

Overcoming Poverty Barriers to Equal Justice

Session Description:

The first part of the presentation will explore what living in poverty teaches and help legal professionals better understand how to work more effectively with people who live in poverty. People in poverty are over-represented in the courts and in our jails and prisons. The recidivism rates for people in poverty in the U.S. are out of control. We keep doing the same practices in our justice systems and we will continue to see these numbers grow. The justice system is just not working for people in poverty in America. Legal professionals, lawyers, and court administrators are frustrated as they continue to see the same people and see the same misunderstandings occur. Dr. Beegle presents a foundation for examining practices in the justice system and how they can be more effective.

To implement practices in the justice system that truly work people living in poverty, we first have to understand what poverty teaches. Income, educational opportunities, and life experiences shape world-view and communication styles. Professionals in the justice system are often communicating and operating from a middle-class world-view and middle-class communication style and this creates problems for communicating across poverty barriers. An incredible 68 percent of people in poverty report that after being given instructions by a professional in the justice system, they “do not know what they are supposed to do next.” Beegle Donna (2000) *Interrupting Generational Poverty: Factors Affecting Completion of a Bachelor’s degree,*

Unpublished dissertation. Portland State University.

Dr. Beegle shares insights from growing up in “generational poverty,” her doctoral studies on poverty and diverse cultures, and 17 years of working nationally on breaking poverty barriers. Participants in this session will gain knowledge of how class/diverse cultural experiences “program” values and expectations and affect our abilities to relate and communicate effectively across social-class barriers. The concepts of communication (as it shapes expectations and creates our cultural views), expectations, perception, identification, and motivation are addressed. This session will increase understanding of the context of poverty and how we have come to our current views about poverty in America. Additionally, this session explores myths and realities of poverty, enhancing participants’ understanding of the effects of poverty on court-related experiences.



After this presentation, you should be able to:

- ✓ Discuss the impact of poverty on meanings and world view
- ✓ Understand the context of growing up in poverty in the U.S.
- ✓ Explain the difference between immigrant poverty and generational poverty in the U.S.
- ✓ Discuss the confounding of race and class issues and the meaning of cultural competence in relationship to helping people struggling with poverty
- ✓ Explain barriers faced by people in poverty when dealing with court systems, educators and social service systems
- ✓ Explain how to frame goals from the perspective of people from poverty

When Cultures Collide: Concrete tools for working with people in poverty

Description:

This second portion of the presentation will provide participants with relevant communication tools for reaching across poverty barriers. Most of our systems are set up to support people coming from a literate print-culture orientation and they often are alienating to people who have a “word of mouth” oral cultural communication and learning style. How we get our information shapes how we relate to one another and how we experience the world. Many people from lower-class backgrounds get their information verbally...creating an “oral” culture thought process. Many people from middle-upper class backgrounds gain their information from reading...creating a “print” culture thought process. Understanding these different thought processes can improve communication across class barriers. Opportunities for communication and relationships are endless when these concepts are understood and incorporated into every aspect of the court process. This session offers critical understandings of how to reduce misunderstandings and increase equal treatment.

Oral culture (orality) is a natural state in which we are highly attuned to our senses (touch, smell, sight, sound, and taste) and devote a great deal attention to sensory information. Orality emphasizes our interconnection with the environment and the people in it. Some characteristics of orality are spontaneity, connectedness, present orientation, comfort with emotions ,ability to see ‘the big picture,’ and holism. Print Culture (literacy) is a learned way of relating to the world where people learn

to process and analyze (breaking things down according to parts) information collected through sight, sound, hearing, touch, and smell according to categories, classifications, and styles of reasoning developed by reading. Some characteristics of print culture are: self-discipline (ability to not pay attention to everything that is going on around you, but rather to focus on a single idea), separation and disconnection, ability to delay gratification, ability to strategize and plan ahead, ability to set goals, ability to develop technology, ability to break things down into parts, and ability to organize efforts according to predetermined goals.



After this portion, participants will:

- ✓ Obtain techniques for communicating messages and gaining follow-through
- ✓ Understand how to focus and build on the assets of oral culture people instead of only seeing problems
- ✓ Explain how to overcome misunderstandings that can arise when diverse communication styles come into play
- ✓ Discuss why poverty and oral culture orientation are main determinants of communication breakdown, recidivism, failure to appear charges, educational and workplace failures
- ✓ Discuss how to reach those struggling with the effects of poverty to increase their success in the courtroom

Concepts that Living in Poverty Teaches

Success - Generally unattainable, limited to people who have a lot of luck

Failure - Inevitable, no hope to overcome inherent deficiencies

Job - Does not pay in respect or a living wage; takes you away from your family

Emotions - Emotions are made to be expressed, publicly or privately

Future - Difficult and painful to envision, so live for now

Money - To be used before it gets away, not enough anyway

Police/Courts - Hurt people, the enemy, unfriendly, out to get us and should be avoided

Education - For “those” people, not people like me, takes you away from your family and causes additional stresses because you don’t have the status symbols to belong (right clothes, shoes, food, car, house, etc.)

Teachers - The enemy, don’t like people like me, make me feel unwanted, not cared about and stupid because I don’t know things that others seem to have mastered

Health - Care non existent, if very sick go to emergency room, share prescription medicine, glasses, remedies

Doctors - Stay away and they can’t tell you bad news, not seen as advocates or caring, are seen as “knowing everything”

Dentists - Fear! People we know don’t go to the dentist. When they do go, tremendous hassle to find access and then a great deal of pain. Brushing and flossing are some rules “those” people made up, won’t help me, other things more pressing than my teeth

Nutrition & Exercise - Not words we use, for people who have too much time and money on their hands, whatever is going to happen to your body will happen no matter what you do

Fate - Life happens, you have no power to change it, only to react to it



Facing Poverty: Laboring Against its Challenges

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Question	Answer
Explain how you would get food stamps or welfare assistance.	
Where can you cash a check without any identification? How much will it cost?	
Where can you get a loan on your car title? How much will it cost?	
From which dumpsters can you get returnable cans and bottles without being caught?	
How can you get tons of newspaper and cardboard to sell at recycle centers? Where can you sell these items? How much will you get?	
What would it take for you to move out of your house with a 72-hour notice?	
Explain what to do if you are being evicted and have no money to move.	
Explain what you would do to survive without garbage service, utilities, or a telephone.	
Describe how to survive winter nights without heat.	
Cite where you would go for help if your utilities were being shut off.	
How would you show “proof” that you live in a neighborhood that you really do not live in order to get better services?	
Explain how to go for days without food.	
Which stores will let you get food and pay for it later?	
How do you keep food cold without a refrigerator?	
How could you prepare a meal without owning a stove?	
How can you use a butcher knife as a potato peeler?	
How could you get your car fixed without any money for parts or a mechanic to help?	
How would you feel if you had to drive with no license or insurance?	

Facing Poverty: Laboring Against its Challenges (cont.)

Question	Answer
Explain how to fix a toothache with super glue.	
Describe how to get free medicine samples at an emergency room if you are sick.	
How would you deal with waiting for hours for health or social services in a room filled with people who are hungry, homeless, sick, and desperate?	
Which church or agencies give free clothes and shoes?	
Which church or agencies have free clothes that are unstained and free of holes?	
Describe how you can wash clothes without money, laundry soap, or a machine.	
Explain how to use torn-up clothing for toilet paper, sanitary napkins, etc.?	
How can you find out what jail your relative has been taken to and the court dates?	
What are the rules for visiting people in prison?	
Where would you find a bail bondsman to get a relative out of jail?	
Explain how to give off an aura of violence to avoid trouble.	
Describe how to smoothly change the subject to avoid answering humiliating questions.	
Explain how would you feel when every day there is a crisis: e.g. you, a family member, or someone else you love has been arrested, evicted, had the heat shut off, is sick, has been kicked out of school, is out of food or has had their car towed?	
Would you know how to laugh if you were hungry, being evicted and had nowhere to go?	
How would you entertain a group of friends with no food, drinks, money, or transportation?	

Overcoming Poverty Barriers To Equal Justice

The reality is that people with means do not have to make decisions about sleeping under bridges, begging and stealing. What are the present-day equivalents of sleeping under bridges, begging in the streets and stealing bread?

SLEEPING UNDER BRIDGES	HOMELESSNESS
BEGGING IN THE STREETS	BEGGING IN THE STREETS
STEALING BREAD	STEALING MONEY FOR Food, Shelter, Heat, Health Care and basic survival. Defined differently depending upon your status: Some sell Prozac and make billions. Some sell marijuana and go to prison.

The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread. (Anatole France, The Red Lily, 1894) .

Legal professionals cannot provide justice unless they understand the daily realities of people who live in poverty.

Knowing what questions to ask, what language to use when asking questions, or giving relevant examples, requires knowledge of the lived experiences of those in poverty in our country.

Ask yourself and your colleagues: Have you had a course on the history of education in America? Where did you learn about poverty? How did we come to our current ideas, beliefs, and policies toward those living in poverty? The majority of educated professionals in all professions in America have no foundation on structural causes of poverty or on the daily life experiences of those struggling in America. We do not teach about poverty and rarely talk about it's impact on human potential and on human behavior.

Most people do not know that it was a crime in England to be poor. People were sentenced to indentured servitude and came out of that not owners of the land, but workers of the land. Most American's do not know in Pennsylvania in the 1700s, there was a law that said, "If you are poor, you must wear a "P" on your sleeve when you leave your home. It must be four inches and be "red or blue." They believed in that time, that they could humiliate people out of their poverty. Much of our response to people in poverty in 2006 is based on that belief: **"If we can make it hard enough on them. If we can be tough enough, they will stop acting poor."**



Sharif Abdullah JD
& Dr. Donna Beegle
www.commonway.org
and
www.combarriers.com

A few current examples of being punished for poverty situations:

In many States, a person who does not have a home address can not legally stay in a State Park or sleep on the streets.

Students who live in poverty conditions are sent to detention for being late or for not doing their homework.

People who are illiterate and disabled who try to supplement income to survive are charged with theft III for digging bottles out of a dumpster to return for deposit or for getting into dumpsters to collect newspapers to recycle for money.

People who can not pay rent are evicted and forced to attend "Ready to rent courses."

People on welfare who sign up for school or training are sanctioned in all but five States and told that they can not go to school or get training because they have to be available for any minimum wage job. If they are in school or training to upgrade their skills, they are not available for work and therefore, will be sanctioned. In spite of research showing a person with a high school diploma or less has a limited chance of earning a living wage or of moving up in the American labor market.

Licenses of people who live on limited income that does not even cover rent and utilities, are suspended for not making payments on fines for driving uninsured. This completely disregards that most places in America do not have transportation systems to get people where they need to be ---Those in poverty have to be more places as they are complying with agencies trying to get their basic needs met. People in poverty get out of prison and struggle to find housing and employment and receive letters saying they must pay for parole supervision or pay to maintain a website with their crime and personal information. These are just a few examples of misunderstandings and policies that push people further into poverty. Legal professionals hold the power to help someone move forward or to spiral them deeper into poverty conditions.

Most Americans learn about poverty realities from the media --which we all know presents us with extremes and dramatizations. In this country, poverty is a made fun of. We rarely hear the realities or voices of those in poverty. In addition, people who are struggling with hunger, homelessness, painful illness are sent strong messages that it is their choices that created their strife. There is not recognition that in poverty, the choices you have are extremely different than the choices of those with privilege and access to resources.



LAND OF PLENTY IS NOT “REALITY” FOR ALL.

If you are born with:

Stability and the privileges that come with being surrounded by adults who are educated

Having basic needs met

Having the luxury of vacations and extra curricular activities that help to develop potential

You are exposed to possibilities and supports for achieving your potential.

If you are born into poverty, **everyone you interact with in any meaningful way, is out of salt and butter.** People with privilege spend time with other people of privilege. **People in poverty are isolated** and have rarely, if ever, had meaningful interaction with someone who is making it. They may have never met a person who had a job that paid both rent and utilities.

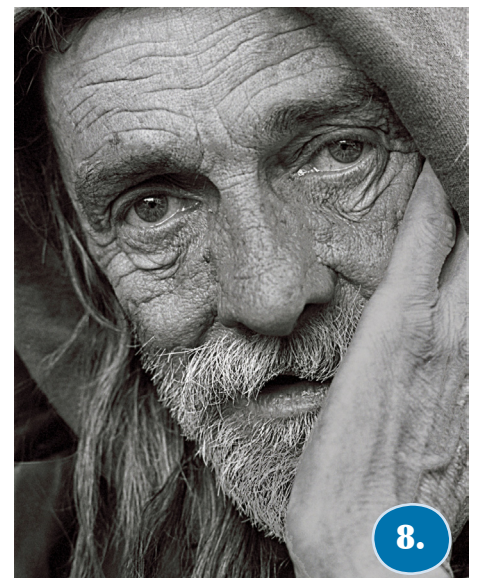
IN YOUR JOB, WHAT DO YOU DO WHEN YOU ENCOUNTER A PERSON LIVING IN THE CRISIS POVERTY?

- Try them and sentence them according to sentencing guidelines?
- Feel disgust or judge their “poor” choices?
- Understand them and try to mitigate the circumstances that led them to break the law and ensure supports are there for complying with court request?
- Something not mentioned?

DOING “JUSTICE” HAS TO INCLUDE ECONOMIC/CLASS JUSTICE:

The famous quote: The Greatest Injustice, is to Treat the Unequal, Equal-----needs to be applied in Our Courts!

- Punishing a person who is hungry (or whose children are hungry) for breaking the law is NOT JUSTICE.
- Sentencing with the assumption that there are jobs, training programs, health care, transportation, child care, and social/ mental health support ---WHERE THERE ARE NONE ---is showing callous disregard for the realities of poverty.
- Think about: why would a person “respect” laws that have no regard for their reality?



Activity:

Reflect for five minutes on what you do when you are feeling overwhelmed or depressed or in crisis?

- Have a drink at your favorite bar or night spot (socially acceptable drug in a socially acceptable place)
- Talk with friends/ associates (assuming they are not as depressed as you)
- Talk with a counselor at \$100/ hour.
- Take an anti-depressant drug (costing hundreds or thousands of dollars per month, paid for by medical coverage)
- Something not mentioned? How much or what resources did your solution require?

What does a person in poverty do when they are depressed?

- Drink alcohol or take drugs(to escape and sometimes in socially unacceptable places)
- Watch television (look at people who have more than you)
- Random/ casual violence (lashing out at a depressive society in inappropriate ways)
- Take an anti-depressant drug (the ones available to poor people are generally illegal)
- Something not mentioned?

Discuss:

Differences between someone with resources and someone without

Examples:

The person with resources often has a “place” or “dollars” to purchase their escape or help--- they generally have a place they can go—i.e. The privileged drink in their bar, home or office--- Those in poverty, may drink on the streets.---

The privileged have resources to access rehabilitation services that are based on research of “What works.” People in poverty are often put on wait list or receive inadequate services for breaking addictive behaviors and then are blamed for not getting “clean and sober” after completing a five-day rehab program.

Those with privilege may be able to pay fines or obtain legal advice and representation.

WHAT YOU CAN DO:

- Don't sentence anyone without considering the poverty implications of your sentence---Is your sentence justice for someone who has limited or no resources—including drivers license, money to pay fines, adequate housing, a job that pays a living wage etc.?
- Do you have colleagues who have found alternatives for those who struggle with the crisis of poverty?
- Did the accused have alternatives from their perspective?
- Are there alternatives to your sentence that could transform their behavior as opposed to adding to their crisis situation?
- Provide alternatives to punishment for economic/ class status. If you fine a millionaire \$200. that is not punishment. If you fine a person on disability who survives on \$500 per month \$200., that is cruelty.
- Make decisions that empower the person to act and move forward (instead of making another helpless and angry victim).
- Instead of financial punishments for socially unacceptable behavior, propose incentives/ rewards for socially acceptable behavior (behavior modification happens based on rewarding appropriate behavior—see decades of psychological research).
- Know your community! Practice “Community Justice”: Where can a person in poverty go for assistance? What are the conditions and limitations for getting assistance? Sending a person to a counseling agency that has a five-year waiting list, or to a job training agency that has never found a job for anyone is a waste of the poor person's time... and they know it.
- Many assistance programs are available only to those who are incarcerated. What is available in your community to prevent criminal behavior that is based on desperation--- before it happens?
- Seek out and support efforts in your community that will provide you with alternatives to incarceration, from removing children based on poverty conditions, and from making financial punishments that penalize those in poverty and spiral people further into poverty.
- Practice “one stop shopping”: have a relationship with community service providers and educators, so that you can make a referral that actually means moving forward to someone in the crisis of poverty (example: Red Hook Community Justice Center).



Tips for helping people living in poverty

- 1. Create Opportunities for Direct Contact**—Legal professionals have limited time to connect with people who live in the crisis of poverty. However, research shows that relationships with people who know how to maneuver middle-class systems and who can access resources---changes lives ---for people struggling with poverty. Find out who in your community is working to help those struggling and work to make connections that expose people to those who can mentor and increase opportunities.
- 2. Show you understand and tell people in poverty that you believe they have potential.** People from generational poverty report an overwhelming sense that no one who is making it believes in them. Find something positive to say and encourage community providers to build on that. Too many people from generational poverty believe they are not smart and that there is no hope. They need opportunities to succeed from where they are.
- 3. Recognize that motivation differs between social classes.** Motivation to achieve in education is generally based on the assumption that there is a “value” of education. Motivation to get a job is based on experiences of a job being something that makes your life better. Most people from generational poverty have never seen anyone “move up” in a job. People they know work hard and still get evicted and go hungry. A “job” or “education” has a different meaning for people from generational poverty. Most people living in poverty never have a meaningful relationship with someone who has benefited from the educational system. Many have never known someone personally who earned enough to pay both rent and utilities. Motivate them with incentives that make sense in their context. A safe motivator is to say, you want to help your family? Realize that for someone with a drug, alcohol, or mental health condition family may not be a motivator. They may first have to become free of addiction or get mental health services.
- 4. People from poverty tend to get their information verbally through relationships.** When you explain something to someone from poverty, use examples they can relate to. If you want them to remember information, use a story to help them remember. People in poverty get their primary information from other people, not from reading. This shapes thought process and trains the brain to operate in very specific ways. People in poverty tend to exhibit the characteristics and learning styles of oral culture communicators and learners--- including: a focus on relationships, ability to jump from subject to subject, need for repetition, a focus on the moment, a need for hands on or trying the learning, a tendency to focus on the big picture not details, and a more agonistic (physical) style of relating and learning. If you are presenting their instructions in print, they may miss key details. Verbalize and use basic communication skills such as paraphrasing, restating in different ways, asking them to repeat what you said, etc. to ensure shared meaning and follow-through.
- 5. Create opportunities to eradicate poverty conditions** through community service and partnerships outside of their community (preferably in a higher education environment and/or a middle class environment). Open a network to them (i.e. if they are interested in art and you know someone who is an artist, help to make the connection). No one person or organization can deal with the complexities of poverty alone. Know who else in the community is working for the success of families in poverty. Use alternatives to incarceration, monetary fines, and removing children from their parents for poverty conditions.

Hopefully, this session has wet your appetite for wanting to read and learn more about how to make a difference for people in poverty. It is always my goal to increase awareness and promote systemic changes for making a genuine difference for people living in poverty in America.