Isabella Aguilar

Violence Reduction and Transformational Change

11/27/2018

Dear Provost Holloway and Dean Yuracko,

I am writing this letter in support of the class at Stateville Correctional Center. This class has been truly transformational and life changing for me. I came to law school because I wanted to effect change for large groups of people. This meant either a career in impact litigation, or a career in policy work. I thought a degree from Northwestern Law could help me achieve both.

When I saw this class, the first of its kind, was available for students to take, I was excited about the prospect to engage in policy making. Although I've had classes on litigation skills such as Trial Advocacy and effective brief writing, I haven't had that equivalent in the policy making realm. I haven't able to come up with a policy proposal, and defend it in front of folks in a way that will happen in the real world. This is what drew me in. I also am interested in criminal justice reform work generally, and believed working on this issue for my policy topic would be important. It's also crucial for policy makers to create policies for communities that are directly informed by those folks. So often, we see policy makers advocate for legislation for marginalized communities without actually bringing folks from those communities to the table. They assume what is best for these communities, without hearing firsthand if it actually is.

Therefore, if I was going to engage in policy making exercises aimed at alleviating systemic poverty and the cycle of violence, who better than folks who have encountered the criminal justice system firsthand to inform those conversations?
This has all been true of the class -- I have gained extensive experience in speaking directly with folks impacted by the criminal justice system I hope to help reform post-graduation. I have come up with a policy proposal to increase knowledge, empowerment, and opportunity in historically disenfranchised communities, and I have begun crafting an argument that legislators will challenge me on in my final week of class. But what I hadn't expected is what has impacted me the most, and that is the intellect, passion, and resilience of my inside classmates. To say their perspectives and insight floors me would be an understatement. It has literally changed the trajectory of my post graduate plans. I never would have considered being a prosecutor without their opinions challenging my biases. Further, I did not want to be a traditional litigator -- but rather a policy maker, or a litigator that works on big issues only, which is why I was focused on impact litigation. But, my inside classmates challenged me. They asked me how much impact I could have if I was the person who decided whether or not to bring charges against them. They correctly assumed if I, someone who had spent time with them and learned from them, was able to look at a young misguided teenage boy and ask myself: does he have the intent for first degree murder, or does he deserve to go away for the rest of his life etc., would I have brought those charges? And my answer is no. They believe if people like me, people who care deeply about restorative justice, community, disenfranchisement, and economic opportunity, made our society's laws and decisions, the world would look different. And for them personally, they would be able to live a different life.

Because of them, I have accepted a position to work in Philadelphia D.A. Larry Krasner's office in an Honors Program for three years. Within the last ix months, his office has released 1,500 prisoners, and resentenced hundreds of others. If he was in Chicago, who of my classmates would be released or resentenced? D.A. Krasner is actively working to dismantle mass
incarceration in his own backyard, and training his honors class to do it in theirs after our program is up. I would never have considered this job if it was not for my inside classmates, because after this experience, maybe I can directly help and impact them. I also will be working with the Bluhm Legal Clinic and Restorative Justice Illinois this January on instituting parole in Illinois. This legislative policy will impact people who find themselves caught up in a system that is anything but just, and allow them to no longer be incarcerated after they are clearly rehabilitated and can actively work to improve society.

These classmates have impacted me in a way I truly never would have expected. And I know I am not the only one. Whenever I discuss the class with my outside classmates (that is what the inside students call us), we all collectively describe the same experience of amazement and inspiration. Our inside classmates know so much about the law, landmark Supreme Court cases, policy making, and how to institute change in their neighborhoods. Every single class I am just blown away. These men would be excellent community organizers, lawyers, and even law professors. They are that smart, passionate, and determined. Overall, I genuinely don't think any class I've taken will be as valuable as this class has been for me and my future.

My inside classmates have also described how we have had an impact on their lives. They have told me we inspire them, and we give them hope. They are seeing firsthand what the next generation of lawyers cares about, and it is life changing to know we care about them. This bond I've created with my inside classmates would never have been possible without this class. It is so important to me that we continue this class for many more years. It has an extensive benefit to the inside students, and to the outside students. It teaches us, makes us think deeper, and genuinely makes us better human beings and advocates. I could not recommend this class more to anyone interested in becoming better, in all senses of the word.
Thank you for this opportunity to meet some of the most resilient, inspiring, and amazing folks I have ever encountered. They are change-makers, and they have inspired me to help them facilitate their gifts and amplify their voices.

Sincerely,

Isabella Aguilar
Abolishing Prisons

During our last class discussing the carceral state, Professor Bedi mentioned an idea that I had never heard of before and wanted to dig into more. In a discussion around the construction of a state that locks up its people more than any other around the world, she outlined the theory for a world without prisons. It sounds simple and probably is revolutionary to me because of my ignorance, but it made an impression. On the car ride home, I polled the car. I wanted to know what theorists they would recommend I look into so I could explore this thought further. Shavez, ever knowledgeable, suggested I read up on W.B. DuBois’ writing on the subject. This led me down a path to finding more modern prison abolitionists as well. Angela Davis and Ruth Wilson Gilmore are organizers who also believe that the Prison Industrial Complex is completely barbaric and should be shutdown. There are also groups such as the Prison Activist Resource Center and the Human Rights Coalition that are actively organizing against the prison industrial complex.

Even more intriguing, the alternatives to this system are a whole other field of study I haven’t been exposed to. There were several substitutions that were proposed from what I found via a little research. First and foremost was proposing a system of probation and community service as a way for the individuals to repay their debt to society. This would involve making sure that there were no automatic mechanisms, such as mandatory minimums, that curtail freedoms without taking context into account. Furthering this idea, is getting rid of programs that increase the number of incarcerated individual unnecessarily. This means not targeting drug users and sex workers for immediate incarceration. The former is the result of the patriarchy and
the latter is the result of medical issues. Neither require the use of incapacitation as they pose no threat to society at large.

Another body of research was around preventing crime instead of punishing it. This is where I find most of the ideas in class that appeal to humanity and common decency. Preferring to treat root causes, I've always wanted to understand why crime is committed and what conditions could prevent it. For example, gun violence is often the result of male impotence in the face of a system that emasculates them through the patriarchy and racism. What would the world look like if we treated the trauma people go through instead of demonizing people for acting out. In opposition to this, people often point out that there are sometimes just 'monsters' in the world that have to be incapacitated.

My argument is twofold. First, there are doubtful people who are truly unable to be rehabilitated and there's a question whether locking them up for life is right for them and for society. Second, even if there are aberrations of people who cannot be rehabilitated, we should design the system for the clear majority of people who are acting out of trauma, not for the few monsters that threaten our safety regardless of how we deal with them. All in all, much like in medicine, we are wasting resources on treating symptoms when we could treat root causes. Moreover, this becomes especially pronounced when you consider how our society is so quick to lock up mentally ill people who are in desperate need of treatment, not being locked up in a cage. What could happen if we invested in mental health institutes instead of prisons?

Finally, my favorite part of the theories center around instilling community based solutions. People should be compassionately held accountable to the community that should have held them and should continue to hold them, no matter how they are acting out. Corporations
should have no role in this aspect of our society. I look forward to diving deeper into the theorists who may one day make prison abolition possible.
Farhana Ahmed  
Professor Sheila Bedi  
Violence Reduction  
November 18, 2018

Women in the justice system

A true theme of the class for me has been the wonderful women who show up every week and try to hold space for our classmates, prisoners and law students. It’s not lost on me that the vast majority of activist movements have been authored by women, only for them to be cut out of the history books as men in power adopted their ideas. Our classroom is an extension of that idea with so many women interested in advocating for the public good. It has been heartening to see the responses of the inmates to our gender. Though everyone is implicated in the patriarchy, the level of awareness of the men have of the struggles of the female is complemented by their willingness to listen and give credence to the works that are coming out of their fellow students’ mouths. This is not always something this is afforded to women at the law school in their own classrooms.

Our discussion on the Butler article furthered these themes for me. Upon reading it, I immediately saw the absence of women, but failed to bring it up for fear of affronting men their right to claim space in the incarceration narrative. I find this to be a particularly egregious failure on my part because I have personal experience with incarcerated women. The cousins I grew up with, the ones I called ‘sister’ more often than not, were incarcerated in the juvenile detention system and then the adult one later. I remember receiving letters from my friend Rivka, who is now thriving as a chef despite the felonies she was charged with. Tattooed and tough talking, she had gotten into quite a few physical altercations with other women and also was given time for DUIs and other drug offenses.
The only difference in our lives were what school we went to and how much our parents were willing to invest in our education. The outcome was stark despite small differences. This point leads me to another point brought up in class that I wanted to highlight, but am not quite sure how to bring up. There have been numerous studies published recently about the sexual assault to prison pipeline. So many women and girls who are locked up have experienced sexual trauma and there is little to no help offered to them, much less awareness that there is even a link. As a former Rape and Domestic Violence Counselor, I cannot help but see the connections between sexual trauma and crime.

I’ve seen the women and girls victimized by men consistently become re-victimized by a justice system that does not understand the nature of their trauma. So many myths pervade how a rape survivor ‘should’ act that people think they understand completely how a survivor would react when they have no clue. If the general public has little to no understanding, I cannot imagine the ignorance women encounter during incarceration. Worse, I wonder what abuses prison guards inflict upon the women they’re supposed to protect in their prisons.

The idea of using a truth and reconciliation model to hold perpetrators accountable, and let victims have the space to voice their truths has always been interesting to me. I don’t think an adversarial system is equipped to handle trauma and how it tears at the fabric of communal living amongst us. Holding perpetrators of violence accountable requires understanding what violence has been done unto them. In our prison visits, I can only imagine what sexual violence the inmates experience, witness, or perpetrate. Though I do know the fact that we can’t talk about, that it is not a subject that can be broached given the sensitive issues around masculinity it brings up, is an indicator. It’s an indicator that even here, where we seek to be vulnerable with each other, taboo still pervades our conversations and gets in the way of being truly open and honest
about the content of our lives and our minds. I hope one day we can talk about sexual trauma without stigma. I hope that for men in particular. There is research that shows little boys are preyed upon at similar rates to little girls. The only difference is boys never speak of their trauma when they become men because they’ve been taught not to. The story of incarceration isn’t complete without this topic, but I hope it will be part of the conversation one day.
November 14, 2018

Jonathan Holloway, Provost
2-143 Crown, Evanston Campus
Phone: 847 491-5117
nu-provost@northwestern.edu

Dear Provost Holloway:

My name is Orlando Cosme, and I am currently a third year law student. I am writing to you to discuss my experience in the Northwestern Pritzker School of Law course: Violence Reduction & Transformative Change in the Justice System and why I believe that the course should continue. This course has been the best course that I have taken in my life. Not just in law school, or higher education, but in my life. That may sound like hyperbole, but I assure you that it is not. While there are many benefits to attending lectures and seminars taught by leading academics in their fields, it’s a refreshing experience having the people who are the most impacted by, and the most proximate to, the subject area—here the criminal justice system. Furthermore, Professor Sheila Bedi artfully maximized this learning experience by assigning readings and prompting discussion questions that not only forced us law students to hear the Stateville students’ perspectives on issues, but also engage them on tough criminal justice discussions—forcing all of us students to really discern our values and philosophies concerning the criminal justice system. Moreover, I was shocked by how intelligent, thoughtful, and articulate the Stateville students were; shamefully, I must have had a subconscious belief that this would not have been the case. Most of all, however, the most important lesson that I have learned from the class was the value of human dignity. The notion that no matter who we are, where we are at, and what we have done, all humans deserve to be valued and are capable of change.

William Peeples has been incarcerated for over thirty years. He strictly adheres to Islamic faith, including the obligatory prayers five times a day. He loves his family, especially his daughter who he hopes he can serve as an example of what not to do. William also killed a person. He was sentenced to death. After Illinois abolished the death penalty, William’s death sentence became a life sentence without parole. William was the first Stateville student I sat next to in class. During an icebreaker exercise, he told another law student and me that a little over fifteen years ago, he fundamentally changed. He was no longer the hot tempered, bellicose, and combative young man that he used to be. He became the thoughtful, soft-spoken, and peace advocating person in front of me. He attributed this change to his daughter and his conversion to Islam. He realized that he wanted to be someone that his daughter could be proud of. An example that she could follow; he knew that if he did not change then his daughter would start mimicking his behavior. Islam allowed him to make sense of his situation. It provided him with discipline that he never learned
during his upbringing and provided him with a purpose. William’s story demonstrates how people’s fundamental belief systems can alter radically. In short, William taught me that people can change.

Fittingly, Professor Bedi assigned the class *Roper v. Simmons*, 543 U.S. 551 (2005), the landmark U.S. Supreme Court case where the Court held that the death penalty was unconstitutional for people below the age of eighteen under the Eighth Amendment’s ban on cruel and unusual punishment. “By protecting even those convicted of heinous crimes,” wrote Justice Kennedy, “the Eighth Amendment reaffirms the duty of the government to respect the dignity of all persons.” *Id.* at 560 (emphasis added). Justice Kennedy concluded: “The [Constitution] sets forth, and rests upon, innovative principles original to the American experience, such as...broad provisions to secure individual freedom and preserve human dignity.” *Id.* at 578 (emphasis added). As I read these lines, I couldn’t help but stop at the sight of that word. Dignity. A quick online search on Merriam-Webster shows the following as one definition for dignity: “the quality or state of being worthy, honored, or esteemed.” After talking to William and hearing his comments in class, it was obvious to me, and likely the rest of the class, that William is worthy of that dignity that Justice Kennedy proclaimed the Constitution was based on. However, by denying William the opportunity for a second chance, the opportunity to live his life according to his new belief system, the government failed to respect William’s dignity—contrary to what the Eighth Amendment demands.

Yes. William killed someone. However, when the four traditional aims of punishment are taken into account—deterrence, rehabilitation, incapacitation, and retribution—the government clearly has no interest in keeping him in prison. The empirical scholarship shows that when it comes to deterrence, it is the risk of getting caught rather than the length of sentences that deters future violators; sentence length seems to have no impact on deterrence. Thus, there is no rational deterrence interest in keeping William in prison longer than the thirty years he has already served. Regarding rehabilitation, as I described above, William is not the same person he was in his youth. He has different priorities and values. For example, William is a prison abolitionist. During a class discussion when many students were voicing support for prison abolition, Professor Bedi pressed the class by asking whether they would apply that same philosophy to police officer Jason Van Dyke—who’s trial was currently ongoing. Many students paused or admitted that they would not. But not William. He stated that he believed no one, including officer Van Dyke, should go to prison. Any person who has spoken to William, or seen him in a class room, knows that he is rehabilitated. This same logic applies to incapacitation. William admits that when he was arrested he was too violent, that he needed to be removed from society for a period of time. However, after a decade or so, his violent nature changed. He is no longer a danger to society. This leaves retribution. Finding objective criteria for determining what is just retribution—especially with something as personal as murder—is an impossible task. However, we can examine the objective ramifications of having William, and other prisoners like him, in prison for life. The literature overwhelmingly indicates how corrosive such long sentences are to our society. They have devastated families and communities, removed an alarmingly disproportionate amount of people of color from society, and disenfranchised them—all at an exorbitant price to the taxpayer. Any notion of retribution is insufficient to move the scale when these objective effects of incarceration, along with the fact that the first three aims of punishment weigh overwhelmingly in Williams favor, leads to a clear conclusion. William should be free.
I focus my letter on William because he was the first Stateville student who I had a substantive conversation with. When I think of the course, he is the first person I think of. Like William, all of the other Stateville students are currently serving extremely long sentence or life. They come from different backgrounds and have been convicted of different crimes. But William’s story is also their story. A story of dignity. That is what this course has taught me. No matter what your background is, no matter what you did in your past, or where you are, we all have dignity. And this dignity can never be taken away, not even by a prison. This is why I ask you, Provost Holloway, to continue this course. So that other Northwestern law students can see that just because society brands someone a prisoner, they still have human dignity. So that other Northwestern students can meet a William Peeples.

Sincerely,

Orlando Cosme
Rosalind Dillon  
Northwestern Pritzker, 3L  
722 W. Wrightwood Ave.  
Chicago, IL 60614  
November 26, 2018

Jonathan Holloway, Provost  
2-143, Rebecca Crown Center  
633 Clark Street  
Evanston, IL 60208

Dear Mr. Holloway,

I'm writing about the Northwestern Pritzker law school class offered at Stateville Correctional Center this semester: *Violence Reduction and Transformational Change in the Justice System*. In my nearly three years as a law student at Northwestern, I never felt that a course was a more critical part of my education. Critical in a way that contracts, federal jurisdiction, and constitutional law, though undoubtedly important foundations, can never be.

When you open the Northwestern Pritzker website, you're greeted with three words: Collaborative. Innovative. Distinguished. Of the courses I have completed over the past seven semesters, the Stateville class is perhaps the only course that truly embodies all three.

**Collaborative**—“to work jointly with others or together especially in an intellectual endeavor”

Collaboration takes on its purest form when the parties collaborating offer a wide array of perspectives. The contrast between prisoners and law students is stark. But it is this contrast that makes the Stateville course a breeding ground for successful collaboration. In this course, teams made up of both prisoner and law students are working to identify opportunities within the criminal justice system for change and then drafting policy proposals meant to catalyze that change. Law students are challenged to listen to and support those most deeply impacted by the system and prisoner students are offered a space to see their ideas turn into reality.

**Innovative**—“introducing new ideas; original and creative in thinking”

It is impossible to speak to the collaboration that goes on in the Stateville class without speaking about innovation. The traditional doctrinal law school class offers a space for students to answer questions that generally have answers. The Stateville course is built around questions that have no answers. New ideas and creative thinking will inevitably emerge from such a structure, even in a traditional
classroom setting. Add to that setting 10 men who have spent a significant portion of their life in prison and that have spent much of that time thinking about how to fix the criminal justice system, and you get something that sparks even more innovation.

_Distinguished_—“marked by eminence, distinction, or excellence”

What I have found so unique about the Stateville class is that law students are able to engage in experiential learning and doctrinal learning at the same time. I have not taken any other course where students are able to learn alongside potential clients, who just so happen to be brilliant in the subject matter at hand. _The Daily Northwestern_ recently ran a piece about the impact and importance of Northwestern’s Prison Education program. In so doing, Northwestern made a statement: We care about prisoners’ access to education, we understand it is important, and we are doing something that other institutions are not—we are offering the opportunity for law students and prisoners to learn alongside one another.

The Stateville course has been the most influential in my law school career. I have engaged with brilliance beyond compare. I have gained a deep knowledge of the injustices that plague the criminal justice system, both from the thoughtful course materials and from the first-hand experiences my prisoner classmates bring to class every single week. I have formed meaningful bonds with prisoners—guys who call us family and welcome us into their space with unmatched kindness. I will hold onto their stories as I embark on a legal career dedicated to social justices. I will be a better attorney because of this class.

To that end, I write simply to express my hope that Northwestern continues to provide law students with the opportunity of taking course(s) with Stateville students. I cannot imagine a class that would better embody the type of institution Northwestern strives to be.

Sincerely,

[Signature]
Rosalind Dillon
Dear Provost Holloway,

Thank you for making Northwestern’s Prison Education Program possible. I have now repeated the sentiment to my friends, family, and peers countless times: this law class at Stateville prison is the most important educational experience I have had in my life. Second, I write to implore you to ensure that my class—Violence Reduction and Transformational Change in the Criminal Justice System with Professor Sheila Bedi—is the start, not end, of a long-lasting partnership between Northwestern Law and the Illinois Department of Corrections to deliver law classes in Stateville prison.

This class at Stateville, with the insights the students bring, the depth of the dialogue, and the ideas we have generated, eclipses my years of public education and three years working for a Washington, D.C.-based thinktank where I worked hand-in-hand with prison officials, police, and researchers across the country on crime policy and reform. In particular this is true for two reasons. First, the “inside students” (students incarcerated at Stateville) provide firsthand experiences that shed light on widespread assumptions too often overlooked by the courts and policymakers. Second, the format of the class is an important vehicle for future policy-making. I’ll speak to each of these reasons in this letter, in turn.

First, during the Stateville class I have learned complex legal jurisprudence not just from Professor Bedi, but also from the inside students. The inside students are voracious consumers of legal doctrine, from constitutional protections against unreasonable search and seizure, to cruel and unusual punishment in death penalty cases, to qualified immunity in police use-of-force cases. The inside students speak with authority on the doctrines—often before Professor Bedi even assigns reading materials. While most of them, like me, haven’t ever taken formal classes on constitutional criminal procedure or the statutes we discuss, the inside students independently educated themselves to be well-versed and up-to-date on the legal standards.

Even more, despite the shabby conditions of the prison, the Stateville classroom is incredibly stimulating. I believe we are all learning more because the inside students are motivated and prepared to discuss the material—even without the threat of a cold call hanging over their shoulders. They are, to be frank, more driven and eager to participate in class discussion about the past and future of legal doctrine than many of my peers back at Northwestern’s Chicago campus. Their preparedness has held me and the other “outside students” (Northwestern law students) accountable, motivated, and more likely to be prepared for class.

But, more importantly, I learn a tremendous amount in my class because our analyses and discussions are animated by expertise most law classrooms, legal scholars, and judges lack: first-
hand experiences with the institutions, situations, and conflicts we discuss. My inside classmates provide a critical “temperature check” on many of the facts glossed over in legal opinions or given short-shrift by lawmakers. The inside students have undergone criminal proceedings and had public defenders. They were crime victims themselves. Many were subject to search, animus, and use-of-force by the police. They grew up in communities and conditions that exacerbate and are exacerbated by the tremendous flaws in the law. This perspective is invaluable because it is—more often than not—missing from the communities and institutions responsible for shaping the law, even despite the best efforts of institutions like Northwestern to craft a diverse student body.

As one example of the power of these insights, during one of our very first classes we discussed deterrence, a theory taught in absolutely every first-year criminal law class. However, whereas my first deterrence lesson was limited to reading case law, at Stateville the inside students’ firsthand experiences grounded this very abstract theory in reality. For example, when discussing whether a punitive sentence deters future crime, one student recounted the first time he was arrested: he faced two bad choices (1) starving while his mother, who was addicted to drugs, was unable to earn an income, or (2) committing his crime to put food on the table for his younger sister. The absence of a realistic choices to feed his family meant there was no choice at all, and, as he said himself, the threat of a criminal prosecution was irrelevant. In that situation, it was clear to many of us that deterrence had no force. Several classes later, another classmate broke down as he described the pleas from his mother, who is desperate for the mentorship, emotional, and financial support he provided his family and community prior to his arrest. I thought again about the long sentences driven by deterrence-based rationales, and the way these sentences rob families and communities of people their own support system, thereby adding a second set of victims to the situation.

Secondly, but no less importantly, the class is invaluable because I believe it should be the future of participatory policymaking. Throughout the second half of the class, we have worked as teams to develop discrete criminal justice reforms that we will present to elected officials. From my experiences in D.C., I know many funders and elected officials are eager to solicit and incorporate in the policy-making process perspectives from the people actually affected by their decisions. Traditionally, that incorporation is limited to focus groups, advisory boards, or other mechanisms. This Stateville class is the best vehicle I have seen so far. My inside classmates bring their rich insights and firsthand experience to our conversations every class of the semester, and we work together to generate ideas. However, we’re only able to do that as equals because of Professor Bedi’s efforts to lay the groundwork of mutual respect and equality in our classroom, in format and substance. We arrange our seats so that we alternate inside and outside students, and when we hold smaller group discussions, we split evenly inside and outside students. Likewise, we create space for everyone’s voice in class discussions, and we listen and argue with constructive criticism. This foundation of respect allows us to generate novel ideas, debate difficult questions, and propose concrete solutions as a group.

The expertise, insights, and rigor of the conversation, as well as the thoughtfulness and preparedness of the inside students pushes all of us in the Stateville class to be better students of the law, policymakers, and human beings. So, I reiterate my gratitude for the opportunity to participate in this class, and I urge you to read carefully the flood of letters you will receive from
my fellow outside students. We all believe it is critical that you continue this impressive and groundbreaking educational experience. This class—more than any ranking or legal scholarship—makes me proud to attend Northwestern Law.

My best and sincerely,
Emma Kurs
Jonathan Holloway  
Provost of Northwestern University  
2-413 Crown, Evanston Campus  
(847) 491-5117  
nu-provost@northwestern.edu

Dear Dr. Holloway,

My name is Katelyn Polk and I am a second-year law student enrolled in the Violence Reduction and Transformational Change in Justice Systems class that Northwestern Law Professor Sheila Bedi teaches at Stateville Correctional Center this semester. I am writing this letter to express my appreciation of the class and my sincere hope that it will continue for future law students and inside students. I cannot overstate how enriching this class has been for me, not only for my legal education, but also for my personal growth as an American citizen.

This class is truly the best class I have ever had the opportunity to take at any institution, at any level of education. Each and every week I am blown away by the insights, knowledge, and generosity of my Stateville inside student peers. These inside students welcome Northwestern law students into their lives and their world each week. They are never afraid to share their stories with us and explain their experiences, both pre-incarceration and during incarceration. They provide faces, personalities, and stories to the statistics and rules of law that law students learn and discuss in typical law school classes.

We have had the most incredible, thought-provoking discussions in class about all kinds of wide-ranging topics related to criminal justice and violence reduction. Our discussion in one of our very first classes about general and specific deterrence theories of punishment struck me as one of the most productive, eye-opening discussions I have had the honor of participating in throughout my academic career. The inside students opened up about some of the factors that led
to each of their incarcerations and in doing so, invalidated the arguments in support of deterrence theory made by courts across the country. After this early discussion, I knew that this class would be the most valuable academic experience of my law school career.

Our conversations since this moment have only become increasingly valuable and insightful for me. Each week, we have a new discussion that seems to top the ones from weeks before.

This class challenges me intellectually because both the inside students and the Northwestern students are among the smartest people with whom I’ve had the pleasure of interacting. The inside students bring a level of intellect and respect to our discourse every week that exceeds that of any other class I have taken. Even in discourse on nuanced, personal topics like deciding whether to participate in the prison labor system, each inside student showed immense respect to every other student in the class, especially to those other inside students who made the opposite decision. I could not help but think that my Northwestern Law peers could learn professional courtesy from the example set by the Stateville students.

Getting to know the inside students and hearing their thoughts about and experiences with the criminal justice system has been truly life-altering. Each inside student provides a unique perspective that is equal parts inspiring and heartbreaking.

This class is the absolute highlight of my week, every single week. I feel a special bond both with the Stateville students and with the Northwestern students that make the trek to the prison with me each week. I share my excitement and love for this class with everyone I speak with and have spoken with over the course of the semester, from friends and family to fellow law students and prospective employers. I gushed about my fantastic experience in this class during
an interview for an externship, and both attorneys with whom I interviewed expressed genuine interest and excitement about the unique class and opportunity that Northwestern afforded us.

Not only do I feel so grateful to have this opportunity as a law student, I believe the entire country in general, and the criminal justice system specifically, would benefit greatly from increased interaction between the public and prisons. If the public were able to meet my peers from Stateville, misconceptions about “criminals” and the alleged danger they pose to society would immensely decrease. I think the inside students would benefit from increased interaction with the general public as well in order to help them stay connected with the outside world.

I cannot overstate the importance of this class to me and my peers, both inside and outside of Stateville. I hope the discussions that we have each week help those inside Stateville feel connected to the world outside the prison walls, and that the class continues for future semesters.

Warmest regards,

Katelyn Polk

J.D. Candidate, Class of 2020
Northwestern Pritzker School of Law
katelynpolk2020@nlaw.northwestern.edu
(972) 762-2772
Reflection on the Economic Costs of the Justice System and Private Prisons

Recent class discussions have prompted thoughts about the economic costs associated with the criminal justice system. For example, during recent sessions, some of the inside students have made comments about the dilapidated conditions of their cells and the poor maintenance of prison conditions. In fact, William’s frustration and interest in this topic has motivated our small group to propose legislation to address this. As we’ve been researching legislation and arguments around prison conditions, something that has come up in our small group discussions has been the costs to improve prison conditions and who would ultimately bear these costs: the federal government, state government or private-prison owners. In the case of this proposed legislation, justifying the costs to improve cells will likely be an obstacle to overcome as we seek to persuade policy-makers. This has, in turn, made me think about the costs of associated with the criminal justice system. According to one article, which was required for class, the cost of the criminal justice system to the government and to families of those involved in the justice system combines to be $182 BILLION dollars per year. What’s even more insane is that this number continues to grow. Something that immediately stood out to me was the cost associated with private prisons, which was estimated to be $3.9 billion. I was curious to learn more about private prisons.

I’m not that surprised by the cost figure for private prisons. In Arizona, where I’m originally from, we have a few private prisons and people I went to grade school with currently work at some of these facilities. I’ve seen how large they are, the large number of people they
employ and the resources they consume, and this all reminded me of how ridiculous the private-prison model is. A private prison’s revenue comes from a government contract where prisons are paid a daily or monthly rate based on the number of prisoners being held or by “renting” prison cells to the government. This means that for private prisons to see additional profits, these organizations need more people to be arrested and incarcerated, incentivizing people involved to support harsher punishments for crimes and to support increased police power. This also helps to shed light on why so many private prisons donate to the political campaigns of politicians who promise to be “tough on crime.” This feels wrong. Even the names of some prison corporations feel wrong. For example, one of the larger private prison operators was called Community Education Centers before it was acquired by a competitor. It seems incredibly perverse that people profit from keeping humans locked in what is essentially a cage.

A quick google search will reveal that the private prison industry is very profitable and lucrative. Major investors include giant firms like Bank of America, Fidelity Investments and General Electric. What’s particularly interesting in a pure economic sense (because life behind bars is never “interesting”) is that the argument in favor of private prisons has been that they save the government money. As you would expect, this argument invokes the “government is inefficient” reasoning in order to make that claim. However, only private-prison-supported studies have backed the claim that private prisons actually save the government money. It turns out that it’s the opposite. A study done by the U.S. Bureau of Justice Statistics showed that promised cost-savings were never realized. Other independent research has concluded that private prisons are more expensive than government-run prisons. This is in addition to research that shows that private-prison staff tends to be undertrained and reports that private prisons have been found to have bribed judges to send people to prison among other things. If private prisons
cost the government more money, one must wonder why we allow private prisons in the first place. allow private prisons in the first place.

When certain US politicians constantly repeat the need for fiscal responsibility and economic growth, one would think that government would look to make its systems more efficiently and less costly. Issues of respecting others’ humanity aside, the justice system is ripe for disruption and reform and has potential to save our country billions of dollars and countless lives. Beyond pure economic considerations, the US government should not be supporting businesses that inflict such harm on its own citizens. That there is little focus on this issue is very frustrating.
Reflection on Mental Health in the Justice System

When we discussed Roper v. Simmons in class, I was surprised by the negative effects that the case had. In particular, I was surprised by Prof. Bedi’s story regarding a juvenile detention center. It blew my mind to learn that a detention center used that ruling to argue that others juveniles couldn’t know what was in their best interests because their brain wasn’t fully developed. This class session got me thinking about other types of individuals who could be considered as underdeveloped and may be treated differently under the law. What came to mind was how the justice system treats mental illness. Coincidentally, about a week prior to the class discussion of Roper v. Simmons, my mom, an Arizona public defender who is passionate about mental health issues, attended a mental conference in Georgia and could not stop talking about it. These two things motivated me to look into mentally ill criminals in the justice system. What I learned was shocking and disappointing. It seems like the US needs a better approach to addressing mental issues within the criminal justice system. Ultimately, I wonder whether the current system is equipped to handle people with mental illness.

I was curious to understand the general situation. I learned that mentally ill people are overrepresented in prison populations. According the National Conference of State Legislatures, 56% of state prisoners and 64% percent of jail inmates have had a mental health issue. To make matters worse, inmates with mental illness tend to deal with solitary confinement at a disproportionate level compared to inmates without mental illness.
With context, the process that leads to the disproportionate representation becomes a little bit clearer. Police officers are usually the first on the scene of a crime. As a result, they tend to be the first point of contact for a mentally ill individual. However, officers are not trained to handle mentally ill people in situations of crime. After the arrest, a mentally ill individual may be sent to jail or prison, but regular correctional facilities like these are not equipped to treat offenders with mental illness so the approach that correctional facilities take with mentally ill inmates tends to be the same as for non-mentally ill inmates. Although most correctional facilities have some type of resident psychologist, inmates report that the help they get is insufficient with 65% percent of inmates answering that mental health funding is inadequate. This becomes especially problematic because it’s likely that incarceration will have a greater negative impact on the rehabilitation of inmates with mental illness compared to those without (however, it’s laughable to think jails/prisons are designed for rehabilitation in the first place).

Despite the negatives, there is good news. That good news is that several advocacy groups are working to change the justice system’s approach to handling people with mental illness. For example, according to the National conference of State Legislature there are three approaches to handling people with mental illness that states are slowly adopting. These three approaches are pre-arrest intervention; diversion; and reentry. Pre-arrest intervention relies on partnerships between police departments and mental health providers. Under this approach, the mental health providers would work with police to provide training to officers. Another approach, and a popular one, is diversion. This approach is meant to guide people with mental illness away from the criminal justice system and into Mental Health court. The last approach is reentry and it focuses on policies to ensure a smoother transition from jail/prison to real life.
Although some measures are being taken to address mental issues in the criminal justice system, it doesn’t seem like enough is being done, but this is case with most aspect of the criminal justice system. I look forward to learning more about how mental health cases are tried and I remain hopeful that something will happen to lead to more progressive pushes in the criminal justice system.
My name is Shavez Rosenthal. I am currently a second year law student. During my first year summer, I had the opportunity to intern at the Equal Justice Initiative. In this experience, I spent the summer visiting prisoners and discussing their experiences within the prisons. I heard horrible stories of tremendous violence, the encouragement of violence by staff members and much more. Helping the vulnerable is the reason why I wanted to come to law school and was excited to be doing it. As I was finishing up my internship and preparing to return back to start the new semester, my coworkers and I had the opportunity to meet with Bryan Stevenson, an attorney who dedicates his life to helping the least of us. One of my coworkers asked the following question, “This was a wonderful experience. However, I am afraid that when we return to school, we will get so busy with classes and commitments that we will become apathetic. What do you suggest we do?” Bryan, sitting back in his chair and looking very intrigued by the question, responded “It becomes a responsibility to stay proximate to those who are vulnerable.” I instantly thought that would be impossible in a law school context filled with privileged law students.

When I returned back to Illinois, I received an email from a fellow student regarding a new class that would be taught *in* prison with fellow prisoners. I instantly remembered Bryan’s words and jumped at the opportunity. As a child, I was raised in a community that was over policed and under resourced. As a result, I had (and currently have) siblings who were (are) incarcerated. I was barely a teenager when I had police enter my parents home without a warrant, not understanding the illegality of their presence and what could have gone wrong. In law school, there is a tendency to read abstract cases and abstract rules while not understanding the gravity of influence that the law has on people law. Despite my upbringing, I feared that I was
becoming one of the apathetic law students. I was delighted to have the opportunity to do something about it.

Professor Bedi’s Violence Reduction and Transformational Change in Justice Systems class at Stateville should not simply be continued. It should be a necessary class. The class does not allow us to forget those who are most affected by the law. Northwestern has classes which allow individuals who are interested in corporate law to engage and learn from attorneys who have been ingrained in the field. It does not present that opportunity for law students who are interested in representing the vulnerable. Professor Bedi’s class presents that opportunity. Within the Stateville class, we are not just learning the case law. We are not just being lectured. The prisoners are telling us how the cases are affecting their livelihood. Without this perspective, we are just engaging in intellectual exercises without a context to understand it.

Any institution which wants to play a role in making the world a better place or a little less worse needs to have this class as an option. While it is true that clinics also provide law students with an opportunity to engage with the vulnerable, the Stateville class places everyone on an equal level. The vulnerable are not our clients, they are our peers. We learn about what the positions of prisoners are on many topics including sentencing statutes, prison conditions, and the like. We learn about how they are treated inside of the prison and how to challenge the system. It provides a meaningful opportunity for law students, who are interested in working for the vulnerable, to have a context for their future jobs. If anything, I think the Stateville class prepares us for representing the vulnerable in a way that no other law school class can.

I would recommend the administration think very deeply about keeping this class around. Without the class, we are at a disadvantage. The Stateville class gives law students an understanding and gives the vulnerable a voice. The class is a necessity.
Respectfully,

Shavez Rosenthal
A prevalent theme throughout the class in many ways came back to the idea that color is criminalized. Constructing the Thug really touched on this issue and really brought to light how fear of difference drives our discriminatory justice system. It talks about how black men in particular are viewed as a threat; obviously, blackness is not a legally cognizable offense—despite the undertones that color is criminalized. Blackness is some ways is like a status crime—arrested, prosecuted, and sentenced more harshly that white counterparts—despite the prohibition against status crimes. This thought also came to mind when Raoul was telling his story about how he had a lot of contact with the justice system by virtue of being affiliated with a gang. When he was talking during our Qualified Immunity discussion, I could not help but wonder about the nexus between the prohibition against status crimes, probable cause, and criminal adjudication. Our discussion shed light on the notion that police can say just about anything to satisfy the probable cause requirement. I believe this is flawed in many ways, but in relevant part, it is flawed because individuals can enter the justice system and have that initial contact by virtue of status.

It is unsettling that I have personally and professionally seen time and time again individuals become victims of the justice system by virtue of some affiliation or immutable characteristics. When I was fourteen years old, I was arrested and put on house arrest for the very reason that color is criminalized. I was with three other girls at night. One of them picked up a huge rock, and two of them were talking about throwing it into a girl’s window that we did not like. The other girl and I left them behind because they would not listen to use when we told them to put the rock down, and we did not want to have anything to do with what they were talking about. We were about .25 to .5 miles away from the other girls when we heard the glass break, so
we ran home, where the other girls also ran. Within the hour, the police came to my house and arrested me. I told the police (a white, male officer) the name of the two girls and informed him that I did not see which girl did it. He refused to investigate or ask questions, but instead told me I would be in trouble for it. The two girls and the victim were white; I was not. So, it made sense why I would be in trouble instead and why there was no interest in investigating further. At court, my white, male public defender refused to listen to my side of the story and instead told me I needed to take a plea agreement. That plea agreement happened to be an entire summer on house arrest—specifically, my first summer as a fifteen-year-old single mom. This injustice was for no other reason than the color of my skin. The police harassed my family for years because we were the only people of color living within at least a five-block radius. We were one of the very few people of color who even owned a house in the town; most people of color lived in the town’s apartment complex.

The one thing that surprised me about the Constructing the Thug reading was when the author discussed that black men should prefer white cops because a black cop is more likely to kill a black man. I think the article hit on some very real and key points—particularly, the idea that black cops strive to be disassociated with black men who are not cops. This is an issue that presents itself in black communities generally. It reminds me of a video documenting I believe Thurgood Marshall’s story where a little black girl would not play with black dolls because she thought they were ugly like her. In my experience, I have noticed that a lot of black communities are negatively biased toward their skin color. This manifest itself in different ways. It may be that a black person is only willing to see a white doctor. Or a black person who feels more educated will talk badly about other black people. This creates a bigger problem that I believe we saw during the presidential election: black communities have a hard time coming together because society has
trained them that color is bad. It is hard to prepare future generations of change agents and advocates for people of color when the few people of color who make it in a position to create change disassociate themselves from people that look like them.
November 20, 2018

Jonathan Holloway, Provost
2-143 Crown, Evanston Campus
Nu-provost@northwestern.edu
Phone: 847.491.5117

RE: Violence Reduction and Transformational Change in Justice Systems

I am writing this letter to express why I believe Violence Reduction and Transformational Change in Justice Systems (a class) should be integrated into the curriculum for all law students. Each Thursday the class meets at Stateville Prison for several hours to have class with inmates enrolled in the class. My experience so far has been phenomenal and has been my best law school experience.

This is an opportunity for students to interact personally with inmates as peers/colleagues, which is very different from the traditional classroom experience or even other experiential learning opportunities. Each inmate has a very different story, background, and experience with the legal system. For many students, this is their first time meeting an inmate. For others, like myself, this is a more comforting environment. This is because many of the inmates come from backgrounds similar to mine and have shared many similar experiences that my Northwestern peers are unfamiliar with. I have never met anyone at Northwestern who shares a background like mine, which makes it challenging to bridge cultural differences and communicate sometimes. This is not a problem I have experienced with the inmates.

Additionally, the nature of the class has provided me with opportunities to share information from my experiences on what life may be like navigating the lines between what I will term here as the good and not so good. For example, we were discussing various ideas about
reducing violence without involving the police. In this discussion, part of my contribution consisted of a personal experience. I shared with the class that I believed that education needed to be taught in ways that make sense given the culture of the community/individual. The example I provided to support this claim was of a friend who dropped out of school once his teachers introduced variables into math. He did not believe letters should be in math, so he never went back. So, I gave him a crash course on introductory algebra in a way that made sense for him, which happened to be through drug dealing and fighting. Because I grew up in the “hood,” I am well versed to many things that my Northwestern peers may otherwise not understand. I was able to use that to my advantage and expressed to the class how I believed such an adaptive approach to education should be taken. This is likely not a story I would have ever shared in a traditional classroom setting because I would feel uncomfortable given that most people do not have similar experiences to me. My reality is that people like me who are from where I am from almost never make it to where I am today, so I do not share my experiences out of concern of being misunderstood or viewed negatively. However, in this class, the inmates create a completely different level of comfort for me to be able to share my thoughts because I do not feel alone or misunderstood. To bolster this level of comfort, the Northwestern students and Professor Bedi are extremely open and supportive and leave any possible judgment outside of the classroom.

A true, but overlooked, comment made by an inmate was that deterrence as a justification for punishment does not work when the offender must be able to first survive. Deterrence in the abstract may sound logical and great, but the reality is that it creates a disparate impact based on race and socioeconomic status when it is used to justify punishment. Also, an inmate posed a question that predominantly impacts ethnic and racial minorities: how can one be deterred from what they have learned their entire life without equipping them with the tools and skills necessary?
Many people who do not grow up in high risk communities do not have the capacity to inherently speculate and understand the key issues going into this question. Many high-risk communities are plagued with generational poverty and poor education, coupled with reduced access to resources and often further harmed by systemic and generationally taught violence, gangs, drug use and distribution, and lack of access to mental health services. So, to rephrase the initial suggestion made by the inmate: deterrence as a justification for punishment does not work for someone who is poor and needs to steal to eat or have clothes and other bare necessities because he or she cannot obtain meaningful employment due to the poor education provided nor can he or she reach out to friends or family for support because they too are going through the same struggle; in fact, hustling (whether by stealing, selling drugs, etc.) is often learned from an older family member just as violence and gang participation. These are the things learned throughout their lives, so how are they supposed to be able to exit this horrible cycle? Or when parents teach their kids to never let anyone punk them and if anyone ever hits them to hit back? This perpetuates violence and fuels the pre-k to prison pipeline. These are issues that ultimately go overlooked and misunderstood because people who experience them do not usually have a voice to make change, and people who have a voice to make change, usually do not understand these problems and often have been red to believe these people are less than human and do not deserve anything humane. This class creates a way for inmates to have a voice and allows future leaders to understand these important problems with empathy, respect, and understanding.

Another very important facet of this class is its value in promoting diversity, cultural fluency, and empathy for those students who ordinarily may not be able to relate to inmates and the issues they plague their lives. This class gives students the opportunity to see that inmates are just people and not dangerous animals as the media or politicians may portray them to be. Every
single inmate in the class is so amazing and brilliant that it seems unreal. They contribute so much to our class discussions in both quantity and quality. Their unique perspectives and experiences enrich the classroom and learning experience beyond any that I have ever seen. I honestly think more classes like this are needed in order to create the change we talk about in our classes because Northwestern is preparing the next generation of practitioners and scholars who will ultimately end up in many positions of power. Opening students' minds to the realities, good and bad, of the justice system may ultimately result in students becoming advocates for change for what is currently a faulty and troubled justice system in many ways.

These are just a few of the many points that demonstrate the value from this class. As such, I would encourage future students to take this class or the administration require students to take the class. Additionally, this class would be very beneficial as a two-term class rather than a single-term class. As the quarter comes to a close, I have anxiety about the class ending. I wish I could take it again. It does not seem like it was long enough. I can honestly say that I will be heartbroken and sad once the term comes to a close. This is such a touching, eye-opening, and practical approach to understanding many areas of the law and their roles in our justice system.

Respectfully,

Shelisa Thomas
November 15, 2018

Jonathan Holloway, Provost
2-143 Crown, Evanston Campus
nu-provost@northwestern.edu

Dear Provost Holloway,

My name is Natalie Unger and I am a third-year law student at Northwestern Pritzker School of Law. I am currently enrolled in the class, Violence Reduction and Transformational Change, which is taught by Professor Sheila Bedi and held inside Stateville Correctional Center in Crest Hill, Illinois. My classmates are not only Northwestern students, but students who are currently incarcerated inside Stateville. Every Thursday for three hours, I have the privilege of sitting next to and sharing a conversation with some of the most intellectually curious, kind, and open-minded individuals I have ever met. I write to you today to express the tremendous impact this class has had on my life, and to urge you to continue to offer this class to future students at Northwestern.

Violence Reduction and Transformational Change is a class that is instrumental in the effort to end mass incarceration and reform our violent and inequitable criminal justice system. In his article for the Northwestern University Law Review, Racing Abnormality, Normalizing Race: The Origins of America's Peculiar Carceral State and Its Prospects for Democratic Transformation Today, Jonathan Simon of Berkeley Law writes, “Today, after decades of being cloaked by the war on crime, the racial nature of the U.S. carceral state has become strikingly visible and illegitimate to a growing number of Americans (including white Americans).” Violence Reduction and Transformational Change is an innovative opportunity for Northwestern students, faculty, and administration to play a role shifting our society’s perceptions of our criminal justice system and its racial underpinnings by humanizing people who are incarcerated in our state. Moreover, the class creates a transformative environment through which students on the inside and in the free world can engage intellectually and emotionally to achieve a deeper understanding of the devastating impact of our criminal justice system and collaborate to imagine the possibilities for change.

Before starting Violence Reduction and Transformational Change this semester, I had taken numerous classes and seminars related to criminal justice including Prisons and Prisoners' Rights, The American Death Penalty, Race, Social Science, and the Law, Civil Rights Litigation, and Constitutional Criminal Procedure. Additionally, I spent two summers in a row representing poor clients impacted by our criminal justice system,

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1 https://scholarlycommons.law.northwestern.edu/nulr/vol11/iss6/13/
first as part of the expungement and clemency practice at the Chicago Legal Clinic in the
Austin neighborhood of Chicago, and next as a Gideon’s Promise Summer Law Clerk at
the Nashville Public Defender’s Office. In the past six weeks I have formed relationships
with new colleagues and friends, developed a deeper level of empathy toward the people
I will one day represent, gained a more robust understanding of the devastation our
criminal justice system creates, and solidified my devotion to working toward social
change and criminal justice reform. As a result of this class, I feel more confident I am
capable of engaging with clients from a place of empathy and understanding, rather
than a place of ignorance and paternalism.

More importantly, Violence Reduction and Transformational Change is necessary
for the empowerment and well-being of incarcerated individuals in Illinois. According to
a 2013 Study from the United States Department of Justice, prisoners who participate in
correctional education programs are 43 percent less likely to return to prison.² While
this data speaks to the value of the Northwestern Prison Education Program as a whole,
the benefits of Violence Reduction and Transformational Change are unique. Indeed, for
many of the incarcerated students enrolled in this class, recidivism is not a concern,
because they are serving life sentences without the possibility of parole. For one, the
class gives voice to a group of people who are stripped of their ability to participate in
our democracy through political activism, civil disobedience, unrestricted speech, or
voting. As part of the class, we are working in groups to create policy proposals, which
we will then present to legislators in Illinois. This is a remarkable opportunity for the
gentlemen inside Stateville to have their voices heard by people with the power to create
reform in our state.

Furthermore, Violence Reduction and Transformational Change contributes to
the emotional well-being and hopefulness of our incarcerated classmates. On the first
day of class, Professor Bedi asked, “Please raise your hands if you believe our criminal
justice system is legitimate.” No one in the class raised their hand. A few weeks later,
one of the inside students, who is serving a life sentence, told the class, “The night after
our first class, when I saw none of you Northwestern students raised your hand about
the criminal justice system being legitimate, was the first night I’ve slept well in over 15
years.” In a subsequent class, one of the inside students was brought to tears recounting
the way his incarceration has harmed his family, and another of the Stateville students
walked across the classroom to embrace him. Professor Bedi has consistently provided
and maintained space for the students in the class to have challenging and often painful
discussions, all of which contribute to the healing and happiness of the Stateville
students. No matter where our discussions lead, I leave Stateville every Thursday feeling
confident I made a positive (though momentary), difference in the lives of a group of
men I have come to deeply value and respect.

As an institution, Northwestern prides itself on being a progressive university
dedicated to social change. Anyone who walks through the halls of the law school will
see poster-sized photos of students who support Black Lives Matter, proclamations that

“We are all immigrants,” and photography that illustrates our nation’s history of activism and civil rights. Northwestern students will be the future leaders of America, and my colleagues at the law school will be this country’s prosecutors, public defenders, legislators, and thought leaders in the political space. Violence Reduction and Transformational Change has created a bridge that neither the inside students nor the Northwestern students would have had the opportunity to cross otherwise. This class is a revolutionary educational opportunity that is invigorating, restorative, and transformative, and should remain a part of Northwestern’s curriculum.

Thank you for your time and attention.

Sincerely,

Natalie Unger