had served the most time on average at the time of the survey followed by Southeast Asians. In California, the average time served for those released from 2018–2019 was around 3 years; however, time served was significantly longer for third strikers and those with life or life without parole (LWOP) sentences.<sup>24</sup>

<b>AANHPI Subgroup</b>	<b>Average # of Years Served and Counting</b> <i>Currently Incarcerated</i>	<b>Average # of Years Served</b> <i>Formerly Incarcerated</i>
Southeast Asian	15.30	13.44
East Asian	12.13	11.00
2 or more AANHPI subgroups	15.35	7.00
Native Hawaiian & Pacific Islander	22.00	15.00
South & Southwest Asian	12.17	N/A
<b>All Respondents (n)</b>	<b>15.06</b>	<b>12.74</b>

<sup>20</sup> See Appendix B

<sup>21</sup> Magsaysay, “Asian Americans and Pacific Islanders and the Prison Industrial Complex”

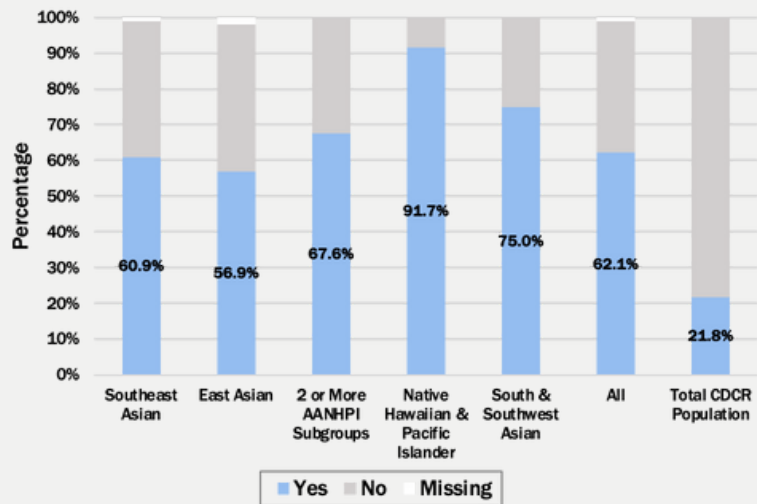
<sup>22</sup> Richard Mendel, “Why Youth Incarceration Fails: An Updated Review of the Evidence” (The Sentencing Project, March 1, 2023), <https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/>.

<sup>23</sup> Nazgol Ghandnoosh and Ashley Nellis, “How Many People Are Spending Over a Decade in Prison?” (The Sentencing Project, September 9, 2022), <https://www.sentencingproject.org/policy-brief/how-many-people-are-spending-over-a-decade-in-prison/>.

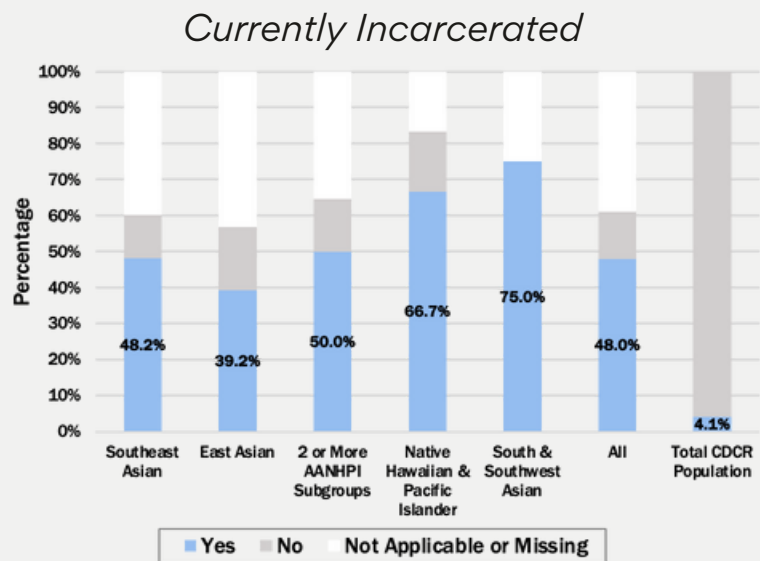
<sup>24</sup> “Offender Data Points - Offender Demographics for the 24-Month Period Ending June 2019” (California Department of Corrections and Rehabilitation, October 2020).

The high average time served and counting for our currently incarcerated survey respondents thus reflects, in part, the high proportion of those in our sample with life sentences. 220 or 62.1% of currently incarcerated survey respondents indicated they were serving a life sentence. This is nearly three times the rate of the total CDCr incarcerated population serving life sentences (21.8%).<sup>25</sup> Among the AANHPI subgroups, NHPIs in our sample had the highest proportion of respondents serving a life sentence at 91.7%. Of those with a life sentence, 170 (or 77.3% of those with a life sentence and 48.0% of all survey respondents) are serving life without parole. This is nearly 12x the rate of the general incarcerated California population serving a LWOP sentence (4.1%) according to CDCr. Three-quarters of the small sample of South and Southwest captured in our data indicated they are serving an LWOP sentence. NHPI and 2 or more AANHPI subgroups respondents had the next highest proportions of serving LWOP sentences from our respondents, at 66.7% and 50.0%.<sup>26</sup>

## Serving a Life Sentence *Currently Incarcerated*



## Serving a Life Without Parole (LWOP) Sentence *Currently Incarcerated*



Of our respondents who are serving life, 61.8% were sentenced for an offense they committed before they turned 25. Similarly, 58.8% of our respondents serving LWOP sentences were youth offenders. These findings are consistent with the limited existing California-specific data on sentencing. Prior studies have shown that during California’s rapid prison expansion in the 90’s, Asian juveniles in California were more than twice as likely to be tried as adults compared to white juveniles who committed similar crimes.<sup>27</sup>

<sup>25</sup> “Offender Data Points - Offender Demographics for the 24-Month Period Ending June 2019.”

<sup>26</sup> “Offender Data Points - Offender Demographics for the 24-Month Period Ending June 2019.”

<sup>27</sup> Mike Males and Dan Macallair, “An Analysis of Juvenile Adult Court Transfers in California” (Building Blocks for Youth, January 2000).



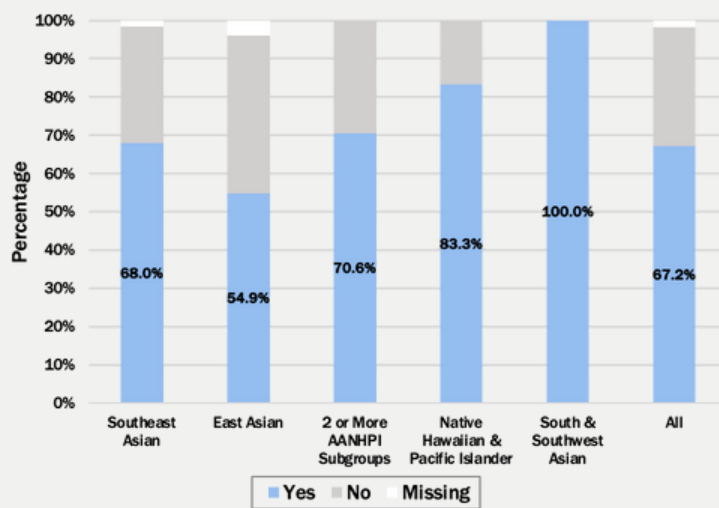
Furthermore, an analysis of 2004 CDCR data found that incarcerated AANHPI in California actually serve the longest sentences compared to all other racial groups. Within the last ten years, some legislation has been passed to address harsh youth sentencing in particular. This includes the 2010 Senate Bill 9, which allows youth sentenced to life without parole to petition after serving 10-25 years in prison and the 2013 Senate Bill 260 which established a “youth offender parole hearing” mechanism and requirements that parole commissioners consider the fundamental differences between youth and adults when making parole decisions.<sup>29</sup> Our findings emphasize that continued efforts to challenge youth incarceration and harsh sentencing are particularly salient for incarcerated AANHPI.<sup>28</sup>

### **Solitary Confinement**

Solitary confinement, also known as “the hole,” special housing units (SHUs), or administrative segregation, is characterized by confinement in cells for 21 to 24 hours a day. Those in solitary are typically locked away without meaningful human contact or programming. Despite changes in California solitary policy following the landmark 2015 settlement and CDCR’s insistence that they do not use solitary confinement, CDCR’s use of aggressive isolation is well-documented and routine.<sup>30</sup> According to recent CDCR data, as many as 2,929 people are currently in some form of restrictive housing in California prisons.<sup>31</sup>

Solitary confinement has long been argued to be inhumane, with incontrovertible evidence indicating such confinement has long-lasting, devastating impacts on psychological and physical health.<sup>32</sup> While we did not collect data on subjection to solitary confinement within a fixed time period in our survey, we found that majority (67.2%) of currently incarcerated respondents had experienced solitary confinement at some point during their incarceration. South and Southwest Asians and NHPI reported experiencing solitary confinement at some point during their incarceration at the highest frequencies.

### **Experience of Solitary Confinement** *Currently Incarcerated*



<sup>28</sup> Oh and Umemoto, “Asian Americans and Pacific Islanders.”

<sup>29</sup> “Overview of S.B. 260/261 (Hancock) Sentencing Review for Juveniles Tried as Adults in California” (Youth Law Center, October 2016); “California: First Release Under New Child Offender Laws,” Human Rights Watch, March 25, 2015, <https://www.hrw.org/news/2015/03/25/california-first-release-under-new-child-offender-laws>.

<sup>30</sup> Lindsey Holden, “California Prisons Say There Is No Solitary Confinement. So Why Are Inmates Isolated for Years?,” The Sacramento Bee, October 12, 2023, <https://www.sacbee.com/news/politics-government/capitol-alert/article280739925.html>; “Ashker v. Governor of California,” American Civil Liberties Union, accessed Dec. 19, 2023.

<sup>31</sup> “Summary of Offender Data Points for Month-End December 2023,” Offender Data Points, December 1, 2023.

<sup>32</sup> Kayla James and Elena Vanko, “The Impacts of Solitary Confinement” (The Vera Institute, July 7, 2018).

In addition to the large proportion of currently incarcerated survey respondents who had experienced solitary confinement, we also found that many had been subjected to solitary for long periods of time. We asked currently incarcerated respondents to share the longest amount of time that they have ever been subjected to solitary confinement. On average, the longest amount of time survey respondents had been subjected to solitary confinement is around 10.5 months. Of the greatest amount of time spent in solitary reported, South & Southwest Asian and NHPI respondents reported having, on average, had the longest periods. Many of the periods of time that respondents reported being subjected to solitary confinement far exceeds the 15 consecutive days of solitary threshold that is considered torture by the United Nations.

<b>AANHPI Subgroup</b>	<b>Longest Amount of Time Spent in Solitary on Average (Months) <i>Currently Incarcerated</i></b>
Southeast Asian	9.6
East Asian	12.3
2 or more AANHPI subgroups	12.1
Native Hawaiian & Pacific Islander	13.1
South & Southwest Asian	19.3
<b>All Respondents (n)</b>	<b>10.5</b>

### **Communication and Relationships**

***“When I speak to someone in my family, it is like taking a breath after years of not breathing.”***

**Incarcerated Survey Participant**

Incarcerated community members do not need to be placed in solitary confinement to experience isolation. Isolation is, in fact, a central facet of incarceration which removes people from their communities and loved ones. Given the separation intrinsic to incarceration, communications with the outside world while incarcerated are extremely valuable. Large volumes of evidence indicate the importance of maintaining relationships and communication in supporting mental and emotional health and supporting successful re-entry.<sup>34</sup>

When asked about the joys of maintaining relationships and communication with loved ones outside, currently incarcerated AANHPI who responded to our survey similarly spoke of the mental and emotional nourishment it provided. In particular, many stated that communication allowed them to feel remembered, cared for, and supported, which

<sup>33</sup> Holden, “California Prisons Say There Is No Solitary Confinement. So Why Are Inmates Isolated for Years?”

<sup>34</sup> Leah Wang, “Research Roundup: The Positive Impacts of Family Contact for Incarcerated People and Their Families” (Prison Policy Initiative, December 21, 2021), [https://www.prisonpolicy.org/blog/2021/12/21/family\\_contact/](https://www.prisonpolicy.org/blog/2021/12/21/family_contact/).

is especially consequential in the face of an institution that seeks to isolate and disappear them, with one currently incarcerated participant sharing:

***“The joys are my family, knowing I’m still loved and not forgotten. The difficulty is not being able to really tell them how it is in here, that sometimes I forget I’m human too and not some cage[d] animal.”***

Similarly, another respondent wrote:

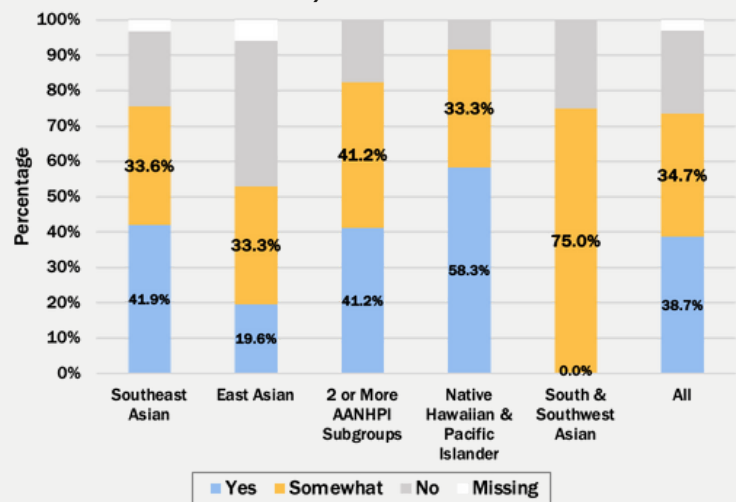
***“They show and make me feel that I am not alone on this. They are my support system and that is all I have.”***

Respondents also shared sentiments about the motivation, and hope communication with folks outside gave them to persevere, grow, and heal personally and in their relationships;

***“Communication with my family supports me mentally and emotionally... it also gives me the strength to continue to improve myself and mend relationships that once were broken.”***

While our respondents’ testimonies and widely cited evidence on the benefits and significance of communication show how meaningful communication is, many of our currently incarcerated respondents shared that they faced several barriers to sustaining relationships and communication. A majority (73.4%) of currently incarcerated survey respondents rated maintaining relationships with friends, family, and loved ones difficult or somewhat difficult. NHPH respondents indicated the highest rates of finding maintaining relationships difficult or somewhat difficult, followed by Southeast Asian respondents.

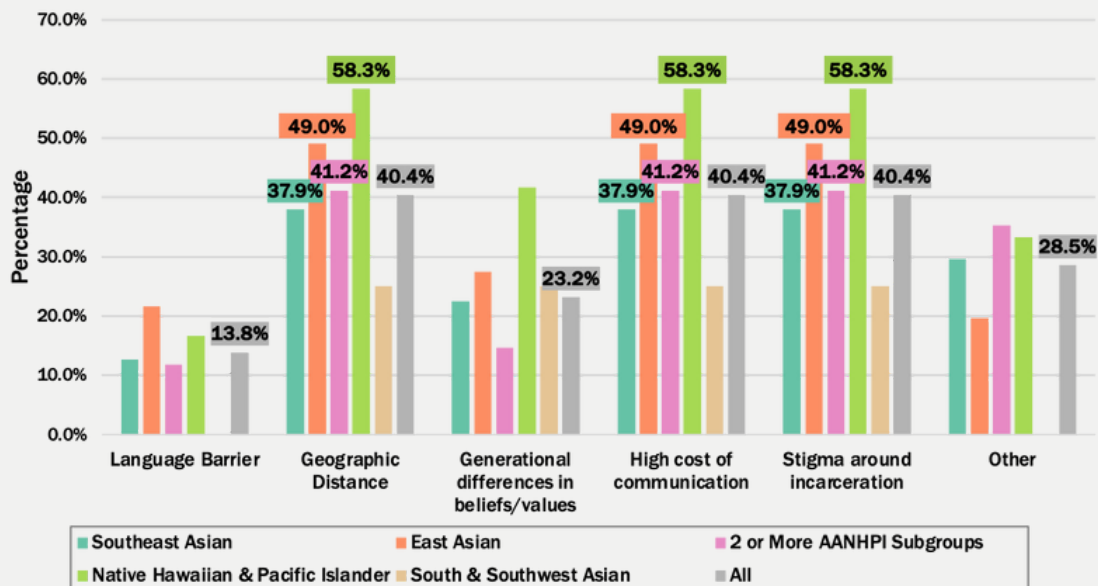
### Difficulty Maintaining Relationships Currently Incarcerated



Currently incarcerated respondents cited geographic distance, high cost of communication, and stigma around incarceration as the top three most common barriers to communication. Interestingly, within each subgroup, respondents marked each of these three reasons at the same proportions. However, comparatively across groups,

NHPI had the highest proportions indicating these three reasons as barriers (58.3%) followed by East Asians (39.0%). NHPI also had the highest proportion of marking generational differences as a barrier while East Asians had the highest proportion indicating language barriers as a reason out of all of the subgroups.

## Barrier(s) to Communication *Currently Incarcerated*



Other factors that served as barriers to communication reported by respondents included the lack of access to making phone calls and the short duration of the calls. Many also named that the vast difference in material and lived experiences of being incarcerated versus being free made communication difficult, with some feeling frustrated about having to explain prison life and others having hesitations around sharing the traumatic conditions they face:

***“The difficulties in communicating with loved ones for anybody for that matter, is deciding the extent of what to share. Of course, I want to share my experience in an accurate and honest way but there are horrible things that go on in here so there's always a level of discretion involved. I know I should trust them to be able to handle the complexities of my experience If I want to build an authentic supportive relationship but putting that into practice has proven to be a difficult task.”***

Lastly, data showed that COVID-19 also placed significant strain on communications, particularly in-person visits. At the time of taking the survey, 64.4% of currently incarcerated respondents reported receiving a phone call in the past week; however, a

vast majority, 91.5%, of respondents had not had a personal visit in the past month.<sup>35</sup> The survey was sent out at the early in the pandemic when personal visitation was prohibited or heavily restricted.

Changes in California policy over the past year have improved some mechanisms for communication, with the provision of free tablets to folks inside, the The Keep Families Connected Act making calls free and unlimited, and The Keep Families Close Act allowing currently incarcerated parents to request transfers to be close to family. Prior to these bills, it is estimated incarcerated people and their loved ones in California alone paid \$68.2 million every year on per-minute charges and connection fees.<sup>36</sup> On top of this, prior to the Keep Families Close Act, 75% of incarcerated people in California prisons were kept 100 miles away from their homes.<sup>37</sup> While these improvements to communication and connection in prisons are a step in the right direction, there are also still notable restrictions to communication even with the introduction of these reforms: calls are still restricted to 15 minutes and can only be made at certain times of the day, e-messaging services are not free, Wi-Fi outages making tablet connection unreliable, and more.<sup>38</sup> Additionally, these policies cannot retroactively address those years of isolation and relationship strain caused by past communication policies and cannot change the fundamental fact that putting people in cages will always engender the fracturing of relationships and communication.

### ***Health and Healthcare***

Issues of health and healthcare are also a major concern for incarcerated AANHPI and incarcerated populations generally. On top of the fact that incarceration largely impacts working class communities of color who already face major health inequities due to social determinants of health (economic stability, healthcare access, etc.), prison conditions themselves are harmful to health, both in terms of environmental health and safety hazards and lack of access to quality healthcare.<sup>39</sup>

### ***Health Conditions***

Findings from our survey provide important insight into currently incarcerated AANHPI health status and experiences with healthcare inside. 228 or around 64% of all currently incarcerated respondents indicated having at least one health condition considered prevalent amongst incarcerated populations, including certain chronic conditions (arthritis, asthma, high blood pressure, diabetes, and cardiovascular problems), infectious diseases (tuberculosis, Hepatitis C, HIV, and Valley fever), as well as mental illness, oral

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<sup>35</sup> See Appendix C.

<sup>36</sup> “Governor Signs SB 1008 (Becker), the ‘Keep Families Connected Act,’ Following Grassroots Push from Community Members and Senator Josh Becker,” Senator Josh Becker, September 30, 2022, <https://sd13.senate.ca.gov/news/press-release/september-30-2022/governor-signs-sb-1008-becker-the-keep-families-connected-act>.

<sup>37</sup> “New Bill Will Require State to House Incarcerated Parents Close to Their Children,” Assemblymember Matt Haney Representing the 17th California Assembly District, March 30, 2023, <https://a17.asmdc.org/press-releases/20230330-new-bill-will-require-state-house-incarcerated-parents-close-their-children>.

<sup>38</sup> Olivia Heffernan and Steve Brooks, “Calls Are Free, But California Prisoners Still Face Communication Obstacles,” *The Appeal*, May 22, 2023, <https://theappeal.org/viath-california-prison-phones-tablets-messaging/>.

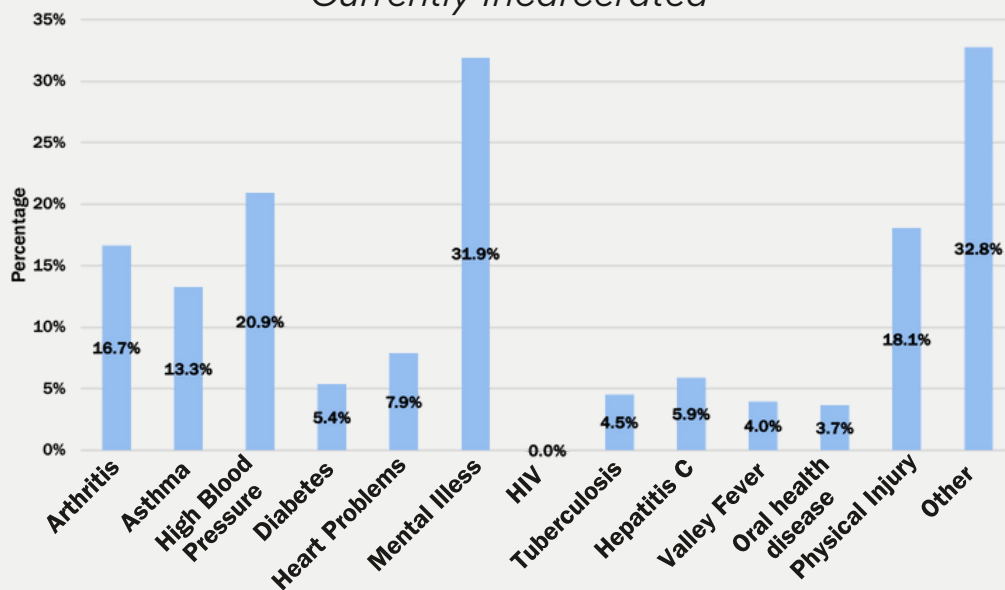
<sup>39</sup> The Lancet Public Health, “US Mass Incarceration Damages Health and Shortens Lives,” *The Lancet Public Health* 4, no. 7 (July 1, 2019): e311, [https://doi.org/10.1016/S2468-2667\(19\)30114-8](https://doi.org/10.1016/S2468-2667(19)30114-8).



health disease, and physical injury.<sup>40</sup> Of these conditions, mental illness, high blood pressure, and physical injury were the most frequently cited conditions. As a whole, around 43% of respondents marked having at least one of the five chronic conditions and 13% marked having at least one of the four infectious diseases. Broken down by subgroup, 2 or more AANHPI subgroups and NHPI respondents were most likely to report having one or more medical condition(s) common amongst prison populations at 79.4% and 75.0%.<sup>40</sup> Comparatively, a 2016 BJS study found that 40% of people incarcerated in state prisons across the nation were managing a chronic condition at the time of the survey and 17% of them had ever contracted an infectious disease.<sup>41</sup> A significant proportion of the total sample also marked having other conditions not specified in the survey. The number of respondents with at least one health concern increases when including those who selected “Other” as their only condition, at 263 or around 74% of the sample.

## Self-Reported Health Conditions

*Currently Incarcerated*



### *Mental Health*

Mental health is a critical dimension of health. In addition to the third of all survey respondents self-reporting a mental illness, our survey included a Kessler-6 (K6) scale for currently incarcerated respondents, which is a validated scale of nonspecific psychological distress considered an effective measure for screening mental health concerns.<sup>43</sup> The scale asks a series of questions about the respondent’s feelings and emotional state over the past 30 days.

<sup>40</sup> Laura M. Maruschak, “Medical Problems of Jail Inmates” (Bureau of Justice Statistics, 2006), <https://doi.org/10.1037/e500022007-001>; Kaitlin Benedict et al., “Awareness and Environmental Exposures Related to Coccidioidomycosis Among Inmates at Two California Prisons, 2013,” *Journal of Correctional Health Care* 22, no. 2 (April 2016): 157–63, <https://doi.org/10.1177/1078345816635577>.

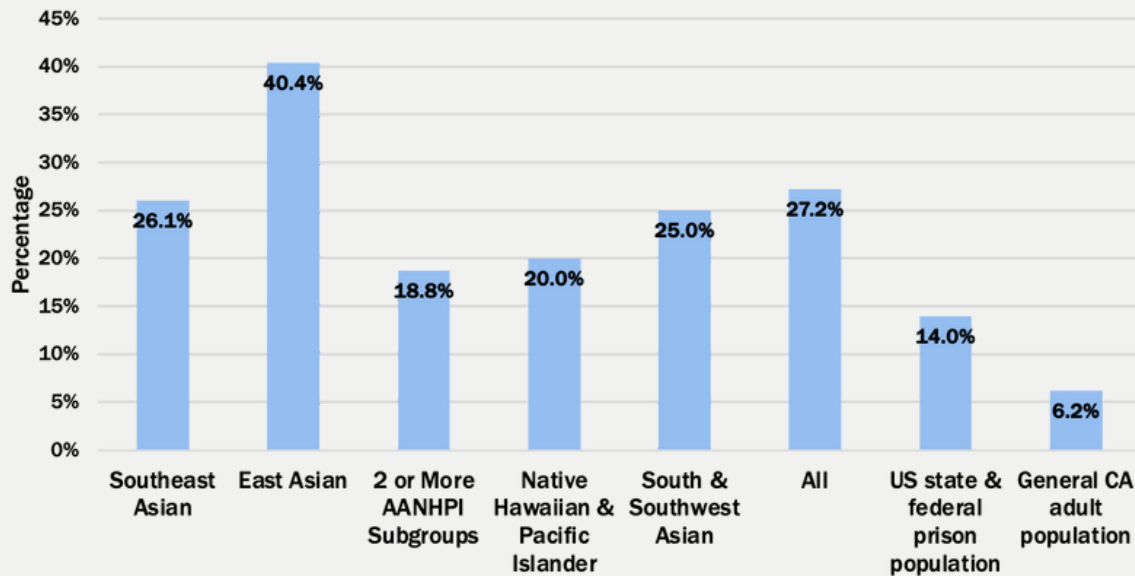
<sup>41</sup> See Appendix D

<sup>42</sup> Laura M Maruschak and Jennifer Bronson, “Medical Problems Reported by Prisoners,” 2021.

<sup>43</sup> Judith J. Prochaska et al., “Validity Study of the K6 Scale as a Measure of Moderate Mental Distress Based on Mental Health Treatment Need and Utilization,” *International Journal of Methods in Psychiatric Research* 21, no. 2 (February 20, 2012): 88–97, <https://doi.org/10.1002/mpr.1349>.

Over a quarter (27.2%) of currently incarcerated survey respondents met the criteria for having high or severe psychological distress (SPD).<sup>43</sup> This is almost 2 times higher than the total state and federal prisoner population in the US and a little over 4 times higher than the rate of SPD in the general California adult population.<sup>45</sup> East Asian respondents had the highest proportion of experiencing SPD with Southeast Asians reporting the second highest at 26.1%.

## Severe Psychological Distress (SPD) *Currently Incarcerated*



### *Environmental Health and Safety Hazards*

Environmental health and safety hazards such as overcrowding, deteriorating infrastructure, and toxic exposure due to prisons being sited on or near polluted lands create and further exacerbate existing health concerns for incarcerated populations. Our survey findings regarding environmental exposures provide further evidence for the public health hazard constituted by incarceration. In our survey, 65% of all currently incarcerated respondents also indicated that they have been exposed to at least one environmental health and safety hazard that can negatively impact physical and mental health, including, inadequate ventilation, exposure to sewage, polluted water, old, toxic or noxious fumes, asbestos, rodents & other vermin, insects, inadequate food, excessive heat or cold, inadequate lighting, constant lighting, lack of fire safety. The most common of these environmental hazards reported by currently incarcerated respondents were inadequate ventilation, inadequate food, unsanitary food service, and polluted water. Native Hawaiian and Pacific Islander reported one or more exposures to environmental

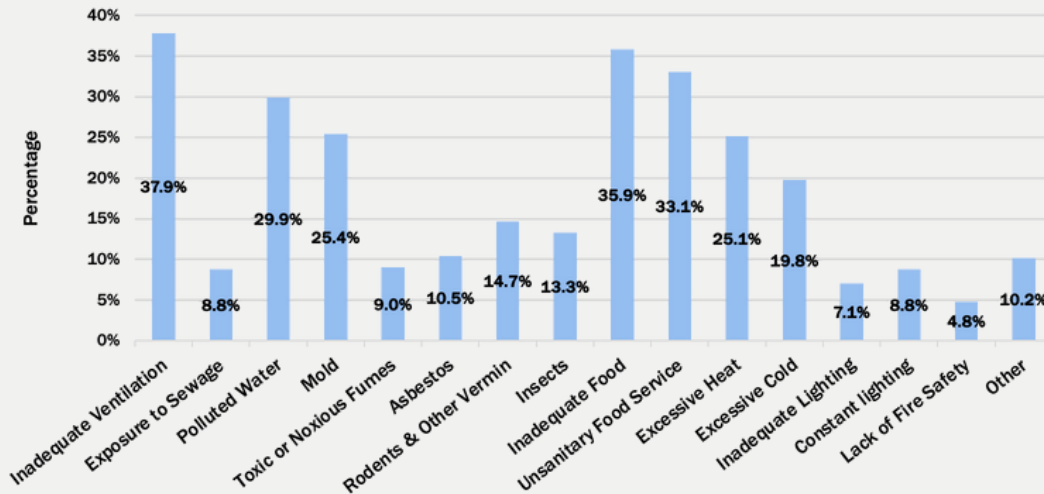
<sup>44</sup> Prochaska et al.

<sup>45</sup> Jennifer Bronson and Marcus Berzofsky, "Indicators of Mental Health Problems Reported by Prisoners and Jail Inmates, 2011-12," 2017; Sydney Tran et al., "Increasing Psychological Distress among Californians from 2013 to 2020: Race/Ethnic Differences," *Ssm. Mental Health* 2 (December 2022): 100101, <https://doi.org/10.1016/j.ssmmh.2022.100101>.

<sup>46</sup> Elizabeth A. Bradshaw, "Tombstone Towns and Toxic Prisons: Prison Ecology and the Necessity of an Anti-Prison Environmental Movement," *Critical Criminology* 26, no. 3 (September 1, 2018): 407-22, <https://doi.org/10.1007/s10612-018-9399-6>.

health and safety hazards at the highest frequency (75.0%) followed by 2 or more AANHPI subgroups respondents (73.5%) and East Asians (66.6%).<sup>47</sup>

## Exposure to Environmental Health & Safety Hazard(s) *Currently Incarcerated*



The threat to health posed by these environmental hazards are also clear from respondents’ testimonies. In addition to discussing important issues of access to and quality of care when asked about experiences with healthcare inside, several people used the space to detail how the conditions of prison were making them ill, with one currently incarcerated participant writing:

***“They could at least fix things up so that we don't get sick very easily. The place that we are staying at is messed up.”***

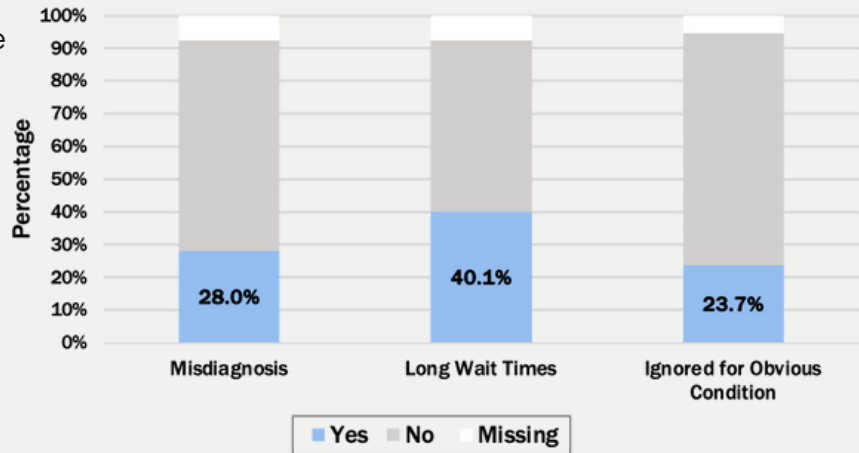
### Healthcare

Despite the many health concerns currently incarcerated respondents shared, responses regarding access healthcare in prisons showed that many find it to be inadequate and inefficient. Respondents reported inadequate healthcare and medical neglect over a range of measures. 28% of currently incarcerated respondents indicated being misdiagnosed by institutional medical staff at some point, 40.1% of currently incarcerated respondents reported waiting a long time to receive treatment for something they were diagnosed with or for an injury known by officials, and 23.7% of currently incarcerated respondents reported being ignored by medical for an obvious medical condition. Broken down by subgroup, NHPI and East Asian respondents reported the highest rates of misdiagnosis, long wait times, and being ignored by medical staff for all three measures, with the exception of long wait times where 2 or more AANHPI subgroups respondents had the second highest rate after NHPI.

<sup>47</sup> See Appendix E

Elaborating on the difficulty of receiving care inside, many incarcerated respondents noted that oftentimes they are denied basic care until the situation is dire, as in, until they go “man down” and an ambulance must be called. Several people report that prison officials frequently give them unhelpful advice and directives, such as telling them to “just drink water,” when they raise medical concerns:

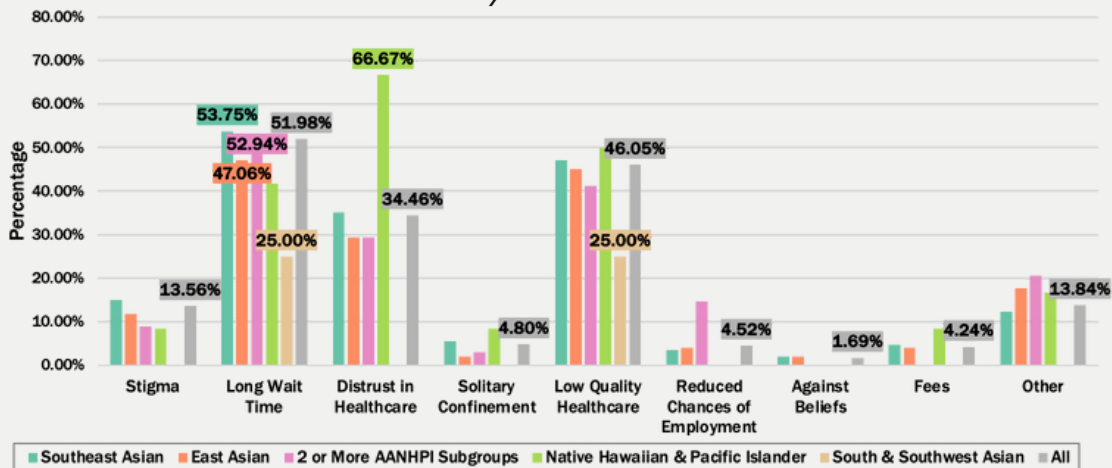
### Misdiagnosis, Long Wait Times, & Ignored by Staff Currently Incarcerated



***“When you have symptom[s], they tell you [to] drink more water, the only way you get medical attention is when you [are] about to die.”***

Currently incarcerated respondents also identified significant barriers to accessing healthcare inside. Long wait times, low quality health care, and distrust in healthcare as the three most frequently cited barriers to accessing healthcare in prison across all subgroups. Long wait times in particular was the barrier cited at the highest frequency as a barrier to care by East Asians, Southeast Asians, 2 or more AANHPI subgroups, and South and Southwest Asians respondents. South and Southwest Asians also reported low-quality health care at the same frequency as long wait times. On the other hand, distrust in health care was the most cited reason for NHPI respondents.<sup>48</sup>

### Barrier(s) to Accessing Healthcare Currently Incarcerated



<sup>48</sup> See Appendix F

Many incarcerated respondents' expanded upon their experiences with low quality healthcare that have shaped their distrust. Foremost, several described the medical care they are able to access as frequently unprofessional, uncompassionate, and carceral. They report being treated with suspicion and derision:

***“Not all doctors, nurses and physicians are bad. But the ones I've encounter[ed] during my 14 years locked up were unprofessional, not the compassionate people I would expect to treat me. Most [of the] time they were rude, thought I was lying and were ineffective in communicating. I became discouraged from seeking help from the prison healthcare staff.”***

Additionally, many shared that necessary treatments were not accessible or provided to them. At the time of the survey, 50.3% (178) of incarcerated respondents reported that they were currently receiving medical care inside, and of those 178 who were currently receiving care, 17.4% reported that they were not receiving prescription medication in a manner that adequately addressed their needs. Lack of proper treatments was specifically mentioned several times with regards to dental care inside, with many reporting that rather than opting for restorative treatments, prison providers often pulled teeth as a default solution for damaged teeth:

***“They only want to pull my teeth. They will not do root canal or crowning. I still have my teeth today after 7 years and they wanted to pull out. Everytime I go to get my teeth cleaned, one would get infected and I had to get it pulled. Now I'm afraid of going to the dentist, so I've stopped going.”***

Lastly, while we did not ask specific questions about COVID-19, many shared that the aforementioned issues with healthcare and public health hazards on prisons coalesced and were exacerbated during the pandemic. Close confinement, unsafe environmental conditions, and carceral, poor quality of healthcare further endangered the lives of those incarcerated:

***“We recently had a breakout of COVID-19 here at the prison. We live in a dorm setting. Several inmates who were obviously sick refused to test because a positive test would mean they would have to be quarantined. So instead of separating those who were negative for COVID, positive for COVID, and [those who] refused to test, they put those who refused with negative results which eventually got everyone sick and several people died.”***

***“During this pandemic, there is no way inmates can socially distance properly. The cells have improper ventilation and during the beginning of the pandemic, many were exposed without proper PPE.”***



## Life After Incarceration

In addition to highlighting the brutal and isolating realities of incarceration, our survey findings make clear that, similarly to other formerly incarcerated groups, the violence of carceral systems extend into impacted AANHPI lives beyond their release. Currently and formerly incarcerated AANHPI shared a number of interconnected concerns and major challenges pertaining to life after imprisonment, including challenges around continued supervision, surveillance, and punishment at the intersections of criminal and immigration systems, and securing employment and support for basic needs. In spite of the many concerns, many respondents also shared what they are hopeful and excited about upon release, with an emphasis on opportunities to continue to heal and grow themselves, their relationships, and their communities.

### **Concerns and Challenges**

#### **Release Supervision and Surveillance**

Continued supervision and surveillance by the criminal-legal system was one major concern raised by currently incarcerated respondents regarding life after incarceration. In their responses, many currently incarcerated respondents shared their worries about persistent restrictions from the criminal-legal system:

***“I'm worried about parole and if it hinders my ability to live my life.”***

Relatedly, some shared their fears of being reincarcerated due to this supervision:

***“[I worry about] the frustration in the parole officer process and them locking me back up for a mistake.”***

These concerns are not unfounded, with 66% of all parolees in California reincarcerated within 3 years after paroling, 39% of which have parole revoked due to technical or administrative violation, which includes actions such as simply missing appointments.<sup>49</sup> Conditions of community supervision are often highly constraining and have been critiqued for setting those who are released up for failure.<sup>50</sup>

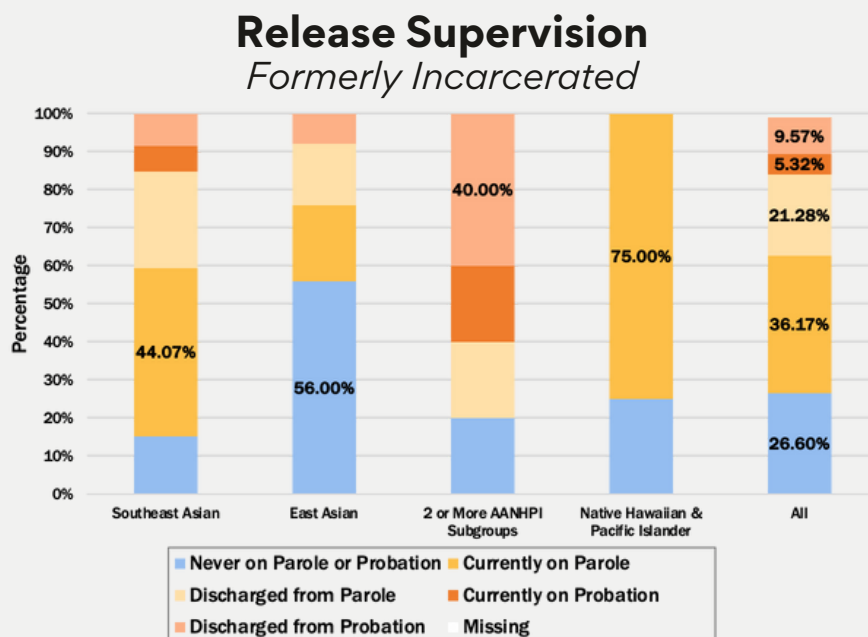
In terms of release supervision, a majority of formerly incarcerated respondents shared that they are currently on parole or probation (57.5%), with far fewer indicating they had been discharged from parole or probation (14.6%) or had never been on parole or probation in the first place (26.6%).

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<sup>49</sup> Ryken Grattet et al., “Parole Violations and Revocations in California: Analysis and Suggestions for Action,” 2008.

<sup>50</sup> Leah Wang, “Punishment Beyond Prisons: Incarceration and Supervision by State” (Prison Policy Initiative, May 2023), <https://www.prisonpolicy.org/reports/correctionalcontrol2023.html>; Cecelia M. Klingele, “Rethinking the Use of Community Supervision,” SSRN Electronic Journal, 2013, <https://doi.org/10.2139/ssrn.2232078>.

East Asian formerly incarcerated respondents were most likely of the AANHPI subgroups to report never having been on parole or probation. A majority of NHPHPI respondents indicated that they were currently on parole. Of all the release supervision categories, Southeast Asians reported currently being on parole most frequently (44.1%) while 2 or more AANHPI subgroups respondents reported being discharged from probation most frequently.



### ***Threat of Deportation***

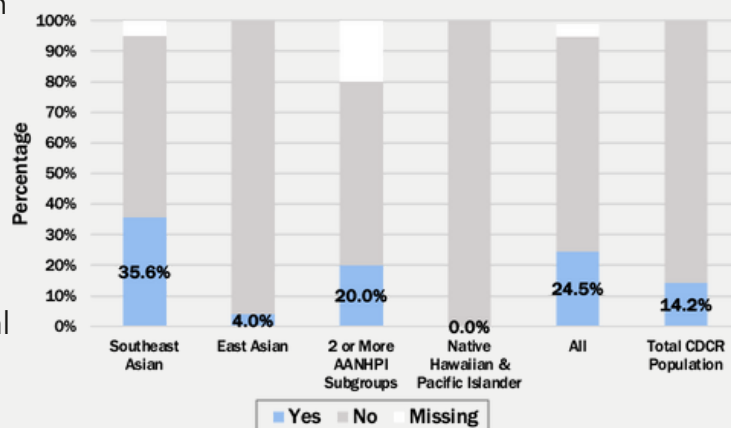
The threat of Immigration and Customs Enforcement (ICE) detention and deportation poses another significant concern and challenge for AANHPI impacted by incarceration, and is yet another example of how the reach of carceral institutions extends far beyond prison walls. In particular, the confluence of immigration and the criminal-legal system threatens to rip many AANHPI impacted by incarceration from their families and loved ones once again through deportation. The number of people without citizenship who are pushed through the prison-to-deportation pipeline has swelled rapidly since the passage of the 1996 Antiterrorism and Effective Death Penalty Act (AEDPA) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA). AEDPA and IIRIRA made many more people with criminal convictions eligible for deportation through the expanded legal definition of an “aggravated felony,” expanded local law enforcement’s authority to arrest for immigration violations, and expedited the processes of detention and deportation.<sup>51</sup> The laws were also made to be retroactive, meaning that non-citizens who committed certain offenses before the law was enacted were rendered at risk of deportation.<sup>52</sup>

<sup>51</sup> Julie K. Rannik, “The Anti-Terrorism and Effective Death Penalty Act of 1996: A Death Sentence for the 212(c) Waiver,” *The University of Miami Inter-American Law Review* 28, no. 1 (1996): 123–50.

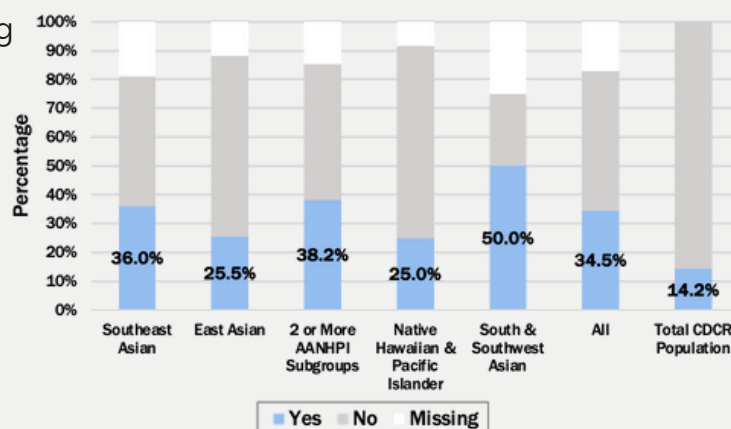
<sup>52</sup> Dawn Johnson, “AEDPA and the IIRIRA: Treating Misdemeanors as Felonies for Immigration Purposes, The;Legislative Reform,” *Journal of Legislation* 27, no. 2 (May 1, 2001): 477.

The threat of deportation looms large for many currently and formerly incarcerated AANHPI, many of whom are refugees and immigrants. 34.5% of all currently incarcerated respondents and 24.5% of formerly incarcerated respondents indicated having ICE hold or deportation orders. For currently incarcerated respondents, this is around 1.7 times higher than the proportion of the total CDCR population with potential and verified holds (14.2%).<sup>53</sup> Of the very small sample of currently incarcerated South and Southwest Asians 50% indicated having an ICE hold or facing deportation upon release. 38.2% and 35.9% of 2 or more AANHPI subgroups and Southeast Asian currently incarcerated respondents respectively indicated they were at threat of deportation upon release. For formerly incarcerated respondents, Southeast Asians had the highest proportion of having a deportation order at 35.6%.

### ICE Hold/Deportation Order Formerly Incarcerated



### Currently Incarcerated



Recalling earlier findings, an overwhelming number of our respondents – particularly Southeast Asians and those identifying with 2 or more AANHPI subgroups (many who are Chinese Southeast Asian) – are refugees. Many fled their countries as children or were born in refugee camps outside of their family’s country of origin. Deportation therefore often entails sending refugees to a place that they have little to no memory of:

***"I worry about being deported to a country I know nothing about. I have all my family here in the U.S. I don't speak Thai. The only thing I know is I was born there in a refugee camp. I speak Laotian but my parents were born in Cambodia. So, I don't know what country they [would] be deporting me to. But I do know that I want to stay here with my family, and I don't want to get deported. This is all I know here in America."***

Incarcerated Survey Participant

<sup>53</sup> Victoria Valenzuela, "CDCR and ICE Send Thousands of Immigrants to Be Detained and Deported by ICE," ScheerPost, August 24, 2023, <https://womenprisoners.org/cdcr-and-ice-send-thousands-of-immigrants-to-be-detained-and-deported-by-ice/>.

Deportation criminalizes immigrants and refugees by removing them from their support systems and depriving their families and communities who love and rely on them from reuniting after their release. This process thus reproduces and extends the violence of separation and isolation central to incarceration – punishing not only incarcerated individuals, but their families and communities:

***“I worry about immigration a lot, I'm afraid I will get sent back to Vietnam... My dad passed away when I was 23 and in prison. My mom is getting older and weaker so I gotta pick up the bills and help out. My family depends on me and I don't want to let them down.”***

Incarcerated Survey Participant

Our survey data complements existing data reflecting the crisis of deportation in Southeast Asian refugee communities. Nearly three out of four of Southeast Asian deportations in fiscal year 2018 were a result of ICE transfers after serving prison time for decades-old charges – in fact, SEA are at least three times more likely than other immigrants to be deported on the basis of an old criminal conviction.<sup>54</sup>

Though the number of South and Southwest Asians represented in our sample is very limited, their unique histories with carceral systems – specifically through policies that have targeted them for government surveillance and detention in the name of a “War on Terror” – are central to understanding the workings of the contemporary deportation machine in the US. In fact, IIRIRA and AEDPA – the pieces of legislation that have been key to accelerating the prison-to-deportation pipeline of refugees from Southeast Asian and other immigrant communities – are part of a longer arc of racist crimmigration policy that have worked to detain, punish, and expel Arab, Middle Eastern, Muslim, and South Asian (AMEMSA) communities racialized as threats to national security.<sup>55</sup> IIRIRA and AEDPA were passed in the wake of the bombings of the World Trade Center in 1993 and the federal building in Oklahoma City in 1995. Following 9/11, many of the provisions that had been laid out in IIRIRA but had not been operationalized were deployed to expand immigration enforcement. On top of this, a slew of other legislation, such as the PATRIOT Act, National Security Entry-Exit Registration System (NSEERS), Countering Violent Extremism (CVE) programs, and the 2002 Homeland Security Act (which established the Department of Homeland Security (DHS) and ICE) were enacted and subjected AMEMSA communities to surveillance, criminalization, and deportation on a massive scale.<sup>56</sup> Post-9/11 securitization policies are thus core to the formation of the modern deportation regime that has been and continues to be devastating for many refugee and immigrant communities.

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<sup>54</sup> Mariategue and Dinh, “Southeast Asian American Journeys.”

<sup>55</sup> Sarita Ahuja and Robert Chlala, “Widening the Lens on Boys and Men of Color: California AAPI & AMEMSA Perspectives” (AAPIP Asian Americans / Pacific Islanders in Philanthropy, June 2013).

<sup>56</sup> Johnson, “AEDPA and the IIRIRA”; Rannik, “The Anti-Terrorism and Effective Death Penalty Act of 1996”; Muzaffar Chishti and Jessica Bolter, “Two Decades after 9/11, National Security Focus Still Dominates U.S. Immigration System,” migrationpolicy.org, September 21, 2021, <https://www.migrationpolicy.org/article/two-decades-after-sept-11-immigration-national-security>.

## Employment and Access to Basic Needs

***“My worries are that I have no clothes, no place to stay, no money, no car, no guarantee of a job. The only things I will have are the clothes I step out of prison with. I will also have no phone. I also worry that my prison record will make it hard to get a job as well as having no interview clothes.”***

Incarcerated Survey Participant

Another pressing challenge and concern of our survey respondents revolved around finding employment post-release. Securing employment and financial stability are in turn related to the accessibility of a number of other basic needs, including housing, transportation, and healthcare. Respondents named a number of interrelated barriers to successful reentry that directly impact their ability to establish financial stability and access basic needs, the first being stigma and legalized discrimination against formerly incarcerated people that restricts work, housing, and public benefits access:

***“I worry about securing employment. Although I have good work ethic and marketable skills, I'm aware that there are many hurdles and challenges born from societal stigma of a formerly incarcerated person.”***

Formerly Incarcerated Survey Participant

There are 4,800 state and federal laws that limit the lives of people with prior convictions, with 58% of these restrictions pertaining to employment and occupational licensing.<sup>57</sup> Barriers to securing employment significantly hinders ability to access housing – especially given the extremely high cost of living in areas like the Bay Area and Los Angeles where many formerly incarcerated folks in California parole. Housing inaccessibility produced by financial instability is only exacerbated by institutionalized exclusions and lack of protections against discrimination in housing. Federal law fully bans individuals with certain convictions from applying for government-assisted housing. On top of this, the law gives broad discretion to public housing authorities and landlords to screen applicants and reject them; in practice, this functions to further shut formerly incarcerated folks out of public and private housing.<sup>58</sup> Institutionalized rules and restrictions on employment and housing thus set up formerly incarcerated folks to become further locked in cycles of poverty. Upwards of 50% of formerly incarcerated people in California are unemployed a year after their release and many are relegated to homelessness.<sup>59</sup>

An additional barrier to securing employment and other basic needs support for folks

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<sup>57</sup> Christine Karamagi, Selena Teji, and Vishnu Sridharan, “Repairing the Road to Redemption in California” (Californians for Safety and Justice (CSJ), May 2018), <https://safeandjust.org/interactivereport/repairing-the-road-to-redemption-in-california/>.

<sup>58</sup> Karamagi, Teji, and Sridharan.

<sup>59</sup> Lul Tesfai, “California’s In-Prison Vocational Education” (California Senate Office of Research, 2014); Karamagi, Teji, and Sridharan, “Repairing the Road to Redemption in California.”



coming home includes obtaining proper government-issued identification, which is often an arduous process due to layers of state bureaucracy. IDs are required to carry out a number of essential activities, such as work and apply for social services. Similarly, lack of digital literacy poses another hurdle to formerly incarcerated community members. In an increasingly digitized world, being able to navigate digital space and technology is necessary to complete job applications, access resources, and communicate.

For formerly incarcerated respondents who struggled with these compounding barriers to securing employment and basic needs, many also shared that having tailored re-entry support services as well as community and family support were indispensable for successfully overcoming some of these issues.

### *Long Term Incarceration*

Notably, for many currently incarcerated respondents, their greatest concern is simply that there will be no life after incarceration for them. A substantial portion of our AANHPI survey respondents are serving life without parole sentences, which essentially condemn people to death behind bars. Many are terrified at the cruel possibility of spending the rest of their lives locked away:

***“I worry about dying in prison. I worry about long term incarceration. I worry about not being able to have a life with my family. I worry about never being a father to my daughter. I worry about the injustice of inmates.”***

Incarcerated Survey Participant

Some of our respondents have already served extremely lengthy sentences and reached an advanced age. For these incarcerated elders, the traditional barriers and concerns faced by formerly incarcerated people returning home are only exacerbated by old age:

***“What would I do [if I was released]? I'm too old, so how would I survive?”***

Incarcerated Survey Participant

### ***Hopes and Excitements***

#### *Reconnecting with Loved Ones and Making Amends*

Despite the many concerns and challenges our respondents had regarding life post-release, currently incarcerated AANHPI who responded to our survey also have many hopes and excitements for life outside of prison walls. Foremost, many are excited at the prospect of being able to reconnect with loved ones and repair relationships. Though some do anticipate entrenched stigma against formerly incarcerated people in Asian communities posing a significant challenge to establishing and rebuilding relationships, investing in meaningful relationships after years of separation and isolation is a leading priority for them. Significantly, many named their hopes for making amends in the process of reconnecting with loved ones:

***“I hope the law is changed, so I can have a second chance to be reunited with my family & my three daughters. So I can do whatever it takes to make amends to them all, and also so I can go to the cemetery where my wife was buried and kneel down in front of her gravesite and tell her how sorry I am.”***

Incarcerated Survey Participant

***“What I look forward to the most upon release is spending quality time with my family and friends. Showing them the amount of change I have reformed myself into with the help of friends and family. Then start my life in a work field to support my family and friends as they have been supporting me through this time.”***

Incarcerated Survey Participant

### *Giving Back to the Community*

Relatedly, an overwhelming number of our respondents shared that they are excited for the opportunity to effect change in their broader communities. The goal of making positive impacts on the lives of others after their release motivates many of our respondents’ aspirations of volunteering in their communities, continuing their education, and/or pursuing various career paths. In particular, many share a strong desire to intervene on intergenerational cycles of harm by supporting youth in their communities who are growing up in the same difficult circumstances they did:

***“Upon my release, I will look forward to reunite with my family, friends, and the community. Most importantly, I will continue to advance my education in pursuing my counselor license and building a strong relationship with my support network. My mission is not only to make sure that I will not cause any harm to another human being, but to help preventing others from doing what I did. I believe that I can make our world a better place through hard work and perseverance.”***

Incarcerated Survey Participant

***“I look forward to returning to Samoa and enjoying the time with my family. I would love to mentor troubled youth & share my experience that they don't end up making the same mistakes I made. Giving back to my community by helping out in any way I can. Getting involved with my culture and continuing with my spiritual practice & going to self-help programs available.”***

Incarcerated Survey Participant



## RECOMMENDATIONS

This report highlights the experiences of AANHPI impacted by incarceration, illustrating how cycles of trauma, violence, and poverty that span generations and borders push AANHPI out of school and into prisons at a very young age. The criminal-legal system, in turn, only reproduces and reentrenches violence, condemning many AANHPI to extremely lengthy sentences where they must endure isolating, dehumanizing, and unsafe conditions in prison. Challenges and concerns do not stop for system-impacted AANHPI if and when they are released: stigma and institutionalized barriers to securing employment and basic needs, lack of culturally and linguistically appropriate reentry resources for AANHPI, stringent supervision conditions, and immigration detention and deportation are interlinked conditions that threaten to remove them from their communities and loved ones again. Importantly, within these experiences, this report also underscores the particular experiences of specific communities within the AANHPI umbrella. Based on our findings, we support a number of recommendations to support the well-being and healing of AANHPI impacted by incarceration and other system-impacted communities generally:



## **1 Invest in further data collection and research about the experiences of AANHPI impacted by incarceration.**

This report is a step forward in filling major gaps in data on AANHPI communities impacted by incarceration. However, additional research is needed to more comprehensively capture the stories and experiences of system-impacted AANHPI. We encourage data collection and research efforts that further advance our understanding of the shared and unique experiences of groups that fall under the diverse AANHPI umbrella. This includes projects that 1) expand areas of limited data on specific ethnic subgroups in our dataset, 2) more intentionally analyze the specificity of experiences across dimensions of gender, sexuality, class, ability, and other social positions, 3) provide more depth to particular topic areas (i.e. healthcare inside), and more.

While the disaggregated institutional data made available by the CDCR after the implementation of AB934 will be critical for furthering our knowledge of AANHPIs impacted by incarceration (as well as racial and ethnic identities that have historically been amalgamated under the broad category of “Other”), we also recommend that funding, training, and other resources be directed to data collection and research efforts conducted by community-based organizations that work with and are led by system-impacted AANHPI. Initiatives led by and/or done in collaboration with formerly and currently incarcerated AANHPI are best positioned to provide meaningful and actionable insights that are attentive to impacted community members’ self-defined concerns and priorities. In other words, we believe that support should be funneled into data collection and research efforts that are specifically driven and stewarded by those actively invested in the freedom and well-being of directly impacted AANHPI communities.

## **2 Advance transformative policies and practices that intervene at the root causes that drive violence and incarceration in AANHPI communities and other system-impacted communities**

Our findings make evident that far-reaching cycles of violence that span across generations and borders profoundly shape the pathways to prison for impacted AANHPI. An overwhelming number of our survey participants are immigrants and refugees forcibly displaced from their homelands by war, poverty, and persecution. Compounding conditions of poverty and violence in their homes, schools, and broader communities subsequently drove many AANHPI to gangs, substances, and other criminalized activities as youth. This is particularly true for NHPI and Southeast Asians respondents, who consistently fared the worst in terms of childhood experiences, including poverty, exposure to violence and abuse, school dropout rates, and substance use. They also had the highest proportions of individuals incarcerated for an offense committed during their youth.

Efforts seeking to address the impact of incarceration in AANHPI communities must therefore be proactive and preventative by intervening on the practices and social

conditions that put AANHPI on the path to prison in the first place. With many of AANHPI respondents' being locked away for offenses they committed as youth, policy changes in the criminal-legal system that challenge the adultification and criminalization of youth are urgently needed to protect future generations. Efforts to eliminate the practice of trying youth as adults under any circumstances, removing police from schools, and more are necessary to help end the funneling of AANHPI youth and other criminalized youth into prisons.

In addition, we must invest in efforts to transform the broader social conditions that push AANHPI into prison. Policies and practices that advance economic justice, end zero-tolerance policies in schools, address structural inequities in school resourcing, nurture community-led care and accountability practices, resist ongoing militarized imperial and colonial aggression in the Asia-Pacific, and more are crucial to advancing justice for impacted AANHPI. Though, on their face, such issues may not seem related to issues of criminalization and incarceration, we recognize that the lives of currently and formerly incarcerated AANHPI are, in fact, directly and inextricably connected to multiple forms of struggle against racism, capitalism, colonialism, and other systems of oppression.

### **3 Advance transformative policies and practices that mitigate harm and support the survival and freedom of incarcerated AANHPI and all people inside.**

The data we collected on currently incarcerated AANHPI experiences with solitary confinement, communication, healthcare, and more further illuminate the isolating and dehumanizing nature of incarceration that is detrimental to health and well-being. We support interventions that mitigate harm inside prisons. Examples include ending the debilitating practice of solitary confinement in prisons, improving sanitary conditions, bettering healthcare access and quality, and broadening incarcerated peoples' ability to communicate and maintain relationships with people outside (such as removing limits on frequency/duration of phone calls).

Relatedly, we encourage investing in tailored prison programming efforts that provide opportunities for productive dialogue and community-building. For example, APSC's ROOTS program convenes AANHPI, "Other," and ally prisoners to co-learn and share about immigration/refugee stories, intergenerational trauma, and cultural history as well as prepare for reentry. Such programs support personal reflection, political education, and help combat the dehumanizing and isolating conditions inside. For AANHPI, culturally resonant programming and community building, like ROOTS, is especially supportive given the dominant erasure of AANHPI from discussions of incarceration.

That being said, while we strongly advocate for interventions that safeguard the lives of people inside, we reject the idea that there can be "humane" cages. We hold a strong conviction that prisons are inherently oppressive and violent spaces; therefore, actively reducing the time spent inside and the number of people



ncarcerated is crucial for truly supporting the health and well-being of incarcerated AANHPI and all people who are locked away in the long-term. For instance, the high proportions of AANHPI who have been sentenced to die behind bars found in this report only reaffirms the urgency of efforts to completely ban the use of Life Without Parole (LWOP) sentences in California. We also call on people to engage in continued campaigns pressuring the Governor to grant mass clemency and bring people home where they have the opportunity to grow and heal in their communities.

## **4 Advance transformative policies and practices that support the successful reentry of formerly incarcerated AANHPI and ensure that AANHPI impacted by incarceration get to stay in their communities.**

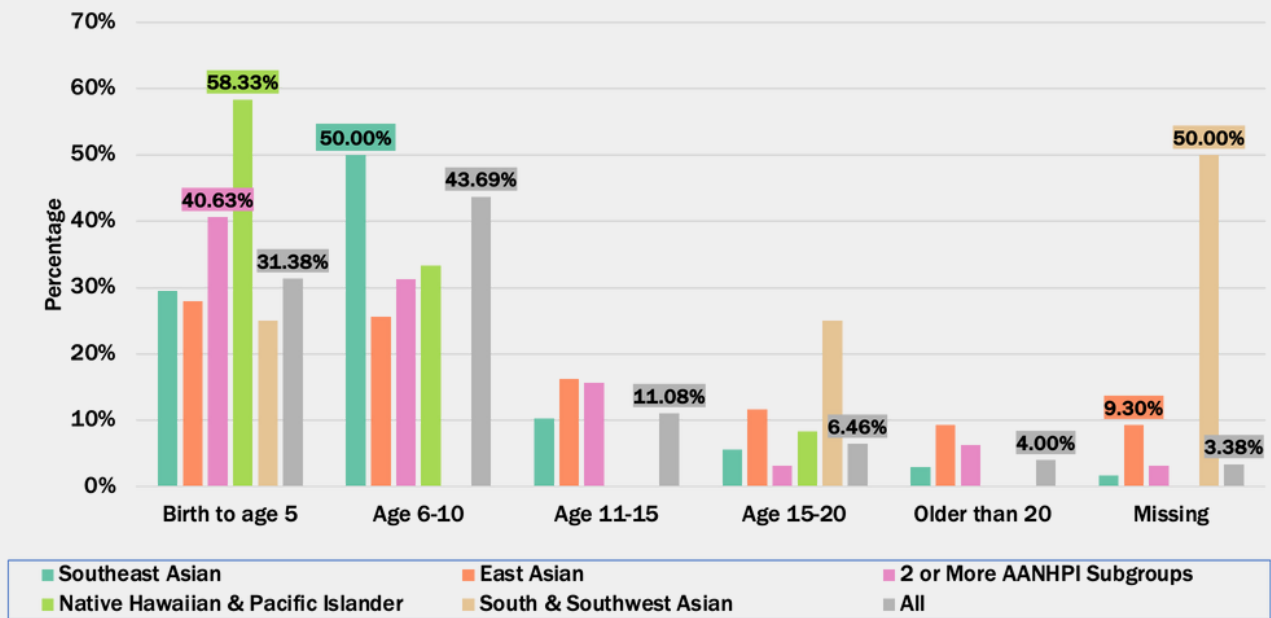
Our findings show that the consequences of criminalization and incarceration reverberate into the lives of impacted AANHPI far after their release. Given the number of barriers formerly incarcerated people face coming home, investment in reentry services that support them in navigating post-incarceration life and securing employment, housing, and other basic needs are critical. The need for linguistically and culturally competent reentry services for AANHPI in particular was emphasized by formerly incarcerated leaders convened to review the data. In addition to reentry services, we support the dismantling of legislated and institutionalized barriers to reentry that only make successful reintegration more difficult for people coming home. This includes removing employment, housing, and social service restrictions that significantly hinder formerly incarcerated people's access to crucial resources.

In order for formerly incarcerated AANHPI to successfully reenter society, they must be able to return to their loved ones and communities and *stay* with their loved ones and communities. Aforementioned barriers to reentry often push formerly incarcerated people back into cycles of poverty and violence, therefore increasing chances of recidivism. Stringent post-release supervision conditions – set largely at the discretion of individual parole and probation officers – are a major cause of reincarceration, with many being sent back for mere administrative or technical violations. Removing release supervisions conditions and investing in appropriate community reentry services will better support AANHPI and other formerly incarcerated individuals in their efforts to remain in their communities.

Relatedly, ICE detention and deportation pose additional threats to keeping refugee and immigrant AANHPI impacted by incarceration home with their loved ones, especially for Southeast Asian, 2 or more AANHPI subgroups respondents, and South/Southwest Asians in our survey. We are angry at Governor Newsom's recent decision to veto the widely supported HOME Act in California, which would have ended automatic transfers from CDCR to ICE. Nonetheless, we remain committed to ending the racist double punishment of refugee and immigrant communities in California and across the nation. We unequivocally call for an end to all CDCR collusion with ICE, the repeal of AEDPA and IIRIRA, and the implementation of other policies that bring and keep our people home where they should be.

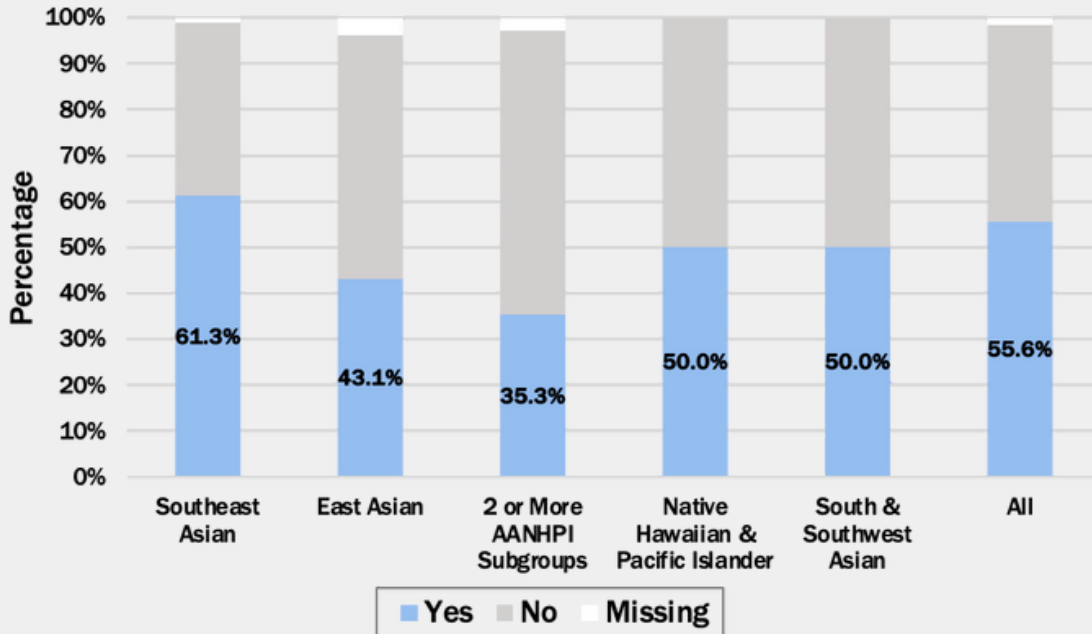
# APPENDIX A

## Age of First Witness of Violence *Currently Incarcerated*

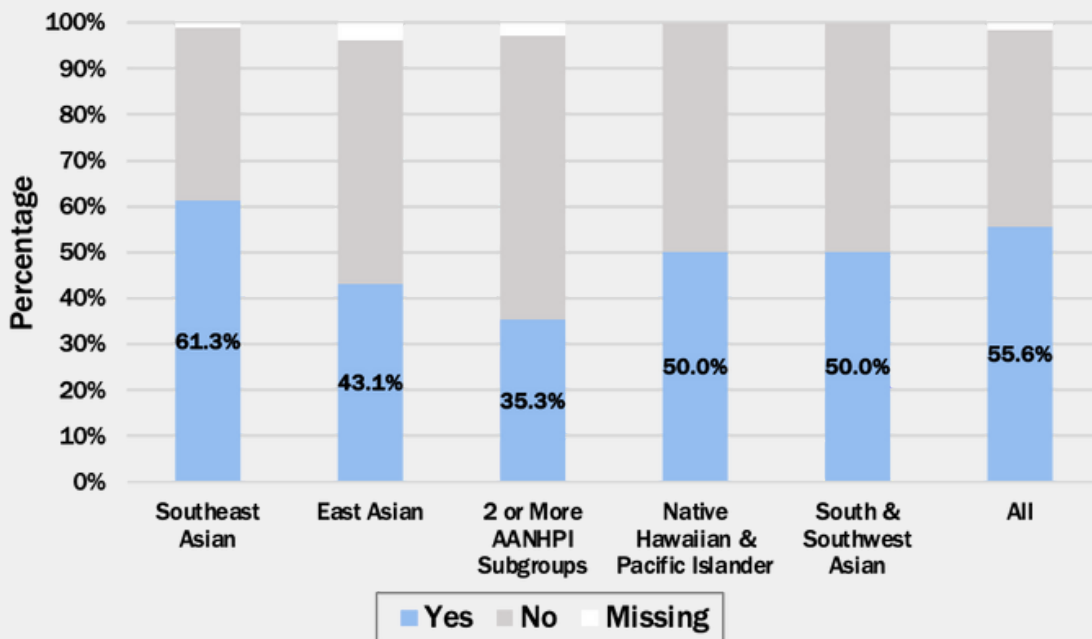


# APPENDIX B

## Youth Offender *Formerly Incarcerated*

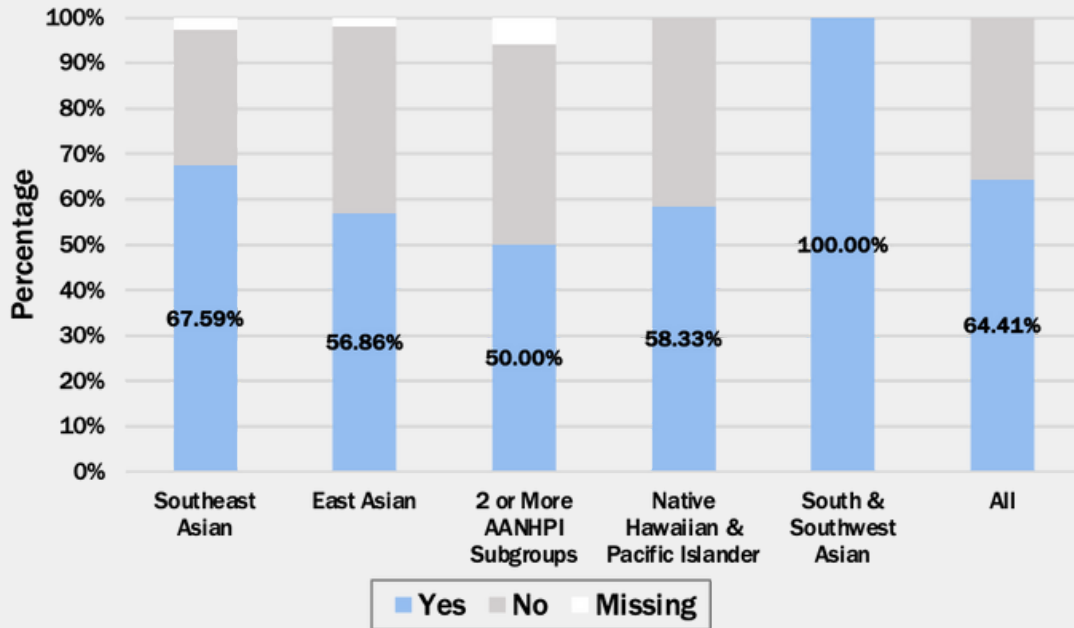


## *Currently Incarcerated*

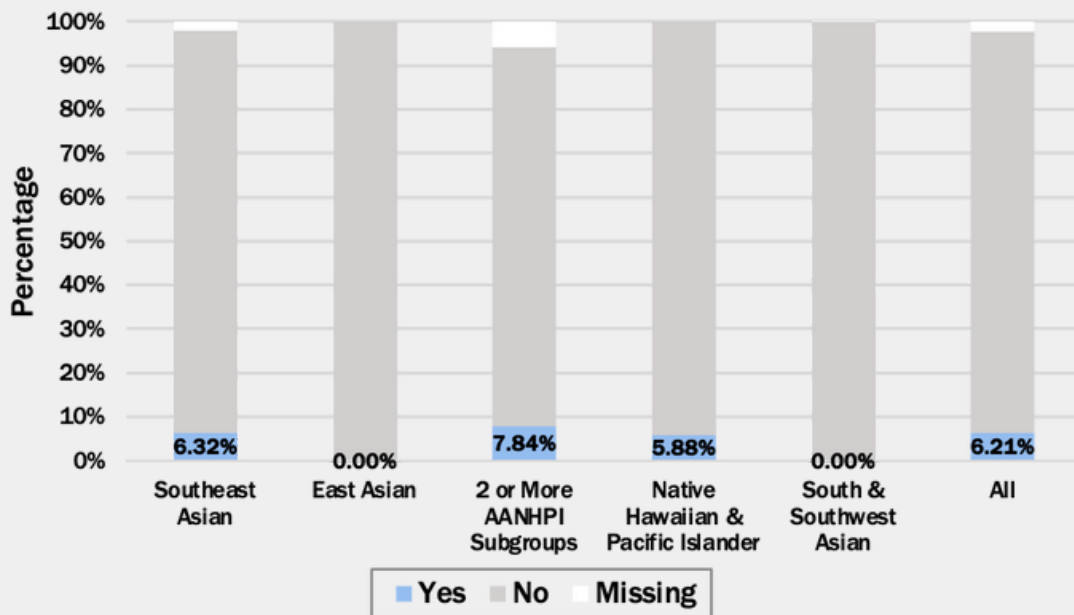


# APPENDIX C

## Phone Call in Past Week *Currently Incarcerated*

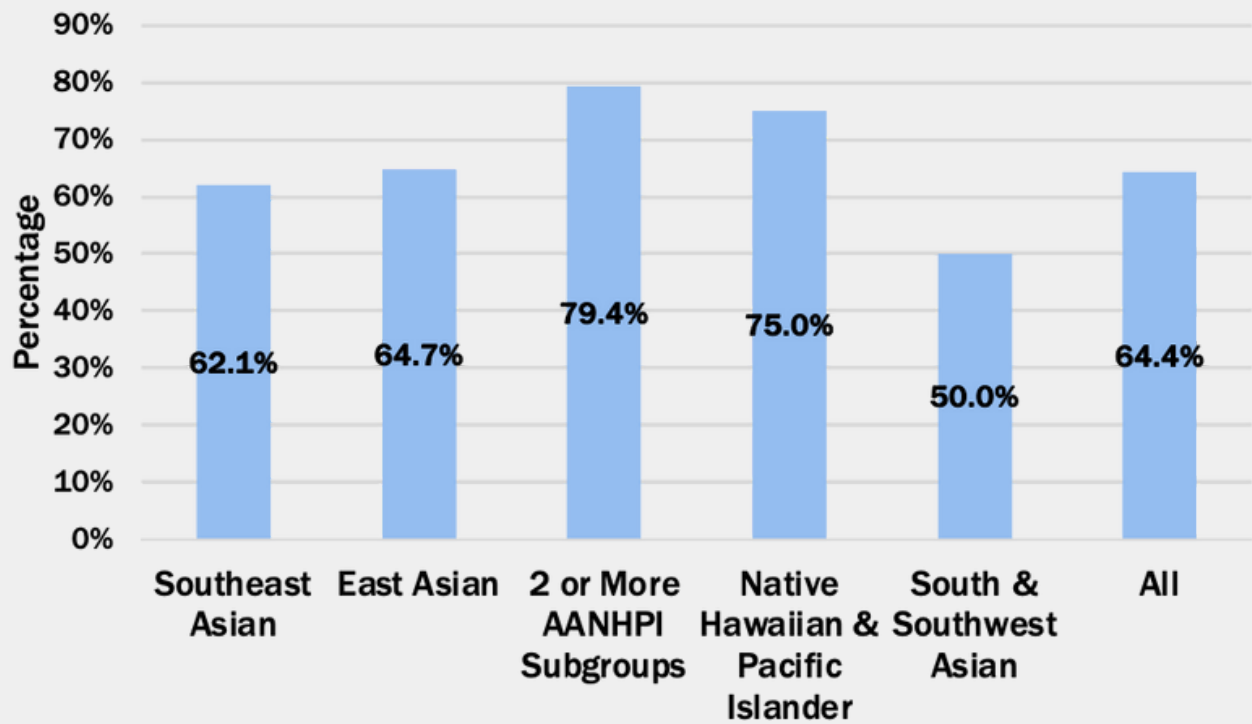


## Personal Visit in Past Month *Currently Incarcerated*



# APPENDIX D

## Self-Reports One or More Medical Condition(s) *Currently Incarcerated*

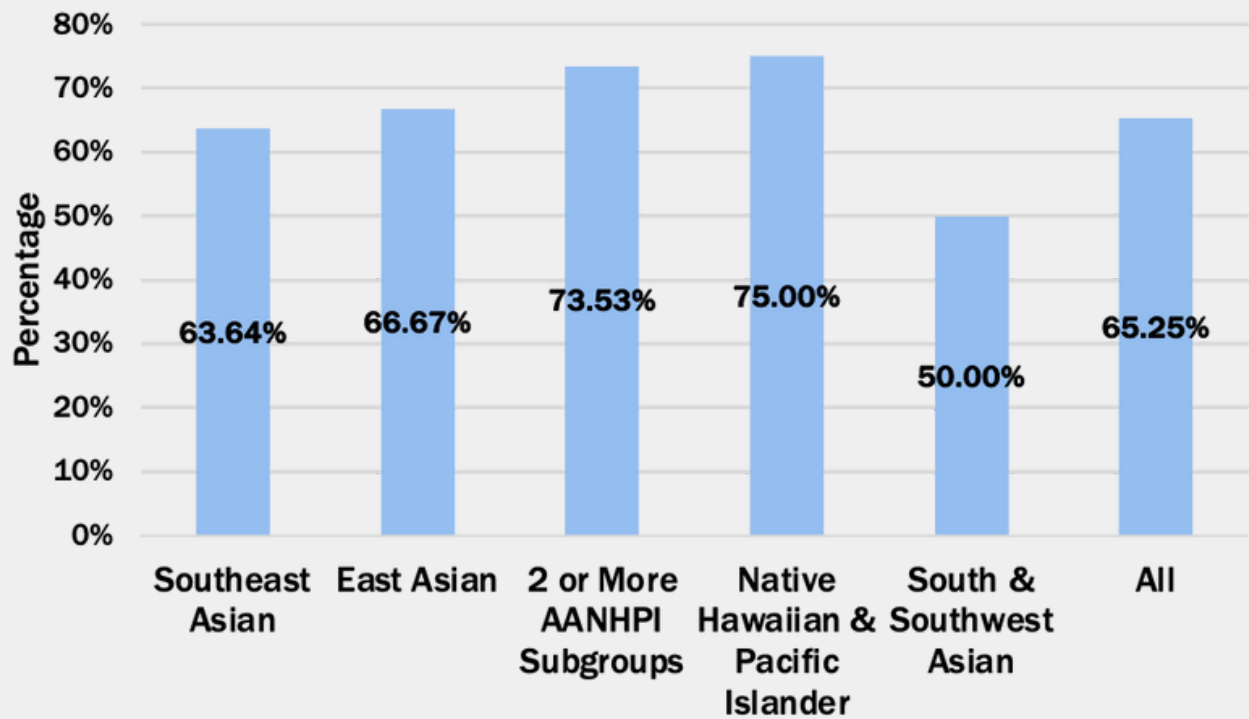




# APPENDIX E

## One or More Exposure(s) to Environmental Health/Safety Hazard

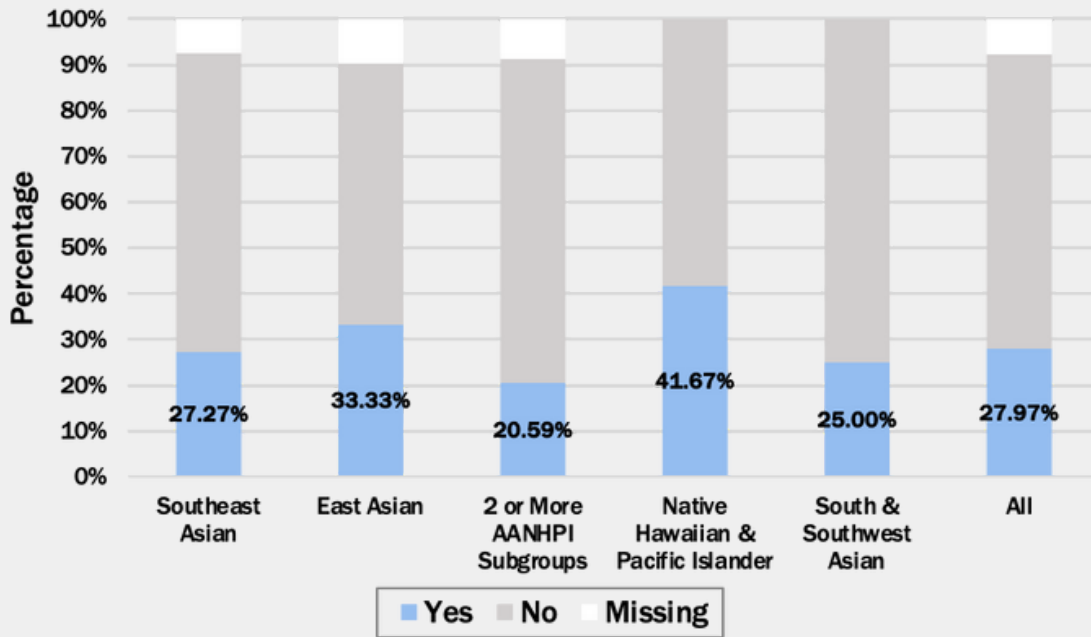
*Currently Incarcerated*



# APPENDIX F

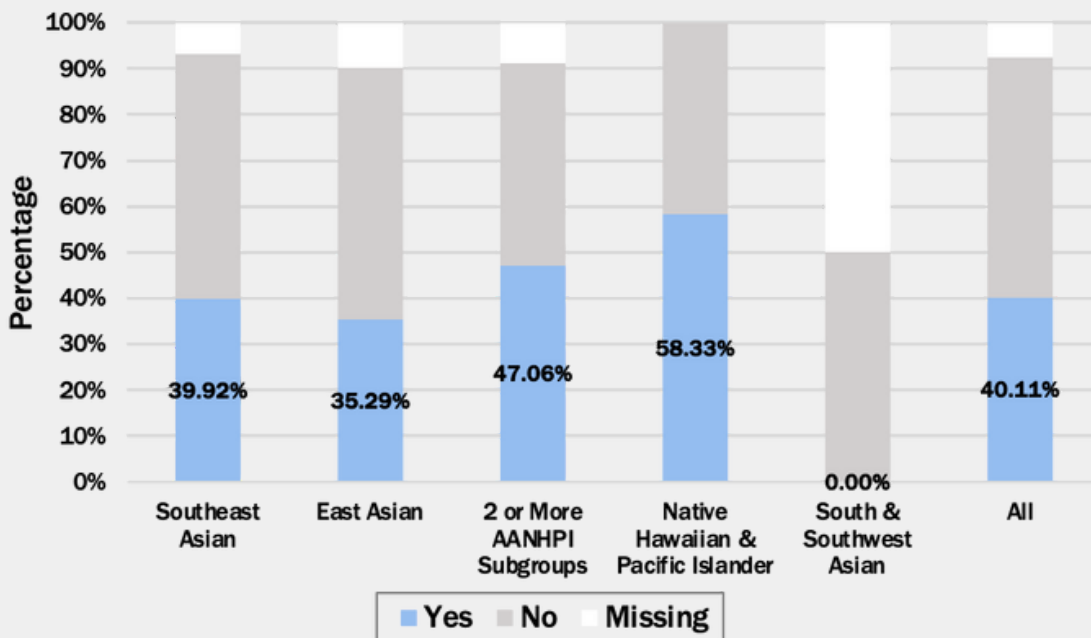
## Misdiagnosed by Institutional Medical Staff

*Currently Incarcerated*



## Long Wait Time for Diagnosed/Known Condition

*Currently Incarcerated*



# Obvious Medical Condition Ignored by Staff

*Currently Incarcerated*

