

## Colorado's Gulag Archipelago

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### [Music bed]

**Noel:** For many years now, I've been going to this little hot spring in the desert just outside the towns of Florence and Cañon City in Fremont, County, Colorado. It's not much – just a concrete basin with a fountain of hot water in the middle and a tall picket fence around it. It's a working-class oasis with lots of locals and a few aging hippies, some leathery bikers in their birthday suits lying about, smoking cigarettes, tanning, soaking, and barbecuing.

Except for a ribbon of green along the Arkansas River that cuts through the valley, the red desert of rolling hills outside the fence around it seems to stretch out empty all the way to the Wet mountains in the south and the Sangre de Cristos to the west.

I've always half-expected a cowboy on a pinto pony to pass by, kicking up dust into the long sunset that washes out into the valley in that almost mythical western scene.

But then, at night, you can see little clusters of lights appear in the darkening desert.

Prisons. Almost all of them. An archipelago of detention centers appear on the landscape like their own galaxy – a reflection of the Milky Way in the night sky above. The largest cluster, to the west, is a whole complex of buildings that includes the Colorado State Penitentiary.

Every time I go there, I always think how strange it is to be relaxing in a hot pool enjoying what feels like such a pure freedom and comfort while surrounded by prisons full of thousands of incarcerated people.

### **[Theme Post]**

**Noel:** From History Colorado Studios, this is *Lost Highways: Dispatches from the Shadows of the Rocky Mountains*. I'm Noel Back.

When I first started researching this episode about the history of prison architecture in Fremont County, Colorado, I was interested in why so many prisons had been built in this one place that's now home to eight different state facilities and four Federal facilities, including the feared ADX, or Supermax –the so-called “Alcatraz of the Rockies.”

Supermax is where some of America's most notorious prisoners are held – Ted Kaczynski, the “Unabomber,” Dzhokhar Tsarnaev, who, along with brother, set off a homemade bomb at the Boston Marathon, and the Mexican Drug Lord, Joaquín, “El Chapo” Guzman, just to name a few.

But beyond its linear, physical history, which began with the construction of Canon City's Territorial Prison in 1868, I also wondered what the architecture of the buildings themselves might tell us.

My dad was an architect, so maybe I've always thought about buildings and spaces more, or differently than most, but I wondered what the architecture might reveal about the history of our belief in the power of prisons to make society a better place.

In other words, could the buildings themselves be good or bad? Are they places of reform, or punishment? Do their designs help bring about justice, or do they perpetuate and exacerbate criminal behavior? Or are they neutral, passive structures imbued with the fears and fantasies of our culture, the stories we tell ourselves about right and wrong? Or do the buildings themselves, their design and construction just help us feel safe?

### **[Music]**

**Eric Williams:** When I was about 9 years old, Elie Wiesel, who wrote the book *Night*, who was a Holocaust survivor, came to my hometown to speak. And I was a Jewish kid... And I went to see him speak. And he actually ended up coming to our house to do a reception. And I remember reading the book at that age, and sort of becoming... I don't know if "obsessed" is the right word, but just interested in this idea of control...

**Noel:** This is Eric Williams. He teaches classes on political science and Constitutional Law at Radford University in Virginia. Though he was originally obsessed with how Hitler and the Nazis had managed to openly round up, imprison, and kill so many Jews during World War II, it wasn't long before he realized that the U.S. had its own extreme systems of control.

**Eric Williams:** And then when I was in high school, there was a... He was actually a really good friend of my brother's originally. And he was a bit like a big brother to me. He ended up at the Maine State Prison for a few years for arson...

**Noel:** It was the prison that Stephen King used as the setting for his short story “The Shawshank Redemption,” which later got made into the movie starring Tim Robbins and Morgan Freeman. It’s the kind of place many people think of when they imagine a penitentiary: multiple stories of jail cells with bars facing in toward long corridors.

**Eric Williams:** I remember going to visit him there. And it was one of these old walled prisons like Attica, actually, like old Max in Cañon City, for that matter, you know, with the 8 ft thick walls, and the high walls so nobody can get out.

**Noel:** Williams went on to study public law at Rutgers University. At the time he was getting ready to write his dissertation, the prison industry in the United States had exploded in the wake of waves of “tough on crime” legislation at both the federal and state levels. From Richard Nixon’s “War on Drugs,” which continued in the 1980s under Reagan, to the Violent Crime Control and Law Enforcement Act sponsored by then-senator Joe Biden and signed into law by Bill Clinton in 1994, Republicans and Democrats alike rode these policies to power.

**Eric Williams:** This was 2001 and 2002, and we were at the, I would say the tail end, now that I know, we were at the tail end of what was this just incredible prison-building boom across the country. We had gone from about 800,000 Inmates in 1971 in state and federal prisons to about 2.3 million by 2000. Most of that growth came from the mid 1980s through the 1990s. And so, you had these prison systems that were now 3x, sometimes 4x the size of what they were at the beginning, or 40, 50 years ago. And you have to find a place to put these prisons.

**Noel:** One of the places that both the Colorado Department of Corrections and The Federal Bureau of Prisons decided to build some of those new facilities to house all these prisoners was

in Fremont County, Colorado – just west of Pueblo and south of Colorado Springs. Cañon City had been home to Territorial Prison, now known as Old Max, since its opening in 1868. It had also been a home to a women’s prison, and another medium-security facility in the century that followed. Having those prisons had supported the local economy for the most part, and became a central part of the culture. So what’s a few more, if it meant more jobs?

**Eric Williams:** They had a big piece of land, the East Cañon complex, which it is now, where they had built a couple of medium security prisons out there in the 70s. And they knew Fremont County was fine with having prisons, and so it was a really easy decision for them to say, ‘Hey, let’s just keep building on this land in East Cañon.’

**Noel:** Neighboring Florence thought they’d get in on the economic stability that Cañon City had enjoyed when the Federal Government was looking for land to build 4 new facilities. So they offered to donate the land. And by the time Williams moved to Florence to work on his dissertation in the early 2000s, Fremont County had become the de facto capital of America’s prison industry with 8 state and 4 federal prisons.

Supermax was the crown jewel. Almost impossible to see from State Highway 67, it was designed to keep America’s most feared prisoners out of sight and under constant watch. But it looks and works nothing like those long corridors of steel bars we imagine from movies like *The Shawshank Redemption*.

From Google Maps, it looks like it could be a colony on Mars on the cover of a pulp sci fi novel – a series of blocky, futuristic triangles within other triangles, within a larger arrow pointing east. On the inside, says Eric Williams, who got to tour the facility as part of his research, Supermax

is based on the vision of a British social theorist, philosopher, and economist named Jeremy Bentham, who proposed a design for what he believed to be the perfect prison in 1791.

**[Music]**

**Joe Day:** Jeremy Bentham is a fascinating figure and remarkable for the breadth of his interests. And really, you know, kind of like, he's really a key and representative figure of the British Enlightenment in a lot of ways.

**Noel:** This is Joe Day. He's a practicing architect and critic in Los Angeles, and teaches at SCI-Arc, the Southern California Institute of Architecture.

**Joe Day:** He was a renowned international economist at a time when to think about the economy in international terms was almost a kind of leap of imagination that very few people were able to make. But he believed in the idea of kind of broadening, of increasing world trade, really to increase world peace, that increasing transactions between people would lead to greater harmony. So he's considered, in the broader scheme of things, a very, you know, a very progressive figure.

**Noel:** Even if you've never heard of Jeremy Bentham, you might have heard about the panopticon, his infamous prison design. It was made popular as a metaphor for describing modern forms of social control by the French philosopher Michel Foucault in his 1975 book *Discipline and Punish*.

**Joe Day:** I've been surprised going to, you know, on tours of prisons by guards being, you know, really familiar with the panopticon and knowing that, knowing this history because it's

played a huge role in making it possible for corrections to expand at the rate it did in our country.

**Noel:** But if you aren't already familiar with Jeremy Bentham's infamous prison design...

**Joe:** The panopticon just to describe it... It's a cylindrical building with cells arrayed around the outer wall of the cylinder and a tower in the middle of the cylinder with a panoptic or all-seeing view into all of the cells on the perimeter. And as an economist, what that what Jeremy Bentham was so fascinated by was the idea that only one overseer, and I think that was the term he used for the for the for the guard in the middle, could oversee a huge number of inmates at one time. Again, the visual efficiency and economy of it was startling to him.

**Noel:** Though the guard tower, which was more or less a lighthouse in the middle of the circular prison, would have windows with 360-degree views of the cells surrounding it, the one guard, as Bentham envisioned it, obviously couldn't watch all the cells at the same time. So, long before one-way mirrors, he conceived of slotted blinds which would allow the guard to see out, but wouldn't allow the prisoners to see in.

**[Music/Drone in]**

**Noel:** Up until the beginnings of modern democracy in Europe in the late 1700s, prisons as we think of them today had been largely unnecessary. Originally, dungeons in castles would hold criminals or enemies of the monarchy while they were tortured, or until their execution. As towns and cities grew, though, the gates of city walls where guards had lived became ad hoc prisons.

**Joe Day:** In England, Newgate and many of the prisons with "gate" in the name were that because prisoners were just wedged in the defunct city gates when the city expanded outward. Prisons were an ad hoc typology until the until the discussion of the penitentiary really came to the fore.

**Noel:** Where there weren't castles or fortified walls and city gates, existing buildings with an inward facing courtyard and vaulted chambers below might be repurposed or modified as prisons. Debtors and those guilty of minor offenses might live and work together above ground, while the underground rooms would be used like Dungeons to chain or hold felons. They were often squalid places within a city or a town meant, as much as anything, to hide the poor and the mentally ill from public view.

But the need to hold or incarcerate large numbers of people for long periods of time was an outgrowth of Enlightenment ideas about the basic goodness of humanity and modern forms of justice based on a set of revolutionary new beliefs that upended monarchies around the world.

**Joe Day:** With the advent actually of democracy in the United States, and increasingly throughout the world, there was a sense that prisons, the mission of prisons needed to change fundamentally from an expression of the authority of the monarch to a somehow more democratic institution for the betterment of citizens.

**Noel:** Beginning in the late 1700s, the mere warehousing of transgressive members of society gave way to the idea of the penitentiary, a place of repentance.

**Joe Day:** And the penitentiary was a very hot topic at that time in the late 1700s, early 1800s and across Europe, the idea that a prison could reform inmates, not simply punish them was



actually, was a central enlightenment tenant. And so, Bentham imagined that, with the panopticon, being able to oversee inmates at all times, you could supervise their behavior to the good and you could improve them. You could get them to read or exercise or, you know, you had you had this whole new kind of mechanism of benign coercion in his mind to make people change.

**Noel:** But with that belief came the need to control those individuals while correcting them. And the problem was space. If democracy had turned monarchy inside out, then prisons turned castles inside out. Rather than keeping barbarians outside the fortified walls of a castle, a free society needed castles, or at least fortified walls, to keep the barbarians in, until they could be civilized. The problem was that castles were expensive to build.

And this is where Jeremy Bentham and his idea for the panopticon came in. It could house hundreds of prisoners. It would need only one guard at a time. And best of all: the prisoners, who never knew if they were being watched or not, would have to presume that they were being watched at all times. Thus, they would correct their own behavior. They would internalize the guard tower and watch themselves.

**Joe:** The panopticon wasn't built in the UK in Bentham's time, and he became, he at a certain point was kind of ridiculed for how fervently he was trying to get it built, to a point where the House of Lords, at a certain point, just literally gave him an allowance to stop talking about it, just to go away.

**Noel:** The problem with the panopticon as an actual prison was that it didn't work. Bentham himself never built one. There were several attempts after his death – the most famous of which was a prison in Cuba.

**Joe Day:** They ended up really deeply problematic structures. They're big, impersonal prisons. There's actually a lot of space lost, all the space between the guard tower in the middle and the cells on the perimeter is, to a certain degree, lost space and a classical panopticon. But it's ended up hugely resurgent in what are called "New Generation Justice Facilities."

**Noel:** Included among those "New Generation Justice Facilities" that were influenced by Bentham's ideas, if not his design, are several of the 8 State and 4 Federal facilities built in Fremont County in the 1990s and early 2000s.

In 2013, Day published a fascinating book called *Corrections and Collections: Architectures for Art and Crime* that looks at the simultaneous prison and museum construction booms of that period in the late 20th and early 21st Centuries.

**Joe Day:** Many American cities rebuilt their core urban areas around a new museum of contemporary art, and I think most people are familiar with, for example, the way a lot of old factories were turned into museums in those years, and in a less heralded way, around new jails. New jails that they needed to see the enormous network of prisons they had built to meet the mandatory minimum sentencing and that the big spike in prison populations in most, most U.S. states.

**Noel:** Day says that those new Art Museums and Prisons offer parallel windows into the Heavens and Hells of western cultural values. Art museums have become temples to our most cherished aspirations and freedoms on the one hand, while prisons keep our most feared citizens inside our most punishing forms of constraint. Their architectural similarities, he says, are deeply revealing: both employ heavily fortified, often modern and minimalist spaces

designed to warehouse what are often considered the most transgressive elements of our society. And both are major drivers of economic activity for the communities that build them.

Just to give one example of the many curious parallels between prison and museum designs that Day explores in his book, he links the circular design of Bentham's Panopticon with the iconic, spiraling Guggenheim Museum in New York.

Both are expressions of power and the egos of their architects and patrons. And both are designed to warehouse and display.

**Joe:** I was really fascinated by how the work of art in a museum had a kind of sinister kinship with the way with the body, with the bodies of inmates in prisons in the sense that they are, objectified, separated, displayed for view, really pulled out of so many kind of vestiges of normal society into a world unto itself.

**[Music]**

**Sarah McKenzie:** [phone ringing] Hey Noel.

**Noel:** Hey, Sarah, how are you?

**Noel:** As serendipity often has it when you focus your attention on something odd and particular, right after I spoke with Joe Day, I noticed a post on social media by an artist I follow who lives in Boulder named Sarah McKenzie.

Sarah spent much of the past decade painting the often-stifling interior architectural landscapes of the very galleries and museums that showed her work. And she'd just won a major grant to turn her exacting gaze on the interior architecture of prisons.

**Sarah McKenzie:** I was looking at the architecture of museums and galleries and sort of art world spaces, and I, in that work, I was thinking a lot about the way that institutional architecture influences, moved through it and communicates social values, changes in our culture over time. And you know what, what we prioritize, what we dismiss and that institutional architecture also always has sort of insiders and outsiders.

Sarah's paintings aren't quite photorealistic, but they're close. And they're meant to lure you in – to make you feel like you could almost enter the museum and gallery spaces she frames. But as tempted as you might feel, the not-quite perfection in the surfaces of her paintings reminds you that they're paintings. And when you realize this, and realize what you're looking at as they hang on the very walls of the galleries and museums they depict, you feel like you're in a labyrinth.

**Sarah McKenzie:** Architecture is never neutral, you know, it's always highly coded. It is always bound up in our ideas about, you know, American culture, our identity, social class, you know, so. So that's kind of, like I would say, the big overarching thing that runs through all of my work.

**Noel:** I mentioned Joe Day's book, *Corrections and Collections*, and asked if she'd read it or heard of it, but she hadn't. Nevertheless, she noticed many of the same strange parallels that Joe Day saw, about the way the architecture of museums and prisons are meant to exert power and control over what and the way we see.

**McKenzie:** I, actually, back in early 2020, started thinking like, oh, it'd be really interesting to look at prisons as kind of this, like occupying the opposite end of the social cultural spectrum from the museum. But I think the reason that prisons interest me... is that most of us are never meant to see the architecture of prisons from the inside. I mean, the way that our carceral system has been developed, it's like we all know it's there, but it's sort of like a world apart. So it's a kind of institution that's entirely bound up in American society today and actually incredibly central to like who we are as a nation today. But most of us never see it. The first photo shoot that I was able to do was in Fall of 2020, and I went out to the Eastern State Penitentiary, which is now a prison museum in Philadelphia.

### **[Music]**

**Noel:** Designed by British architect John Haviland and opened in 1829, Eastern State Penitentiary in Philadelphia had elements drawn from a whole hodge-podge of British prisons that came before it.

The thick stone outer walls and ramparts gave it the look of a medieval castle. The neo-gothic gates at the entrance were meant to instill fear in the city's residents, and even had gargoyles. Inside the walls, 6 cell blocks radiated out from a central administrative hub like the spokes of a wheel – a feature of the early British designs in what was known as the reform period – that allowed for different wings with different purposes and levels of security. There were outdoor gardens in between the spokes. And though it was no panopticon, the octagonal hub and guard tower in the center was a nod to Jeremy Bentham. But it was the cells themselves that were a particularly American addition to the growing design elements of prison architecture.

**Gregory Galford:** So it's a new country. It doesn't have a prison system. They built this prison as a model prison.

**Noel:** This is Gregory Galford. He's an architect and an assistant professor of residential environments and design at Virginia Tech. Among other things, he studies the re-use of historic prisons and asylums.

**Gregory Galford:** Philadelphia was a strongly Quaker City, so it has strong religious undertones to the design of this building.

**Noel:** The cells were like monks' quarters in a monastery. They had vaulted ceilings with skylights meant to let in the "eye of god."

**Galford Galford:** So it was designed around the idea of solitary confinement that comes somewhat from Quaker religious services themselves, which is much more about meditation. So by being in a solitary confinement cell, it was meant that you would be removed from corrupting influences from other prisoners, and you could do penance and rehabilitate on your crimes, and basically, rehabilitate your soul. And that was the goal of it, in a way.

**Noel:** Here's Julie Peterson. She's an exhibit developer and public historian at History Colorado. She studies the way experiences of incarcerated people are represented in history, especially at prison museums. When she was a graduate student, she spent time working on an exhibit at Eastern State.

**Julie Peterson:** So Eastern State Penitentiary was the first real penitentiary in the country. And as the name suggests, the idea was that criminals would repent and be able to change their ways and enter back into society.

**Noel:** It was the first prison to experiment with separation, or what would become known as solitary confinement as a means of reform and rehabilitation.

But around the same time, in the early 1800s, another prison model was taking shape in Auburn and Ossining, or “Sing Sing” in New York. Eventually called the “Auburn Model,” it was codified by its second warden, Elam Lynds, who believed that hard labor and severe corporal punishment were the surest way to correct criminal behavior. Here’s Joe Day again:

**Joe Day:** It correlates with the early Industrial Revolution, and the philosophical idea underpinning all of this is: If these convicts are going to be free at some point, they’d better come out able to work. And that was really the dominant, especially in the United States, that idea of making workers of the rabble would be a big kind of underpinning idea of early penitentiary architecture.

**Noel:** Working in total silence, the prison was built by the residents in big long blocks of cells that looked like warehouses. It saved the state of New York huge amounts of money. Lynds also codified many of the cliches of prison life that would seep into the popular culture for years afterward. He made the residents wear gray uniforms with horizontal black stripes that would make them immediately identifiable if they escaped; they walked in lines with their arms on the shoulders of the person in front of them in what became known as “lock step”; and if they spoke, or “stepped out of line,” they were whipped with a “cat” of leather straps.

**Gregory Galford:** Within the Auburn model, redemption is through work, you're doing work through silence. And that model's probably prevalent through the latter half of the 19th century in the United States.

**[Music]**

**Noel:** Just like at Eastern State in Philadelphia, the prisoners at Auburn and Sing Sing were returned to solitary confinement in individual cells at night. But there was no expectation that the solitude itself would provide any kind of spiritual or correctional benefit. When it opened in 1871, five years before Colorado became a state, the Colorado Territorial Correctional Facility was designed mostly around the Auburn model.

**Julie Peterson:** The people who are incarcerated there actually built the prison. The quarry behind the prison was where they took the stones to build the prison and then later the prison wall.

**Noel:** And it looked the part, too, with castle-like walls and gates you can still see from the highway at the eastern end of town when you drive through Cañon City. The residents also built the spartan, rectangular cell blocks that housed the prisoners because people still believed that solitary confinement in monastic cells would help bring about reform.

**Gregory Galford:** So it's kind of interesting how what we think of as incredibly punitive, really had religious goals originally. And unfortunately, over time, the lack of sensory or social interaction, or sensory deprivation, basically led to, you know, psychological problems. And again, these prisons were incredibly expensive to build. You'd only have one person per cell.



**Noel:** Even if the Pennsylvania Model had worked, prison populations increased as the country grew. Solitary confinement ceased to be practical anymore from an economic standpoint. Cells that were once meant to house individuals got bunkbeds, and the era of separation and reform slowly gave way to the early 20th Century prison model known as “The Big House.”

### **[Music]**

**Noel:** The next time I spoke with painter Sarah McKenzie a few months later, she'd toured San Quentin prison in San Rafael, outside San Francisco. Originally built on the Auburn model, San Quentin also used prisoners to build the facility that would house them. It opened in 1852 to deal with the increasing number of crimes related to the gold rush of 1849. Four massive cell blocks were added in the 1920s and 30s as San Quentin joined the era of the “Big House,” and it's still California's oldest maximum security prison.

Sarah didn't want to paint just historical prisons, but she needed to start somewhere and was having a hard time getting access to Colorado prisons during Covid. So she decided to take a tour of Alcatraz since she was already in the Bay Area.

**Sarah McKenzie:** And interestingly, like I thought that Alcatraz, because it's a historic prison, wouldn't really be meaningful for my work. But it turns out that Alcatraz and San Quentin were actually built right around the same time. It's just that San Quentin is still in operation and Alcatraz is not. So the sort of physical facility of San Quentin and Alcatraz are not that different. So I am now working from the source photos that I took at Alcatraz.

**Noel:** The “Big House” style prison at Alcatraz lasted for only than 30 years, and closed for good in 1963. In 1969, the island became the site of a nearly two-year occupation and protest

by an American Indian activist group called Indians of All Tribes that demanded the return of the disused island to its original Native inhabitants. But the government forcefully reclaimed the island and eventually converted the whole thing into a National Park. Though the prison only lasted 30 years, Alcatraz is still synonymous with the worst kinds of criminals—the criminals with which Americans, in particular, became most fascinated during the early half of the 20th Century when Gangsters like Al Capone and “Machine Gun” Kelley dominated headlines during Prohibition. The rise of popular media made celebrities of them. And public appetite during this time was for punishment, not reform.

Prison cells across the country filled with more people than they could accommodate during this time. And solitary confinement, once thought to be spiritually beneficial, was used only as extreme forms of punishment when these new warehouse prisons like Alcatraz were built, says Joe Day.

**Joe Day:** They were built to meet the psychological profile of inmates that were all of a sudden much darker and more noir than we imagined they could have been.

**Noel:** The American prisons built at that time reflect the cultural pessimism about human nature that followed the long period of wealth inequality during the industrial revolution, the mechanized horrors and mass death of World War I, and the Great Depression.

**[Music]**

**Noel:** In the years after World War II, as the American economy boomed and optimism was high about our future as a beacon of democracy, the prison system again shifted its focus back to reform.

But rather than trying to build a new, more enlightened, and humane kind of building, prison reform became about programming and rights.

During the Civil Rights movement of the 1960s, lawsuits against the government – many of which were filed by incarcerated Black Muslims– proliferated. They demanded rights guaranteed by the Constitution, like freedom of speech, freedom from religious persecution, and better living conditions. GED programs and Pell Grants made it possible for incarcerated people to get their degree while they were inside.

But the years after the Civil Rights Act of 1964 passed also saw a huge rise in the incarceration of people of color for minor offenses. And there were violent riots at Attica as residents protested poor living conditions.

This era of prisoner rights and reform that followed the political activism of the 1960s and early 70s was short-lived. Joe Day says the tough-on-crime political rhetoric that led to the design and construction of “New Generation Justice Facilities” like those in Fremont County launched the age of hyper-incarceration. It began, he says, in the 1970s after drugs were criminalized by Richard Nixon and arrests were high in cities like New York and Los Angeles.

**Joe Day:** The criminally productive age of the baby boom that’s still driving our incredible numbers of incarceration really just begins to ramp up with the 1970s and is met by governors Rockefeller and Reagan with their competing draconian mandatory minimum sentencing in California and New York. And with that, we’re sort of literally off to the political races on incarceration.

**Noel:** But what really fueled it, says Carol Neel, professor of History at Colorado College, is how popular any kind of tough-on-crime rhetoric was all the way across the political spectrum.

**Carol Neel:** Americans, since the 1960s, have consistently voted for Democrats, Republicans, everybody voted for high levels of incarceration through all kinds of choices, specifically about legislation surrounding incarceration, but also in penalties, obviously most notoriously for drug offenses, but all kinds of offenses, that it's, it's been one of the few things Americans have been able to agree on.

**Noel:** The popularity of anti-crime legislation only escalated under Ronald Reagan in the 1980s and continued under Bill Clinton. But getting tougher on crime meant building more prisons. And America had more or less given up on reform or corrections at that time. Bill Clinton canceled Pell Grants for incarcerated people. The focus was now on detention and safety, come what may.

**Carol Neel:** If we look at these people enough, if we control what they're doing enough, then somehow good results will ensue.

**Noel:** Those good results were almost entirely economic. New prisons meant construction jobs, and then new jobs for guards and administrators. Then, once the prisons were built and filled, prison labor was cheap, and could be rented out when it wasn't serving the state.

**Robyn Walker Sterling:** Prison is enormously expensive, but that also, of course, means that there are some people who are making billions of dollars off of the prison industry, right? It is a revenue-generating enterprise.

**Noel:** This is Professor Robin Walker Sterling, the Dean of Clinical Education at Northwestern Pritzker School of Law.

**Robin Walker Sterling:** So the last number I saw was something like we spend something like \$80 billion a year, maybe more, incarcerating people.

**Noel:** The scale of the prison building boom of the 1990s and early 2000s and the radical departure from any previous building designs up until that point is hard to comprehend without looking at Google Maps, where you can zoom in on the multiple state facilities built at the East Cañon Complex, and the four Federal facilities built outside of Florence beginning in the 1990s. Almost all the designs built in the 1990s use repeating triangles or some fractalized version of triangles. The Colorado State Penitentiary, for example, almost looks like an array of maple leaves from above. For as unlikely as it might seem from the outside, says architect Joe Day, these designs are the descendants of Bentham's panopticon. They're called "podular" prisons.

**Joe Day:** With podular housing, you can kind of stack these triangles.

**Noel:** Rather than cell blocks with all their "blind spots," New Generation Justice Facilities have these pie slices where the guard is stationed at the tip of the slice and can easily see the cells along the crust. In some ways, it's as though Bentham's panopticon were divided in four.

**Noel:** The problem with "Big House" style prisons came to a head in 1983 when members of the Aryan Brotherhood attacked and killed two prison guards at the US Penitentiary in Marion, Illinois that had been built to replace Alcatraz.

Prison gangs, which began to form along racial lines in the mid-1950s, had become more powerful and violent during the drug wars of the early 1970s and 80s. Here's Eric Williams again:

**Eric Williams:** This became a really big problem for the administration because now you had, you know, the Mexican mafia and the Black Guerrilla Family, they were going to fight any time they were in the same yard, like they just they weren't going to get along. Or you had the Aryan Brotherhood, which was always very small but was deadly. You know, they were going to kill people...

**Noel:** There were few ways to separate residents of the aging, overcrowded prisons, and the underpaid guards were easily compromised.

**Eric Williams:** The architecture makes it very dangerous. When you have a prison that has just, you know, tiers and cells, you can't really see what's going on inside. And so, it's very hard. It's very easy for inmates to find what are called "blank spots." And so, so you really don't want a facility like that to hold maximum security inmates.

**Noel:** The deaths of the two guards at Marion forced a prison-wide, 23-hour-per-day lockdown in solitary confinement, which was never lifted. And that decision gave rise to the new era of prison architecture in Fremont County, designed for the complete safety of guards and the total control of residents. They revived Bentham's panopticon for the age of constant digital surveillance.

Here's Eric Williams describing what he saw when he got a tour of Supermax when he was writing his book in the early 2000s:

**Eric Williams:** So, it's small pods, they call them, and so each one has, I can't remember how many, I want to say sixteen cells. And so, it's eight on the bottom, eight on the top. It's two tiers. The floors are shiny cement, the colors are all kind of muted. You know, it's like gray tones. And you really you just see doors, you know, usually you see like a little slit and you'll see inmates looking out at you because you're their entertainment for the day if you're in there... And then there's the majority of the space is actually what would in a normal prison be a day room.

**Noel:** On top of the security advantages of these small populations of residents living in triangular pods where guards could always see them, they were also locked down 23 hours a day. Each cell was under constant video surveillance, the lights never went out, and there were no blind spots.

**[Music]**

**Terry Kupers:** An individual in a solitary confinement cell at the ADX or almost any supermax prison or any segregation unit in prison is generally looking out of their cell door and seeing nothing.

**Noel:** This is Terry Kupers, a forensic psychologist who's studied, among many other things, the effects of solitary confinement on incarcerated people. He's visited dozens of prisons across the country. I called him in the hope that he might be able to help me understand the psychological impact these new generation justice facilities are having on their residents.

**Terry Kupers:** They do not see the outside, they don't see nature, they don't see the sky. There are very few windows, and that varies from place to place. But the individual in the cell has no

contact with any other individuals in neighboring cells. Their front of their cell, is basically looking out into a common air space where nobody, nobody exists. So, essentially the same view that the prisoner in Bentham's panopticon would have.

**Noel:** Jeremy Bentham believed that if people were confined and watched long enough that they would eventually correct their own moral behavior. But there's no such hope of that in the carceral reality of new generation justice facilities like Supermax, says Kupers.

**Terry Kupers:** They develop forms of mental disarray. Sometimes psychosis, sometimes other conditions. Suicide, depression and suicide is very prominent. We know this from people who were in prison of war camps during the Second World War, for instance. We know it from people who were in spaceships and spend a lot of time alone. They develop emotional symptoms that can be extremely disabling.

**Noel:** Lisa Guenther is a philosopher who studies prisons and carceral ideology. For her, these new generation justice facilities like Supermax are beyond cynical. And they have little connection to Bentham's vision, she says, other than constant surveillance.

**Lisa Guenther:** It's cold storage for people or warehousing of people. And so even though they're, it's a highly technologically kind of interlinked institution with lots of surveillance cameras and so forth, I don't I don't see the supermax prison as a panopticon in Bentham's sense.

**Noel:** In the earlier "Auburn" and "Big House" prison models, there was at least a naked transparency to the way in which the state owned your body and your labor when you were imprisoned. Whether you were on a former slave plantation at Angola, being rented out for pennies an hour in the convict leasing system, or making license plates at Old Max in Canon



City, your body and your labor had value, and maybe you could get a job when you got out. But, says Guenther.

**Lisa Guenther:** The supermax prison is not about individual transformation, whether it's redemption or a more secular version of rehabilitation. And it's not even about extraction of value, because in most supermax prisons, people aren't working. They're just made idle. So, for me, it's about the management of surplus populations. What Loïc Wacquant, French criminologist, calls surplus populations in a neoliberal economy that is no longer industrially based or agriculturally based, but where value is produced primarily through the financial markets and in these more abstract, insubstantial ways that don't necessarily require the physical labor of docile worker citizens.

**Noel:** In a way, Guenther suggests, the great punishment for the inhabitants of these new generation surveillance prisons isn't being whipped, or forced to work... but being completely alone, without value, useless, and invisible to the world. And if that isn't enough: you're also constantly watched to make sure you remain in this hidden state of total economic humiliation, so the rest of us don't feel uncomfortable.

**Lisa Guenther:** I think that that's a really powerful kind of logic operating at the heart of this system and especially at the heart of laws and practices that criminalize poverty. So if you have an economic system that produces massive inequality, and this means that some people are unhoused, some people don't have enough food to eat and shelter to survive and to thrive, but then you address that problem of poverty by passing laws against vagrancy or against trespassing or against urinating in public, then you're, whether you're motivated by some kind of explicit Protestant ideology that equates poverty with, you know, just punishment by God or not. You are, you're, in effect, replicating that logic by punishing people for being poor.

**[Music]**

**Sarah McKenzie:** Not the cleanest studio in the world, but...

**Noel:** Looks pretty clean to me.

**Noel:** The next time I see Sarah McKenzie, it's early January 2022. I drive to Boulder so I can see a few of the paintings she's made since her visits to San Quentin and Alcatraz.

**Sarah McKenzie:** These are the first two prison paintings that I've completed. This is the next probably two months of my life, I'll be doing this very complicated composition with all these crisscrossing bars and... This is Alcatraz...

**Noel:** Sarah also brought out a couple of the landscape paintings of museum interiors she did before she started her current project, and I can't help but think about Joe Day's book *Corrections and Collections* and the simultaneous building booms of both museums and prisons in the 1990s and 2000s. I shared the transcript of my Joe Day interview with Sarah before we met up at her studio, and she immediately saw the connection with her own work.

**Sarah McKenzie:** I would just say that I'm really interested in the idea of like the desire for visual access and then the way that that ultimately gets undermined. And I think that that is something that's coming up for me a lot in the prison architecture work because, and I know that in your conversation with Joe Day, he talked a lot about the role of vision both in gallery spaces and in prison spaces.

**Noel:** I can see the visual rhymes that Day noted in his book in Sarah's paintings of both the art spaces and the spaces she's chosen paint from Alcatraz. It's an empty and claustrophobic starkness that's hard to describe as anything other than lonely. And that's part of what Sarah wants viewers to see.

**Sarah McKenzie:** People have asked me like why I don't put people in my paintings. And I think I really want the viewer to identify themselves as the body in the space and how they would feel if they occupied that space. But I really just think that the viewer is the occupant and is completing the image in that regard.

**Noel:** While Sarah and I are talking and looking at her paintings, I keep thinking about this thing Joe Day said in our interview about the way museums and prisons aren't direct reflections of one another so much as two sides of a one-way mirror.

**Joe Day:** I think what prisons and in a different way, museums index is America's ambivalence about freedom. And with *Corrections and Collections*, the driving observation of that book was that we've gotten more and more and more attuned, attuned to transgression and we've learned to met out an incredibly, an incredibly subtle array of punishments for societal transgressions.

**Noel:** Whether you're talking about Jackson Pollack's drip paintings or Andy Warhol's soup cans, it's art that was made to transgress, to shock, and upend the way society sees itself. But the degree of the transgression almost always becomes the measure of its value. And the most transgressive works have often become the most valuable. They land in museums where we celebrate those transgressions, says Day, as expressions of freedom – often in museums that also transgress the rules of architecture.

Day points to the architectural echoes between the titanium-clad Denver Art Museum, which looks like a pile of warped titanium triangles and pyramids stacked on top of each other, and the rigid triangular pods of Supermax hidden away behind chain-link and concertina wire in the desert of Fremont County.

**Joe Day:** And so we, you know, we reward cultural transgressions and punish societal ones with incredible attunement now. And I think the buildings reflect that.

**Noel:** On the art museum side of the mirror, we see a reflection of those celebrated freedoms—who we think we are as Americans; But it's only half the picture. The prison side of that mirror, which hides all those transgressions we don't want to see, is the other half.

**[Music]**

**Noel:** Sarah McKenzie isn't naive. She's fully aware of the inescapable irony that both she and her work are part of the art world that her earlier paintings critique.

**Sarah McKenzie:** When I was making the museum and gallery paintings over the last six years, seven years, I felt like I was able to approach this work, like really without reservation or hesitation.

**Noel:** But it became clear to her early on with her new work that any paintings she might make of prison architecture wouldn't be enough.

**Sarah McKenzie:** And I think the biggest change for me in taking on this project, looking at the architecture of our carceral system, very early on, before I even really started the work and just

started thinking about it, I had a number of people say to me very directly, like, look, you can't do this work from the position you're in without really like making a Herculean effort to get more involved in that world, to get to know people impacted by that world, to like really commit to understanding the humans who are impacted by our mass incarceration.

**Noel:** If the paintings would change anything, it would have to be her. And she alone couldn't change anything. So she connected with DU PAI, the Denver University Prison Arts Initiative. It's a program co-founded in 2017 by DU Theater Professor Ashley Hamilton and it brings art, writing, theater, podcasting, and now a statewide radio station to Colorado Prisons.

**Ashley Hamilton:** I think that storytelling and theater, arts practice, really and even more broadly, any sort of educational practice inside is our way forward. It is the way that we shift the system and also heal and "rehabilitate" people.

**Noel:** Hamilton connected with Dean Williams, the head of the Colorado Department of Corrections who was appointed by Jared Polis when he was elected Governor in 2018. Like other reform-minded corrections leaders in other states, Williams has made it his mission to rehumanize Colorado prisons, to do as much as he can to change the draconian 23 hour/day practice of solitary confinement, to reduce the number of prisoners of color, and to drastically reduce the number of prisoners who return after they've been released. I went to speak with him at his office on the east side of Colorado Springs on March 1, 2022 launch day for *InsideWire*, DU-PAI led prison radio station –the first of its kind in the country to broadcast both inside and outside the prison walls.

[Quick sample from audio of launch: <http://www.coloradoprisonradio.com/> ]

**Unknown Speaker:** Dean, this is Noel.

**Noel:** Hi, Dean, how are you?

**Dean Williams:** Hi

**Noel:** Nice to see you.

**Dean Williams:** Nice to meet you.

**Noel:** Williams came to the Colorado DOC from Alaska where he was in charge of the state's prison system for two years. While he was there, he got a chance to travel to Norway to see how their prison system works. And if you've heard anything about Norway's prison system, it's incredibly different from ours in the United States.

**Dean Williams:** Norway is a country that's about the size of Colorado in terms of population, about five million people. They have a quarter of the people incarcerated that Colorado does. So I mean, there's differences.

**Noel:** But before they completely overhauled it, Norway's prison system wasn't all that different from ours. Forty percent of residents were immigrants, a disproportionate number were people of color, and there were violent gangs.

**Dean Williams:** However, twenty five years ago, they got real intentional because they were getting bad results. They were getting 50, 60 percent recidivism rate return to prison rates as well. And so, twenty-five years ago, their country got together and just said, I wonder if we can get better results.

**Noel:** After implementing a new approach to just about everything in their prison system, Norway was able to reduce their recidivism rate from close to 60% twenty-five years ago, to less

than 25% percent today. The most impressive changes, says Williams, were in the prison design.

**Dean Williams:** They built green spaces. They have trees, and they have walking paths. They have auto shops and musicians, all inside these big concrete walls. I mean, no one is escaping from Haldan Prison. But inside that space, they have built common areas. There's a restaurant where they eat. Their pods are different. I mean, staff are part of the day spending their day with the inmate population. They eat together. They create intentionality around cooking food. Most of us enjoy meals together and cooking, that's sort of a social event for us, it's not just eating.

**Noel:** The cells are more like dorm rooms, says Williams, and they have dedicated education and job training buildings. Everything about the design of the building communicates what Norway, as a country, values in its culture and wants its incarcerated residents to value when they rejoin society: the ability for people to live together freely and responsibly, to contribute to their community, and to respect one another as humans.

**Williams:** I think it's important to talk about the differences of how those places are built. But any one of us who's been there, seen the experience, say, look, this is not just about the buildings or the design. I mean, I think all that greatly enhances the rehabilitative aspect of it. But some of this is really philosophical.

**Noel:** Williams calls that philosophy "normalization."

**Dean Williams:** Well, it means like as much as possible, conditions behind the walls should be, should emulate living conditions or things in society.

**Noel:** Dean Williams is clear that Norway's prison system isn't without its fair share of punishment. But they believe that being separated from your life and your loved ones is punishment enough. As anyone who spent long periods of time alone and isolated during the pandemic can attest, that's a lot. And despite American obsessions with serial killers, "super predators," and other monstrous criminals being safely locked away forever in prison, the fact is that the vast majority of people who are incarcerated aren't monsters, and will return to life on the outside. And in our system, says Dean Williams, they aren't prepared for it.

**Dean Williams:** There's going to be knuckleheads, I mean, who are in our custody, I mean, sure, maybe knuckleheads that, you know, working for us too. But we're not going to use those, the minority of either the staff or the minority of the inmate population, because most of the people behind the walls realize they have made a mistake and realize something's wrong. And there's a reason why they're in prison. There has to be a place of hope there, that their life can still have meaning and they can still have purpose. And I'm telling you without that, that's the enemy. Without that, prisons are not only unsafe for them, it's unsafe for the people who work there and it's unsafe for the public when they get out.

**Noel:** History, says Williams, is his biggest challenge. The culture of isolation, punishment, and surveillance in US prisons from its beginnings at Eastern State Penitentiary and Auburn to Angola, Alcatraz, and now Supermax, is deeply ingrained in our values. Here's public historian Julie Peterson again.

**Julie Peterson:** A lot of things that are criminalized both today and in the past are really traced to things like mental health or poverty, things that are structural problems that prisons perhaps were intended to solve, but they're not the right structures to deal with these other structural problems... There just isn't the right support. Or mindset even, because when you criminalize



something, it then becomes something that you can judge and something that is deserving of punishment in people's eyes rather than a sympathetic problem that people want to solve in other ways.

**Noel:** And to change that will take time. But corrections leaders like Dean Williams are giving it a go. He's slowly taking prisoners out of 23-hour isolation. Pell grants and education are returning. He's trying to raise pay for incarcerated workers to minimum wage so they can begin to repay their debts and fines before they get out, and have money in their pockets to get housing and food when they leave. He's even considering a plan to allow some residents to wear their own clothes.

**Williams:** There are people who are getting out within a few months or already working jobs, going into community and working. So, a thing like even wearing your own clothes and human dignity, wearing clothes. If you and I had to wear the same clothes every single day and we look just like each other, every single day, it's just a little, it's a little dehumanizing.

**Noel:** And it's this goal of helping residents earn and feel their human dignity that led to the work with Ashley Hamilton and DU PAI. He knew it was the right decision when he saw their production of *One Flew Over the Cuckoo's Nest*.

**Williams:** I've never seen men more broken up after they have gone through theater, through their experiences and their identity to understand the harm they've caused in other people's lives and how they're trying to get to the other side of it. Because they're like in touch with their own humanity now, and that creates, that causes them to be in touch with other people's humanity and the things that they've hurt other people on.

**[Music]**

**Noel:** I call Sarah McKenzie one last time while I'm working on this script to see how her project is coming along. After spending years working alone in her studio painting architecture without humans in it, she had just begun teaching classes at Sterling Correctional Facility in northeastern Colorado, and was already blown away by her students' perspectives on the architecture they live in.

**Sarah McKenzie:** We've talked before about this whole issue around the role of vision in the prison context and how, you know, in many ways, the spaces are designed to maximize the ability for staff to see everything that's going on. But then part of the punishment for incarcerated people is their removal of access and vision. And one of my students even just said the other day, and I'm kind of paraphrasing this. But he said, you know it's really interesting how in prison everything is designed to be viewed, but nothing's actually truly seen.

**Noel:** She says she's also hoping she'll be able to show her student's work alongside hers when the time comes so that it might help viewers to share those kinds of insights, and see the real lives being lived inside Colorado's prisons beyond sensationalized media images and stories in a way they might not otherwise experience.

This is something that only the arts can do, says Dean Williams. They have the singular ability to reveal and communicate, and bring us together, no matter what we've been through.

**Dean Williams:** There's just that, there's just something that breaks out in terms of the humanity of being together in the same space to say you're still a human being, you still have value. There's still a place for you. You're still part of this country. You're still part of this state.

You're still a resident of Colorado. You still live here. We should care about what happens because first of all, because as I say, 90, 95 percent of the people in prison are getting out. They're going to be your neighbor. You know, who do you want to be your neighbor? Prison arts efforts, whether or not it's the theater or painting or architecture things or murals or anything else is going on, it's just one more stake in the ground, I think of driving home that this place can be different.

### [THEME]

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