

"I REFUSE TO LET THEM KILL ME":

FOOD, VIOLENCE, AND THE MARYLAND CORRECTIONAL FOOD SYSTEM

*Prepared by the Maryland
Food & Prison Abolition Project*



MARYLAND
FOOD
PRISON &
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PART V

FOOD AS A TOOL OF VIOLENCE, PUNISHMENT, AND DEHUMANIZATION

**“PRISON IS THE ONLY PLACE WHERE POWER IS
MANIFESTED IN ITS NAKED STATE, IN ITS MOST
EXCESSIVE FORM, AND WHERE IT IS JUSTIFIED AS
MORAL FORCE.”**

– MICHEL FOUCAULT²²³

In Parts 1 through 4 of this report, we cover the ways in which Maryland prisons transform the role of food from one of nourishment into one of dehumanization and violence—especially given the relationship between correctional food provision and premature death. We also detail the connections between correctional food service and conditions in communities under food apartheid, and how both phenomena serve as different formations of oppression and domination stemming from the shared roots of anti-Blackness and racial capitalism.

In analyzing the historical and contemporary experiences of eating in confinement, it becomes clear that prison food cannot be separated from the core logics of violence, exploitation, and dehumanization governing prisons themselves. Or, to put it another way: we cannot talk about prison food without also contextualizing the larger role of prison as a means to disappear a racialized population deemed disposable. In her book *The New Abolitionists: (Neo)Slave Narratives and Contemporary Prison Writings*, scholar Joy James describes prison as the “modern

day manifestation of the plantation."²²⁴ The routine forms of violence practiced in the antebellum period, James writes—including “sexual terror and domination, beatings, regimentation of bodies, exploited labor, substandard food, healthcare, and housing”—are “practiced and reinscribed in contemporary penal sites.”²²⁵ In Part 5 of the report, we thus speak to the use of prison food as a direct mechanism of violence, control, and punishment. For example, we cover how correctional officers “police” incarcerated folks under the guise of food safety; how the state-induced artificial scarcity of food increases violence between incarcerated individuals; and the visible and invisible ways prison staff use food to punish specific people as well as the entire prison population.

Food in prison is not a source of nutrition and nourishment, but a relation of power. While the scope of this report is focused on prisons operated by the state of Maryland, we note that the structural uses of food as a form of oppression vary in correctional settings throughout the country. As mentioned in the introduction to this report, contemporary intersections between prison agriculture and our broader food systems are direct products of slavery and convict leasing. A number of states today—such as Texas, Mississippi, and Louisiana—operate prison farms, where majority-Black folks work on the soil of former plantations.²²⁶ For example, as Ashanté Reese and Randolph Carr write, in 2017 imprisoned individuals in Texas “raised 30 crops that produced more than 11.7 million pounds of food; harvested 123.7 million pounds of cotton, grains, and grasses; tended chickens that produced just under 5 million eggs; canned 297,143 cases of vegetables; and processed more than 22.7 million pounds of meat.”²²⁷ In effect, Texas operates its “own miniature food system” to feed those ensnared in the state correctional department, state employees in other agencies, and the public at large.²²⁸


We further note that the inhumane nature of food provision in Maryland’s prisons is emblematic of the general state of food conditions in prisons

both throughout the country and across the world. Reports such as Impact Justice's 'Eating Behind Bars: Ending the Hidden Punishment of Food in Prison'—covering prison food on a national level—and articles detailing food conditions in Australian-run detention centers and a now-closed U.S-run prison in Abu Ghraib demonstrate how the violence of prison food is endemic to prison itself.²²⁹ For example, in 2015 an individual found actual human teeth in their meal at the Manus Island Regional Processing Centre—marking the second time such an incident occurred at the facility.²³⁰ And as we touch on later in this section, prisons' backlash against hunger strikes can surpass their usual methods of brutality to reach heightened levels of torture and sadism.

In transforming individuals' relationship with food to one of control, at best, to trauma and premature death, at worst, prisons sever a core part of a person's very identity. The foods we consume, as Rebecca Godderis writes in 'Dining in: The Symbolic Power of Food in Prison,' as well as "how and where we eat them, and under what circumstances... are based on a political, cultural and familial heritage that extends far beyond our biological need for fuel."²³¹ In prison, the dehumanizing nature of meals are normalized as part and parcel of a person's sentence—indicative of a larger ideology where incarcerated individuals are seen as deserving of the suffering that comes with the inhumane conditions of confinement. Whether through a lack of care, disregard, or active weaponization, food provision behind bars is, by design, accepted as a necessary form of punishment. "The [meals] shouldn't be good," a correctional officer told us. "We don't want to attract more people from the public to the prison. Should we give them better [food] than the people outside, we'll have more people coming in. That's not a good option... Sometimes if people are starving outside, or if the prison food is better than outside, we can attract them to the inside."

Other wardens and prison staff across the country are more explicit with

their views. In 2017, a group of people held in a Maricopa County, Arizona jail went on a three-day hunger strike to protest against the quality of the jail's food.²³² The county's sheriff, Paul Penzone—the successor to the notoriously cruel Joe Arpaio—quickly shut down strikers' demands. "Meeting the needs of this county as it relates to public safety and attention is 1A for me," Penzone said in response to the strikes.²³³ "Down at the very bottom is whether or not the detainees are happy with the taste of the food they receive."²³⁴ He continued: "Quite frankly, if the issue is the taste of the food, my recommendation for you is don't commit crimes and come to jail because this is what we will be serving."²³⁵



PRISON FOOD AND VIOLENCE

"YOU TASTE YOUR MOTHER OR YOUR GRANDMA'S COOKING YOU LIKE, YOU BE WANTING TO KISS THEM. YOU TASTE THAT SHIT IN PRISON YOU WANT TO FIGHT SOMEBODY. TWO DIFFERENT FEELINGS."

– SHIROME, FORMERLY INCARCERATED IN SIX PRISONS ACROSS MARYLAND

Public attention on the deeply violent reality of prison is generally concentrated on a handful of practices such as the state's power to kill through the death penalty; the torturous practice of solitary confinement; and the physical brutality and sexual abuse enacted on incarcerated individuals by correctional staff. In addition to these gratuitous forms of violence, however, carceral institutions also weaponize food as another technology of power to control and discipline individuals caged under their custody. For instance, correctional staff and researchers alike point to nutrition as a means to "placate" incarcerated individuals and reduce overt instances of violence. Prisons thus attempt to strike a balance between meeting the absolute minimum legal requirements for food provision, on the one hand, and keeping folks from protesting or striking, on the other.

As described in Part 1 of this report, institutional meals are simultaneously insufficient in quantity while incredibly high in starch. This combination also allows prisons to exercise food-based control while still providing meals on paltry dietary budgets. By inducing lethargy and fatigue through cheap and abundant starches, prison food is a way to "sedate" or "pacify" incarcerated individuals—in order, for instance, to counter resistance or ensure compliance. As explained by Angela Davis in her book *Abolition Democracy*, food provision constitutes an example of "routine, quotidian violence that is justified as the everyday means of controlling prison populations in the United States."²³⁶

As Davis continues, it is precisely such invisible, daily forms of violence that form the basis of overtly "barbaric and awful" practices such as torture and sexual abuse both within the U.S and in U.S-run prisons abroad.²³⁷ The widespread forms of food-based dehumanization detailed throughout this

report are thus one example of how the conditions of violence in prison are created by the institutions themselves. And given how correctional institutions, as Michel Foucault describes in *Discipline and Punish: The Birth of the Prison*, use the very bodies of incarcerated individuals as a site of control and punishment, food provision becomes a means for the violence of prison to reproduce itself on a constant basis.²³⁸

Correctional food provision—or, as scholar Anthony Hatch puts it, a system of “well-defined hunger”—also contributes to an environment where individuals are pushed toward causing harm toward each other.²³⁹ Institutional food service leaves many imprisoned people with continuous underlying feelings of hunger, due in part to a lack of nutritional value, tiny portion sizes, unpalatable and poorly prepared meals, hostile dining halls, and sporadic meal times. Hunger, in turn, leads to aggression—as demonstrated in a study in a Scottish prison linking poor nutrition and violence—further destabilizing an already-brutal environment designed to punish and torture the body and mind.²⁴⁰

L., a person we spoke with who had been formerly imprisoned in institutions in Baltimore and Hagerstown, broke down the relationship between food service and violence explicitly. “As far as the food,” he expressed, “the first thing that comes to my mind is how guys fought over the amount. [They] say that there was a certain amount of servings that they were supposed to get served. In the beginning, most of them guys come there off of drug usage or opiate usage, whereas, though, of course they haven't been eating. The majority of the inmates were drug users. Like 90 percent of the people that's incarcerated have been incarcerated because of drug use or opiate use. And the servings amount is ridiculous. You have the actual inmates fighting over food themselves, with each other or they get in fights or people stabbing each other because there's not enough food in there. Or they're not given enough food.”

In speaking to the relationship between opiate usage, hunger, and violence, Antoin brought up the particular violence faced in Baltimore institutions as a result of Baltimore’s correctional food system. He described: “City Jail... [the conditions] over there are literally crazy. From the beginning time when you first come in [for processing], to the time when you make it upstairs [to the housing units]. It’s crazy. You might wind up being downstairs anywhere from 24 to 72 hours. If you make it upstairs between 24 and 48 hours, it's a

blessing. Normally, you down there from 24 to 70, 80 hours. So, they give you bad food down there, but once you get upstairs... you got dudes who have come in from using. Dudes was out here running the streets, ain't had no appetite, so then their appetite coming back. And they bring these trays up there, and dudes go crazy. Dude might get in line, then turn around and jump right back in line, because he want another tray. Or he might see the tray stacked up and he might take one. So, him and another dude might actually get to fighting about that [meal]."

Unequal access to commissary also contributes to acts of violence in prison. While commissary can act as a site of solidarity and care, prisons' creation and maintenance of hunger can sever such bonds. For example, folks without access to commissary sometimes steal commissary foods in order to survive—for as almost every single person told us, surviving life in prison without commissary is nearly impossible. G., who was incarcerated for eight years, explained: "You get to start thinking about stealing stuff, taking other people commissary. Some people had to do it... Some people, when they hungry, they're going to take what they can. They would put the commissary out on the tier and some guys would get out, snatch the commissary, and all that. You don't know who did it because it's in front of your cell and if somebody snatched it and run, if you're not fast enough to go out there and you know, you don't know who that person is. [The prison] creates that environment of tension."

PRISON FOOD IS ONE EXAMPLE OF HOW PRISONS IN FACT CREATE OR EXACERBATE HARM AS OPPOSED TO ENACTING "JUSTICE."

"ONE QUESTION THAT WE ABOLITIONISTS ASK OURSELVES IS: WHAT ARE THE CONDITIONS UNDER WHICH IT IS MORE LIKELY THAT PEOPLE WILL RESORT TO USING VIOLENCE AND HARM TO SOLVE PROBLEMS?"

— RUTH WILSON GILMORE

In these ways, prison food is one example of how prisons in fact create or exacerbate harm as opposed to enacting "justice." As the Prison Policy Initiative writes, "Rather than providing treatment or rehabilitation to disrupt the ongoing trauma that justice-involved people often face, our

criminal justice system functions in a way that only perpetuates a cycle of violence."²⁴¹ The cycle regarding correctional food is clear: prison food provision deliberately causes hunger, which leads to acts of violence—either as a way for folks' to feed themselves or as a consequence of hunger in an already-violent environment. Acts of violence, then, lead to retribution. For example, correctional staff may retaliate against a specific individual or punish the entire housing unit or institution itself. This, as we discuss later in the section, leads to even worsened access to food. The question Ruth Wilson Gilmore asks on violence thus rings especially true in relation to food provision in prison: "One question that we abolitionists ask ourselves is: What are the conditions under which it is more likely that people will resort to using violence and harm to solve problems?"²⁴²

"YOU MAY GET AN OFFICER'S TRAY IF THEY DON'T WANT THEIR FOOD," LORETTA TOLD US. "THEY WOULD HAVE THEIR PICK AND WOULD SLIDE ONE OF THE INMATES THEIR TRAY. OR IF THEY BRING SOMETHING IN FROM THE OUTSIDE, LIKE OLIVE GARDEN THEY WOULD SLIDE THE INMATES THEIR LEFTOVERS. BUT I NEVER ATE FROM THEIR TRAY. I DIDN'T FEEL LIKE I WAS LOWER THAN ANYBODY."

Violence, Dehumanization, and the Prison Kitchen.

The central role that food plays in prison means that the people in charge of preparing and serving meals—correctional officers and incarcerated dietary workers—are able to use their proximity to food to exercise power. This power is sometimes used to enact violence: for example, through the use of the meal preparation process as a form of retribution against both incarcerated individuals and correctional staff. In addition, the site of the eating experience—the prison chow hall—becomes a place where struggles between people are played out. In either

case, it is crucial to re-emphasize that such instances of violence cannot be separated from the structural violence of prison itself.

"You're able to work in the kitchen... and you may have no cooking experience," A. told us regarding his time in a Western Maryland prison. "No serving experience. No dish washing [experience], no experience running machines and using chemicals and all that stuff... You might have none of that experience. And a dude could actually do shit to your food and say, 'This dude did this to me in the streets, and I'm going to get him back.' A dude

could do a lot of things. You ain't going to be able to know, because he can separate your trays... He could have all the trays over here, and have this one sitting right here for you. When you come to the window, like, 'Here you go.' You don't know what he did with that tray."

The same forms of retribution can also be enacted against staff. A. continued: "I've seen people do shit to police's food, because they don't like the police. They like, 'Yo, we got to take him down... Give me that motherfucking tray.' Dig all in their crotch and put bread all over... I've seen a lot of shit, man. No one will never know, because when they're food come out there, it's all the same."

A. and others we spoke with made it clear that forms of retribution against staff are a result of hunger that prisons induce, as well as all forms of abuse enacted against people in prison in the first place. He explained: "All the tension of [being in prison], all the build up, it explodes. An elder said this to me one time. He said, '[A.], you know, there's a lot of things that you can do to a person that they'll let slide. But if you bother a man about his hunger, he'll do anything. He might take your life.' I've seen it. To hell with authority, because we get no respect as prisoners. Police officers feel that they got to run [prison] one type of way. 'This our house. This how we run it.' While guys might be saying, 'Man, I'm hungry,' and then try and get something extra to eat. They got a homeboy behind the line who might give them something extra. The police might grab your tray and say 'Give me that back.' I've seen a dude get four or six eggs instead of two, and I've seen the police pick all

that shit up and then count how many he's supposed to have. And he was like, 'Yo, put your hands off my plate,' and just hit [police] with that shit. So now you're going to lock-up... and that shit might cause you not to get fed."

**INCARCERATED DIETARY
WORKERS ARE OFTEN FORCED
TO WATCH AS PRISON STAFF
CONSUME FOOD ITEMS IN FRONT
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OTHER HIGH-QUALITY FOODS.**

There are many ways that prisons use food directly and indirectly as a form of punishment, retribution, and dehumanization. One way this happens is by putting the jail or prison on lockdown in response to

or in anticipation of a “violent” incident. Abdul spoke to his experience in a facility in Eastern Maryland: “[Officially] food can't be used for punishment. But what [correctional staff] will say is, ‘Y'all want to act up, we'll put you on the bagged lunches. It's a safety issue. Security issue. We have speculation or information there's going to be a gang fight, so we're locking y'all down for the whole week. And we're going to go through all the lockers, and all the extra sugar, and all your oranges. You're going to get sandwiches. And ain't no diet sandwiches this time, either. You're getting what we serve you.’ In the penitentiary one time, there was a major altercation... for a whole year, [incarcerated people] were locked in their cells 24/7.”

A more covert manner in which prisons use food to exert power is through the Officer's Dining Room (ODR). In a number of Maryland correctional institutions, incarcerated dietary workers cook meals for officers—meals that are generally much better than what imprisoned people receive—and are not allowed to actually eat the food they prepare. Instead, dietary workers are forced to watch as staff consume food items in front of them that they would never be served—fresh vegetables, fruits, shrimp, real chicken and fish, and other high-quality foods. Furthermore, sometimes officers request specific incarcerated individuals to cook for them or bring in food from the outside—and let incarcerated folks eat their leftovers. “ODR eats differently than us,” L., who is currently an incarcerated dietary worker in Jessup, explained. “A lot of times we don't see a lot of fresh vegetables... We do get celery and carrots, but that's very, very rarely. A lot of that's used in the ODR. So we see it out there and it looks really good, it looks fresh, but we don't get any of it. We smell it, we see it. Everybody in the kitchen can see it. And it teases us because we really want it... There's like certain fresh fruits that come in that are only for the ODR. They get strawberries, they might get plums, they might get ice-cream. I haven't eaten a strawberry in two years. We have to cut it up but we don't get none of it. We can prepare the food but we can't get none. It's really supposed to be for us I think, but then they use it for other things.”

FOOD AS PUNISHMENT

"THE MANAGING OFFICIAL SHALL HAVE A WRITTEN POLICY WHICH PROHIBITS THE USE OF FOOD AS PUNISHMENT OR REWARD."

– MARYLAND COMMISSION ON CORRECTIONAL STANDARDS; ADULT CORRECTIONAL INSTITUTIONS²⁴³

"THE FOOD SUCKS, REALLY. IT'S INCREDIBLE THAT, I GUESS BECAUSE THEY FEEL LIKE WE'RE INMATES, THAT THEY CAN GIVE YOU WHATEVER AND YOU JUST HAVE TO ACCEPT IT. WE DON'T HAVE A CHOICE."

– M., CURRENTLY IMPRISONED IN JESSUP

"TO ME, ALL THE FOOD IS PUNISHMENT."

– L.G., FORMERLY INCARCERATED IN BALTIMORE AND JESSUP

Officially, the Code of Maryland Regulations explicitly bans "the use of food as punishment or reward" in a correctional environment.²⁴⁴ However—despite the formal prohibition of food as a punitive measure—food is still a disciplinary apparatus in discreet and not-so-discreet ways. As formerly and currently incarcerated individuals described in our conversations, there are two primary ways that correctional officers use food as a tool to punish. The first is through enforcing the rules and policies established by the State; the second is by operating decisively outside the bounds of their official duties.

A brief note on power, abuse, and intent: across the state of Maryland, lawsuits and reports detail the physical, mental, and sexual abuse that incarcerated individuals face at the hands of correctional staff. In December 2019, 25 correctional officers and staff were indicted on 236 criminal charges including "excessive force, intimidation, evidence tampering and other criminal measures to ensure their special tactical unit maintained

'dominance of its operational territory' within state-run jails."²⁴⁵ As the Baltimore Sun reported, the tactical unit used "illegal and excessive force through assaults of inmates, use of threats against inmates, and various retaliatory tactics to assure complete compliance with [the tactical team's] authority, which... suppresses any dissension and discord among the overall prison population."²⁴⁶ And such charges were not an anomaly—lawsuits and criminal charges over the past decade speak to how "state's corrections officers instituted a culture of violence in many of Baltimore's jails and prisons."²⁴⁷

We raise these incidents of brutality not to differentiate between a "good" correctional officer and a "bad" correctional officer. Instead, we point to how the criminal justice system itself enables such forms of harm, violence, and trauma to occur. There are certainly individuals employed as correctional officers that abuse their power to a greater or lesser extent than others. However, the very role of a correctional officer is to control the bodies and minds of those in their custody and ensure that individuals' actions are in compliance with the order of prison. Such control is more or less enforced by any means necessary; especially as prisons operate as paramilitary organizations with a strict hierarchy and chain of command. Similarly to how we understand the fallacy of "good" and "bad" police officers, correctional officers—often explicitly referred to as "police" by incarcerated individuals—constitute one form of the "states' organs of repression."²⁴⁸ To put it another way, there can be no "good" correctional officer because there can never be a "good" prison.

Food, Movement, and Policing.

In Maryland state-run prisons, incarcerated people are not allowed to transport food outside of the kitchen or chow hall back to their cells. Prison administrators offer a number of explanations for this policy: some correctional staff say that transporting food causes a public health risk, as folks may get sick from improperly stored food. Others point to safety concerns regarding the use of fresh produce to make prison wine—an argument that is also used to justify why prisons rarely serve fresh produce in general.

We briefly note that the logics of either explanation are easily disproved. If prisons were truly concerned about the health of the people in their custody, correctional food service would not shorten the very lives of incarcerated

folks—as detailed in Part 3 of this report. And if security was the issue, prison administration would address how food provision itself is a cause of violence due to hunger and poor nutrition. In either case, prison officials thinly disguise their role in creating the conditions for premature death under a facade of “care” or “concern” for the very individuals they hold captive.

In prison, people take food back to their housing unit for a number of reasons: for example, to combine poorly prepared foods with commissary items and create a more palatable meal, to have an extra portion to eat later, or to sell or trade with people for other goods. As a currently imprisoned person explained, “The broccoli and cauliflower and carrots and celery we rarely get is raw. It's not washed, and there's no dressing or nothing to dip it... They give us nothing.” Another person continued: “It's good to cook with, but you gotta steal it. I'll take the broccoli or cauliflower back and make like a fried rice or start something. I won't eat it. I'm going to actually cook it and wash it myself and steam it and all that. But doing so we have to sneak out past the officers.”

SIMILAR RACIALIZED REALITIES OF OVER-POLICING AND CRIMINALIZATION MANY FOLKS EXPERIENCE OUTSIDE OF PRISON—ESPECIALLY IN HYPER-SEGREGATED AND HYPER-INCARCERATED NEIGHBORHOODS IN BALTIMORE—TRANSLATE TO THE WAY INCARCERATED PEOPLE ARE TREATED WITHIN PRISON ITSELF.

The policy of not allowing food to be taken out of the dining area presents another opportunity for correctional staff to control, surveil, and dehumanize individuals who are imprisoned. As Amy Smoyer writes in her piece 'Dealing Food: Female Drug Users' Narratives about Food in a Prison Place and Implications for their Health,' “the movement of food through prison... [reproduces] the street dynamics of policing and drug trafficking on the inside.”²⁴⁹ In other words, the same racialized realities of over-policing and criminalization many folks

experience outside of prison—especially in hyper-segregated and hyper-incarcerated neighborhoods in Baltimore—translate to the way incarcerated people are treated within prison itself. “They'll strip you,” one imprisoned

person told us. "When they know that there's things that we want to take back, they're going to basically pat you down out here until they can find it. You'll see they'll have a whole desk full of stuff. Milk, a yogurt... we can't take anything back with us. So if you're hungry and you're not lucky enough to have commissary, you can't take a fruit, you can't take a piece of bread, nothing... They'll pat you down. If it's a good dinner or they got something like the broccoli, oh yeah, they definitely will pat you down up here."



A slice of nutraloaf served to incarcerated people in Maryland
Source: 'I Taste-Tested Various Nutraloafs at a Historical Prison Site in Philadelphia' (Vice, 2014)

The punishment for "stealing" foods can also be much worse than a strip search. Maryland prisons still use the practice of solitary confinement—also coded as "restrictive housing" or "disciplinary segregation"—as a management tool to punish individuals who break "prison rules."

Though uncovering the

human rights abuses and the fight against ending this practice is beyond the scope of this report, solitary confinement is almost universally recognized as a deeply inhumane form of torture that can permanently tear apart one's mental health. While state officials often defend solitary as necessary in order to control "violent and dangerous inmates," people we spoke with described how "stealing" food can also send someone to "lock up."²⁵⁰

As G., who was imprisoned in Baltimore and Jessup, described: "Even though I was working in the kitchen, I couldn't bring food out. Even if you sneak it out... and you get caught with it, you're going on lock up. You're then going to lose your job. It's not even worth doing that. But some people had to do it because they were hungry. You have to understand, when your stomach is touching your back, you're just real irritable."

As G. touched on, being sent to solitary also means that a person loses their job—a key source of income for many people. This cycle demonstrates yet another way that the state's logics of "security" are nonsensical. A

person experiencing hunger may “steal” food from the kitchen, leading to punishment through being strip searched or sent to solitary. In either case, a person continues to feel hunger—and as described later in this section, the food served in solitary is itself a form of punishment. When a person is released from lock up, they may lose their job and thus their means to feed themselves with purchased foods from commissary. In this way, the cycle of hunger and punishment inevitably continues.

Making things even worse, some correctional staff themselves steal food from the prison to take back home. “Because they have the keys to the refrigerators, they have the locks,” H. explained. “They take that stuff home. That's a lot of the officers' mentality in there. “I work here, they're not paying me enough.

Hey, I'm going to take this home. This is mine. I'll take it home.” The same action thus leads to two extreme opposites: correctional staff may or may not receive a slap on the wrist for “stealing” food, while an incarcerated person may experience trauma or develop a psychiatric condition that stays with them for the rest of their life.

**NO MATTER HOW IT'S PREPARED,
NUTRALOAF IS CONSIDERED TO BE
SO INEDIBLE THAT IT CONSTITUTES
A FORM OF TORTURE.**

Food and Solitary Confinement.

In late 2016, Stephen Moyer, the former secretary of Maryland's Department of Public Safety and Correctional Services, formally disallowed the use of nutraloaf in the state's prisons.²⁵¹ Nutraloaf, also known as “disciplinary loaf” or simply “the loaf,” is prison food taken to its logical conclusion. Described as a “concoction of mashed-together ingredients that are baked into a brick-like loaf designed to meet basic nutritional guidelines,” loaf is widely known as a form of cruel and unusual punishment.²⁵² Some states bake loaf from scratch by combining ingredients from all the basic food groups into one loaf; others simply dump the previous days' leftover food together, blend, bake, and serve.

No matter how it's prepared, nutraloaf is considered to be so inedible that it constitutes a form of torture.²⁵³ And deterrence is very much the point—the entire purpose of serving nutraloaf is to punish people for certain infractions. While supposedly no longer the case in Maryland, many prisons

throughout the country still formally use loaf as the primary meal served to people in solitary confinement. And while prison staff defend loaf as “nutritious as safe,” the tasteless and horrific concoction has been the subject of countless lawsuits on the grounds of violating the constitution’s Eighth Amendment.

*FORMER MARICOPA COUNTY SHERIFF
JOE ARPAIO DEFENDS THE USE OF
NUTRALOAF AS SUCH:*

**“WHEN [INCARCERATED PERSONS]
ASSAULT OUR OFFICERS OR DO
SOMETHING WRONG, WE PLACE THEM
IN LOCKDOWN AND TAKE AWAY THEIR
REGULAR MEALS. WE'RE NOT GOING
TO GIVE THEM UTENSILS IF THEY'VE
ALREADY ASSAULTED AN OFFICER.
THEY WON'T DO IT AGAIN IF THEY
LIKE THE REGULAR FOOD.”**

A few formerly incarcerated people we spoke with described being served nutraloaf in a Maryland prison as recently as 2018. “I received it on the Eastern shore,” L. told us. “When you're on segregation, that's what you eat. The loaf. Three times a day. This is still happening... This is what they're eating on segregation.” Describing the experience of eating nutraloaf, L. continued: “For the first two days, I didn't touch it. What's the name of that meat with all them little – pumpernickel or something? It's

like that. It's just all meat or whatever. Ground up beef. Everything is mixed together... Say if we had veal, string beans and maybe some pudding for dessert, all of that is just pushed together. It's inhumane. A dog would have to be seriously hungry to eat that. My dog wouldn't eat that.”

L. also spoke to how incarcerated dietary workers—despite their reluctance to do so—are coerced to prepare nutraloaf by prison staff. “They made it in house,” he said. “The kitchen officers. Because an inmate—they didn't want to make it under duress. They know we ain't supposed to be feeding no one by this. But if I don't make it, I'm going to lose my job, and I'm going to be right down there on segregation with these guys, and I'll be eating the same thing... I was given this three times a day for 30 days. But I wouldn't eat it on three meals. I would eat it one time throughout that day. This, just, is enough to keep me alive. I'll know I have 30 days, so I can tough it up. I'll eat it once a day. Woof it down real fast so I don't taste it. But just looking at it ... They got little chunks of stuff in it. I don't know what the chunks is, really. I lost weight because I wasn't eating. The nutrition value of it is just nothing.”

While Maryland may have slowed or discontinued the use of nutraloaf, prisons still use the experience of eating in solitary confinement as a form of punishment. In some instances, folks in solitary are given bagged meals a few times a day instead of what the rest of the institution is served. Bagged meals are especially atrocious—usually consisting of a few slices of bread, “sweaty meat,” fruit or cookies, and spoiled milk. Adding to this, access to commissary is not allowed in solitary and food items cannot be saved. People have no choice but to survive off of what they’re given by the prison—leading, predictably, to significant weight loss and other negative health conditions.

In speaking to what it’s like to eat in solitary, Antoin Quarles-El broke down the physical conditions of lock up. “They put me behind a door, fed me through a metal box that’s in the door,” he said. “Food comes through it with no cover on it. If ants, roaches or whatever is hanging on that food, or lead chips is hanging on that food, on that door... When it come through and they hit it, of course it’s dropping in it.” In addition, sometimes correctional staff explicitly withhold meals for people in solitary. Antoin continued: “If [staff] don’t like you, you won’t even get fed on lock-up. The police might say they fed you, and they didn’t.”

When prisons are on lockdown and folks are fed in their cells as opposed to in the prison chow hall, one form of individual and collective resistance people engage in is to either hold shut or put their arm through the slot in their cell door so food cannot be delivered. A 2017 investigation by Disability Rights Maryland found that prisons’ responses to such forms of resistance are “overly harsh, lack alternatives and permit subjectivity.” For example, they detail the case of Nathaniel—a person grappling with mental illness who was sentenced to 180 days of disciplinary segregation for “sticking his arm through the cell security slot and refusing to remove it during breakfast.” His actual time spent in segregation spanned several years.

It is difficult to describe the experience of being locked in a windowless, 6 feet by 9 feet room for 22 hours or more a day for months at a time. In 2018, 75% of incarcerated folks in Maryland were placed in solitary confinement at some point, with an average “length of stay” ranging between 45 to 51 days.²⁵⁴ This percentage especially reveals the absurdity of the State’s logic of using solitary confinement “as a means to keep inmates and prison staff safe.”²⁵⁵ Solitary, then, is a prime example of prison’s totalizing physical and mental brutalization of the people in its custody, with food provision serving as yet another form of torture.

Retribution Against Protests and Hunger Strikes.

“The ones that protested, they sent them out the jail. Like you're going from a pre-release camp to a maximum security prison. They send you far away. They'll send you... Like Dorsey Run's in Jessup. They'll send you to Cumberland, or they'd send you to ECI, across the bridge... They moved them for protesting. There was eight to 12 of them. And Dorsey Run is pre-release. They send you... until your time is up. Then when you'd get a ticket, it's going to add more time to your date. They added more time, and made you finish the rest of the sentence at supermax.”

– Reggie, describing prisons' response to protests at Dorsey Run Correctional Facility

“THEY WENT ON A HUNGER STRIKE IN JCI, AND THEY WAS SETTING FIRES. AND THEY TURNED UP GETTING RID OF THE WARDEN. BECAUSE [STAFF] WAS TREATING THE GUYS BAD OVER THERE. POLICE WAS JUMPING ON THEM AND THEY WASN'T FEEDING THEM. THEY WASN'T GETTING THEM MEDICAL TREATMENT. SO THEY WENT ON A HUNGER STRIKE AND STARTED SETTING FIRES. IT WAS FOR ABOUT A WEEK... BUT WHAT HAPPENED IS, [THE WARDEN] WAS TRANSFERRED TO ANOTHER PLACE, THAT'S ALL.”

– ALONZO TURNER-BEY, DESCRIBING A HUNGER STRIKE AT JESSUP CORRECTIONAL INSTITUTION IN THE SUMMER OF 2020

In November of 2008, political prisoner Lakhdar Boumediene learned that after nearly seven years of being detained without charges at Guantánamo Bay, a Supreme Court judge had granted his release.²⁵⁶ Boumediene and five others—known as the Algerian Six—were captured in 2002 by the U.S government and imprisoned indefinitely. To fight back against his imprisonment, Boumediene began a two-year hunger strike in 2006 in order to raise

"AT DIFFERENT TIMES, IN DIFFERENT INSTITUTIONS, OR OVER A COURSE OF TIME, ALL THE THINGS [THE PRISON] DOES TO YOU BUILDS UP. SO PEOPLE ARE GOING TO LASH OUT EVENTUALLY... AND IT MIGHT NOT BE JUST THIS ONE GROUP, IT'S JUST THAT PEOPLE START FEELING THAT WAY, AND TALKING, AND THEY SAY, "BUT YOU KNOW WHAT? I AIN'T GOING TO EAT." BUT HOW LONG CAN YOU NOT EAT, YOU KNOW WHAT I'M SAYING? AND [THE PRISON] KNOWS THIS. THEY KNOW, EVENTUALLY, YOU'RE GOING TO BREAK. IF YOU TELL THEM, "I'M ON HUNGER STRIKE," THEY'RE GOING TO BE LIKE, "YEAH, ALL RIGHT." THEY'RE NOT EVEN GOING TO WRITE IT DOWN. THEY'RE SUPPOSED TO WRITE IT DOWN—LIKE, "HE AIN'T EAT, HE REFUSED HIS TRAY TODAY." BUT THEY AIN'T GOING TO DO IT, SO IF YOU'RE REALLY DOING THIS, WHO KNOWS? IF WE DO IT AS A MASS DEMONSTRATION, THEN THEY'RE JUST GOING TO PUNISH EVERYBODY BY PUTTING US IN SEGREGATION... PEOPLE HAVE BEEN DOING IT TO THE POINT WHERE THEY GOT PUNISHED FOR IT. BUT THEY'RE JUST EXERCISING THEIR RIGHTS AND TRYING TO GET FED, YOU KNOW WHAT I'M SAYING? EATING HOW THEY'RE SUPPOSED TO EAT."

— BRIAN JOHNSON, SENTENCED TO LIFE IN PRISON AND RELEASED IN 2020 AFTER 20 YEARS

awareness about his case and subsequent torture at the prison. "On November 20, 2008," Boumediene wrote, "sitting in my cell in Guantánamo, I swallowed food for the first time since 2006."²⁵⁷

In an environment designed to brutalize a person and strip them of their agency, a hunger strike serves as a political tool that allows a person to wield their own body as a mode of resistance. "I stopped eating not because I wanted to die, but because I could not keep living without doing something to protest the injustice of my treatment," Boumediene explained after his release.²⁵⁸ "They could lock me up for no reason and with no chance to argue my innocence.

They could torture me, deprive me of sleep, put me in an isolation cell, control every single aspect of my life. But they couldn't make me swallow their food. And I knew they wouldn't let a detainee starve to death."²⁵⁹

Prisons, as well as the larger political bodies implicated in a hunger strike—in Boumediene's case, for example, the U.S. government—are well-aware of the backlash a hunger strike can pose. As such, prisons work hard to suppress the voices of those protesting as well as punish them for resisting in the first place—oftentimes through the use of food itself. To keep people from dying in their custody, prisons violently force-feed individuals through jamming a tube into their nose and throat—widely considered a form of

torture. As Boumediene writes, "You feel as though you are choking, being strangled, and yet somehow still able to breathe. It's an excruciating, impossible-to-describe feeling that I wouldn't wish on anyone."²⁶⁰

Prisons can take the act of force-feeding to another level. Instead of acting to keep a person alive, they feed a person in a manner that keeps them on the perpetual brink of death. As reported by the human rights organization Reprieve, "instead of force feeding them in the painful way previously done, Guantánamo medical staff have adopted a strategy of allowing the men to starve; denying them basic medical checks until their organs begin to fail and they become seriously ill; whereupon, when they are half dead, they will be kept half alive in forever-detention without trial."²⁶¹ Such an incredibly violent and sadistic act cannot be viewed as an anomaly—but as a logical escalation given the overall purpose of food in confinement.

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— LAKHDAR BOUMEDIENE

Force-feeding a person on a hunger strike is by no means an irregular occurrence, or one only limited to prisons known for their horrific human rights abuses such as Guantánamo Bay. A more recent example from 2019 pertains to 30 immigrant detainees from Cuba and India held in an Immigration and Customs Enforcement detention facility in Texas. As the Associated Press reported, the men were refusing food to "protest prolonged detentions, as well as

rampant verbal abuse and threats of deportation from guards."²⁶² In early 2019, a judge authorized force-feeding for six of the detainees. The process proceeded as it did in Guantánamo: individuals were "strapped down on a bed and force-fed by a group of people while other detainees looked on."²⁶³ As the lawyers of one of the men stated, "[The United States] is now torturing him, and as far as he is concerned, he is still paying the price because he still wants to live here."²⁶⁴

Food and Lockdown.

"The CO is always going to win. They control the narrative. It's just, it's almost like an adult with a child."

– Mr. Chambers, formerly incarcerated in a Maryland prison

While food conditions in solitary confinement are generally designed to punish a single individual, food provision on lockdown can impact the entire prison population. When a prison initiates lockdown, movement is restricted and incarcerated individuals are not allowed to leave their cells for 22 hours or more in a day. A prison can go on lockdown for a number of reasons— all of which are purportedly centered around "maintaining security." And as currently and formerly incarcerated people we spoke with described, correctional facilities across Maryland regularly initiate lockdown procedures for days, weeks, or even months at a time.

While we detail the effects of COVID-19 on prison food in a separate publication, we note here that as a response to the pandemic, prisons throughout the country have been on lockdown indefinitely as a means to "contain" the spread of the virus behind the wall. In many Maryland facilities, people have been locked in their cells or housing units for 23 hours or more a day since April of 2020—with barely 45 minutes a day to choose between activities such as taking a shower, calling their loved ones, or doing laundry. Given that prisons are the "perfect breeding ground" for disease, COVID-19 has unsurprisingly spread "like wildfire" in Maryland's correctional facilities.²⁶⁵ For example, as the Baltimore Sun reports, about 23% of the state's entire incarcerated population had tested positive for the virus as of March 2021.²⁶⁶ And although the Sun speculates that this number may be "somewhat likely lower" due to "inmate turnover," formerly incarcerated folks who were imprisoned during the pandemic indicate that this number is likely higher due to a lack of proper testing.²⁶⁷

Lockdown procedures in prison significantly impact food provision as a consequence of restricted movement. As institutional meals are primarily prepared by incarcerated dietary workers—and workers are not allowed to leave their cells during lockdown—many Maryland prisons switch to bagged meals in the absence of regular meal service. "Whenever you're on lockdown, they just give you bag food all day," G. recounted. "I once stayed locked down for a whole two months. 60 days of bagged lunch. Shower once a week. The food was miserable... It was cold. For breakfast, all they'd do is

like two boiled eggs and a cup of cereal like Rice Krispies. [The food] was nasty, and it wasn't enough. Two pieces of bread and a cup ... They say it's coffee, but it ain't coffee. I don't know what the hell they serve."

In addition to serving bagged food, correctional staff also openly withhold institutional meals and commissary as punishment for incidents that lead to prisons being placed on lockdown in the first place. Instead of

THE HURDLES SET IN PLACE BY THE PRISON LITIGATION REFORM ACT MAKE IT ALMOST IMPOSSIBLE FOR INDIVIDUALS IN PRISON TO FIND LEGAL RECOURSE FROM EVERYDAY FORMS OF ABUSE—INCLUDING INHUMANE FOOD CONDITIONS AND THE USE OF FOOD TO PUNISH.

interrogating their own role in creating and perpetuating an inherently violent environment, correctional staff stay true to their mandate of maintaining control by turning to retribution. H. explained one such incident that took place in a prison in Cumberland: "Somebody got hit in the head with a weight in a housing unit. Then they started a big gang fight in the yard... So breakfast time, when the officers would come around for

the count, people would complain, 'Man, we ain't get breakfast. We ain't get our bagged lunches.' They said, 'No, the next shift. As soon as they switch over, they're going to feed you.' As soon as the next shift come over, 'No, they were supposed to feed you breakfast time.'"

H. continued: "So that's two meals we've missed now. And the calories were greatly reduced, because now they're giving bagged lunches. They're not going to take the care to prepare all of these hot meals on these trays to come and dispense around the compound, but they make bags. You get two boiled eggs, and a cereal, and an orange, and maybe two or four slices of bread. Boom. Lunch time, two or four slices of bread, one slice of turkey ham, or one slice of bologna, and a milk and a piece of fruit, or two cookies. And after a certain period, I believe 72 hours they're supposed to provide a hot meal. Wasn't doing it. Wasn't doing it. We could be locked down for two weeks, three weeks. And they would always say... Sometimes the warden or the lieutenant would come and speak to the building, say, 'Man, it's all on y'all. No commissary... that ain't on me. Y'all supposed to be out here in population, but you don't know how to behave.' And so, clearly that was an

indication that they're punishing us with the food."

Sometimes, as H. described, correctional staff are brazen with their use of food to punish; other times, staff are more discrete. For example, Mr. Chambers explained how officers sometimes lock down an institution in retribution for a grievance filed against them or their peers. "You've got to pay attention to everything—the attitudes of these COs and everything," he said. "Sometimes it's not direct. One time, I complained about some spoiled milk we received. Well the [correctional officer] that came on the next shift... he fussed about this, and that, and all this, and locked down everybody. He locked us down and took away yard time because nobody's bathrooms were clean. Well, he wouldn't give anybody the materials to clean up, because he was mad that the spoiled milk got corrected. And he didn't even have to go get it himself. He just felt like, 'Who the hell is this? Who the hell are you to make changes? I ain't got to do [anything] for y'all.' And then the next day when he came in and I got my tray, he said, 'And don't complain about the milk, because the milk good today.'

And I said, 'It shouldn't be just good for today.' And he said, 'Well, if you keep going down to the sergeant and stopping in the lieutenant's office, you're going in lockdown.' And I said, 'Oh, so because I put the grievance in... I'm telling on you, and now you're going to try to shut me up and lock me down?' No. We don't deserve that. All he had to do was get on the radio and say, 'The milk is spoiled.' Report it to the cafeteria, and they send somebody up, an inmate that's working in the cafeteria, with more milk. That's all he's got to do. But he took offense because it's like, 'Who the hell are you?' They look down like you're a peasant, like, 'You just get what we give you.' The CO is always going to win. They control the narrative. It's just, it's almost like an adult with a child."

The Prison Litigation Reform Act.

In 1996, the federal government adopted a piece of legislation known as the Prisoner Litigation Reform Act. The sole intent of this legislation—also referred to as the PLRA—was to make it even more difficult for incarcerated people to file or win a lawsuit in federal court. In theory, the PLRA's political sponsors claimed that the act would reduce the amount of "frivolous" lawsuits filed by incarcerated individuals.²⁶⁸ In practice, however—according to the research and advocacy nonprofit Human Rights Watch—the PLRA made it so that people "seeking the protection of the courts against

unhealthy or dangerous conditions of confinement, or... seeking a remedy for injuries inflicted by prison staff and others" would have their cases dismissed.²⁶⁹ The outcome of the PLRA worked as expected. Ten years after the passage of the Act, the number of lawsuits filed per thousand people fell by 60 percent.²⁷⁰ In short, the hurdles set in place by the PLRA make it almost impossible for individuals in prison to find legal recourse from everyday forms of abuse—including inhumane food conditions and the use of food to punish.

After the passage of the PLRA on the federal level, states across the country adopted similar legislation to hinder incarcerated people from filing lawsuits in state courts. In 1997, Maryland passed the Maryland Prisoner Litigation Act with a parallel set of restrictions as the federal PLRA. An incarcerated person in a Maryland prison, for example, must file a grievance and exhaust all administrative remedies before filing a lawsuit, as well as pay "all or a portion" of the action's filing fees—both provisions lifted straight from the federal PLRA.

We raise the issue of prisoner litigation to demonstrate just how prison staff can maintain "cruel and unusual prison conditions" and physically brutalize incarcerated people with few consequences.²⁷¹ A 2007 case at the Maryland Reception Diagnostic and Classification Center proves the efficacy of the PLRA well. In June of 2007, two correctional officers at the facility pinned an incarcerated person named Shaidon Blake against a concrete wall and "punched him in the face five times" while he was handcuffed.²⁷² As the *New Yorker* covered, the injuries left Blake with "migraines and permanent nerve damage in his face."²⁷³ A year or so later, Blake filed a lawsuit against the guard who held him down—Michael Ross—after an internal investigation unit absolved Ross from any wrongdoing.

Ross pushed back against the suit with the PLRA forming the basis of his claims. As Oyez—a free law project making Supreme Court cases more accessible to the public—documents: "Nearly two years after Blake initially filed the suit, Ross filed an amended answer to the complaint that alleged that Blake had failed to exhaust his administrative remedies as the Prison Litigation Reform Act (PLRA) required."²⁷⁴ The case was finally heard by the U.S Supreme Court in 2016. After deliberations, the Court ultimately ruled that Blake did not, in fact, "exhaust administrative remedies under the PLRA" before filing the suit—and thus remanded the case to a lower court.²⁷⁵

Base

"The base ... If you spilled it, it stained the floor. You couldn't get it out. Scrub, you put the death brusher on it, it's not coming out. And that's what they gave us to drink."

– Roderick, formerly incarcerated in multiple Maryland state-run prisons

Prisons in Maryland turn to a specific type of fortified beverage—referred to as “base”—to compensate for the lack of actual nutrition in the meals they serve. In general, nutritionists caution against using fortified drinks as a substitute for whole, unprocessed foods. As Healthline describes, “many fortified or enriched foods are heavily processed and packaged... [and] often come with high sodium, fat, and sugar content.”²⁷⁶

The type of fortified drink that prisons use as a stopgap to fulfill their legal nutritional requirements goes far beyond poor nutritional value. In our conversations, almost every single person expressed disgust and horror when describing base. Maryland prisons used to order the drink in its powdered form, where the powder had to be mixed with water before being served. At one point, the container holding the powder was known to have a skull and crossbones on it—a universal symbol for a hazardous product. “I've actually worked in the kitchen where I could see the cans,” one person told us. “They literally had those warning signs, the skull and bone warning signs on there. We wasn't even supposed to be consuming these things. But it's cheap for them. It's less money that they have to spend on us, while making money off of us.”

The base that prisons serve today comes in liquid form but is just as dehumanizing. “If you drop the base on the table, within four seconds that the table is stained,” a person currently imprisoned in a Jessup institution said. “If it does that to the tables, imagine what it does to your insides.” And instead of drinking base, people have found a different purpose for the drink: as a creative—yet perverse—form of hair dye. “The majority of people in here would never drink it,” another incarcerated person explained, “but we actually dye our hair or clothes in it. This stuff turns the floor to a different type of color. What do you think it's doing to our body on the inside?... But [correctional staff] tell us, 'There's nothing wrong with it.'”

As has been made clear throughout this report, prisons will meet their legal requirements to serve food to the people they hold captive however they

can. Meals are not seen as sources of nourishment or joy—prisons are more or less tasked with providing food that meets a vague set of nutritional and caloric requirements on cents or dollars per meal. Correctional dietary staff will point to how base technically contributes to a nutritionally and calorically well-balanced meal as written on a prison menu, while simultaneously ignoring how it changes the very color of the floors if spilled.

Conclusion and Part 6

Part 5 of this report has made clear the ways in which prisons weaponize the act of eating in overt and invisible ways—all to better control, punish, and dehumanize the people they hold captive.

In Part 6, we discuss what can be done to dismantle the prison food industrial complex. Our recommendations are divided into two sections. First, we propose changes that can be taken within Maryland prisons to mitigate the violent experience of eating in confinement; second, we outline a set of “non-reformist reforms” to address the broader intersections between correctional food systems and structural forms of oppression.

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