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Conditions, Cognitions, and Choices

Kamalah Nicole Cordell

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CONDITIONS, COGNITIONS, AND CHOICES

*Kamalah Nicole Cordell**

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INTRODUCTION

I am a 33-year-old woman who has been in and out of foster homes, juvenile facilities, jails, and prisons. At the time of this writing, I was sitting in prison in Alderson, West Virginia, on my second federal case. I could go on and on about what I've experienced in my life and in the judicial system, but this is a brief summary. I've been in prison for a while — 22 years of my life to be exact. Let me tell you about my three “C’s” so this way you will have a better understanding.

I. CONDITIONS: THE CARDS I WAS DEALT AND THE THINGS I CAN'T CONTROL

I was born in 1987 to a white woman and a Black man. My mother was a nurse and an alcoholic, and my father was a roofer, truck driver, and ex-military-turned-drug dealer. I grew up in a rough neighborhood, known as “around the way” or “the hood.” I slept with

* Kamalah Cordell, at the time of writing this Essay, was serving a 36-month sentence in the Federal Bureau of Prisons for the second time. She opted into this opportunity to give people a look into the judicial system and its struggles from the perspective of a prisoner and person of color. She would like to express her sincerest gratitude to the *Fordham Urban Law Journal* and its staff for this opportunity, in hopes that each one will teach the other.

a knife under my pillow. In the middle of the night, I would hear tapping on my window — dope fiends tapping to get served. In the morning, I would wake up for school tired and fatigued. I got into fights regularly. I didn't know how to verbally express my feelings about what was going on in my home. I was light skinned with long hair. The white girls didn't like me because I was too dark, and the Black girls didn't like me because I was too light; they used to try to cut my hair, which my mom kept braided and tied up. Story of my life, being too dark and too light.

When I was ten, my parents started cheating on each other, which led to them beating on each other. They would often break up only to make up. I observed and learned from their communication styles and behaviors. When I was 10 or 11, a man overdosed outside of our house right in front of me. I prayed inside while another man on the block dragged him to the corner to wait for the ambulance. I myself started to rebel against my parents and other authority figures and acquired my own addiction and criminal lifestyle. I was a product of my environment and a creator of my own demise.

II. COGNITIONS: MY SELF-TALK AND JUSTIFICATIONS FOR MY BEHAVIOR

I would often plan for my future in my head. I knew that I would never allow someone to cheat or beat me. I saw how hard work earned respect, but it was also tiresome, and the rewards were a struggle. Being a wife with a household and children did not seem easy, so I told myself I would never get married or have kids.

Growing up in my family and seeing different things in and out of the streets, I wanted to be Griselda Blanco.¹ Like many kids growing up in the hood, I aspired to be like the dope boys in the flashy cars with pockets full of money, glorified by society through music, videos, and TV. There was something about the street life that was so enticing.

I was intrigued by the thug appeal and gangster lifestyle. My dad showed me that I liked all of the nice things that drugs could buy — cars, clothes, shoes, and extra money — and that hustling was a summer job: get in and get out. Most hustlers get greedy and create their own downfalls. So, I told myself I would be smarter and get an education

1. Griselda Blanco was “[k]nown as the ‘Godmother’ of the cocaine racket.” See Frances Robles & James Bargent, *The Life and Death of ‘Cocaine Godmother’ Griselda Blanco*, MIA. HERALD (Aug. 17, 2018, 4:41 PM), <https://www.miamiherald.com/latest-news/article1942452.html> [https://perma.cc/5Q75-ZGU5]

so I could acquire a good job that paid well. I sold drugs on the side and stacked my money so I would never struggle — my work ethic and hustle would not allow it.

I told myself that my clientele would be lucrative, but I would not be greedy — I would show these men how to do it. I told myself that I would not tolerate disrespect, be loyal in all aspects, and not lie or be fictitious.² I also told myself that I was mentally and physically strong, that I could do this but I would not be flashy, that this was a stepping stone and not my lifestyle, and that I would not allow outsiders in to violate my hustle.

III. CHOICES: WHAT YOU CHOSE TO DO WITH YOUR CONDITIONS AND COGNITIONS

I chose to rebel at a young age. When I was nine, I began smoking weed at my babysitter's house. My mother and father were separated; my mom was working as a nurse and part-time as a waitress and bartender. By the time I was 12, my parents had been back together for a few years, and I was smoking on a regular basis, selling drugs, and skipping school. Later, I was detained.

Throughout detainment, I progressed in my violent behaviors — cutting, stabbing, AWOLing from facilities, fighting, and continuing to use drugs. While incarcerated as a juvenile, I was mistreated by staff — sexually pursued³ and called racial slurs — and I was involved in several physical altercations trying to defend myself. I was sent to the mental hospital to be evaluated for my decision-making capacity,⁴ and though I was not diagnosed with any psychiatric conditions, I was kept over-medicated with psychiatric medicine.

After four years, when I was 16, I was released into a therapeutic foster home where I stayed until I was 18. I had learned nothing positive during my incarceration, so I returned to my marijuana addiction and what I did best — chase money. I held drug dealers' money and guns for a small fee and toted those guns to school.

In my mind, I was already too deep into the street life. When I moved out of my foster home into my own place, I started selling

2. Although being honest with law enforcement was never an option.

3. "Pursued" means staff approached me. I was sleeping with a female staff member who was 25 years old when I was 15.

4. See generally Gareth S. Owen et al., *Decision-Making Capacity for Treatment in Psychiatric and Medical In-Patients: Cross-Sectional, Comparative Study*, 203 *BRIT. J. PSYCHIATRY* 461 (2013).

marijuana and E.⁵ I later sold cocaine, and the money was good. With all of the money I had saved, I began to flip and double.⁶ I served my lucrative clientele: children of judges, doctors, lawyers, and other prestigious community members. I told myself that if I got caught, I would be able to extort or blackmail them if it came down to it.

I was the creator of my own demise and did one of the things I said I would never do — I got greedy. A friend of mine wasn't moving all of his product on his trips, so I offered to help him. We were both self-indulgent and got reckless. I later found out that my friend was a snitch. Federal Drug Enforcement Agents on duty tried to run me off the side of the road, so I proceeded to take them on a high-speed chase. When we ran out of gas and the police got there, my friend fled the scene and the agents pointed laser gun sights at my head, which was illegal because I did not have a weapon and was not fleeing.⁷ I was convicted on my first federal indictment and eventually sentenced to 120 months. But at sentencing, I got time served.⁸

When I returned home, task force agents in the area often harassed me. They would pull me over and ask if there were drugs in my car and if they could search it. I knew my rights, so I never allowed that to happen. They would follow me to the court-ordered appointments I had scheduled with my probation officer. I was not allowed to leave my home without court approval and wore an ankle monitor. Agents would harass my family and friends who drove vehicles in my name and pull them over and ask to search the vehicle, accusing them of working for my friends or me. I reported this multiple times to the police station, sheriff's office, and the task force. Each time, it would only stop for a little while before starting again. I later learned that the

5. See *Drug Fact Sheet: Ecstasy or MDMA*, DRUG ENF'T ADMIN., DEP'T JUSTICE, <https://www.dea.gov/factsheets/ecstasy-or-mdma-also-known-molly> [<https://perma.cc/JSM9-GTGD>] (last visited Jan. 13, 2021) (“E” is a common street name for MDMA/ecstasy).

6. Turn a profit.

7. See, e.g., *Whitehead v. Bond*, 680 F.3d 919, 932 n.1 (7th Cir. 2012) (“Some force may be reasonable during an investigatory stop when the circumstances give rise to a justifiable fear for personal safety on the part of the officer.”); *Robinson v. Solano Cnty.*, 278 F.3d 1007, 1015 (9th Cir. 2002) (holding that officers pointing a gun at an unarmed suspect’s head constituted excessive force); *Baker v. Monroe Twp.*, 50 F.3d 1186, 1193 (3d Cir. 1995) (holding that officers pointing a gun at a suspect constituted excessive force because they had no “reason to feel threatened”).

8. See *Time Served*, LEGAL INFO. INST., https://www.law.cornell.edu/wex/time_served [<https://perma.cc/5YVA-J9CV>] (last visited Jan. 13, 2021) (“At the time a criminal defendant is sentenced, the amount of time the defendant has already spent in jail awaiting trial or a plea of guilty. When a judge sentences a defendant to ‘time served,’ the sentence is the same as the time the defendant has spent in jail, and the defendant is set free.”).

police were investigating me based on the theory of “ripple effects” — that actions impact a wider group of people like officers on the case, family members of a victim, or the community⁹ — which I am currently in, to be exact.

I am now on my second indictment — yet again, a drug charge — housed at “Camp Cupcake,”¹⁰ famous for Martha Stewart getting the lower compound shut down to remove asbestos and for Captain Grimes and Lieutenant Hall, who sexually assaulted inmates.¹¹ Other staff have done the same but are still employed there and have not been brought to justice. I was told directly by a staff member that they reported it to the warden, but nothing ever came of it.

There, several inmates have cancer. There is a medical facility they could be transferred to, but authorities wait until severe illness, maybe because most facilities need the head count. One lady died of cancer shortly after she was transferred, after several complaints and write-ups. Another is terminally ill, and I’m unsure if she got the chance to go home to her family. Like most facilities, we are subjected to asbestos and black mold. Authorities try to hide it by making inmates paint over it, even though disrupting asbestos makes it airborne and dangerous to our health. I personally had a friend who was exposed to asbestos as a child and passed away before reaching 40 years old.

Throughout the years, I’ve learned there really is no justice. People who have gone to prison or jail are deemed bad people in the eyes of society, based on preconceived notions without knowing their stories. I was locked up because of a choice I made, not because I’m a bad person. Thankfully I do not allow my past to define me, nor will I allow it to keep me from self-elevation. I know who I am and what I want. Change starts with one, and it takes a village to change the future.

9. See generally *The Ripple Effect of Crime: Coordinating a Collaborative Response to Victimization in Tribal Communities*, TRIBAL CT. CLEARINGHOUSE 1, <http://www.tribal-institute.org/2014/B2PP.pdf> [<https://perma.cc/2L6L-GGKH>] (last visited Feb. 2, 2021).

10. See generally Aleksii Tzatzev & Erin Fuchs, *Camp Cupcake: Take a Tour of America’s Cushiest Prison*, BUS. INSIDER (June 6, 2013, 7:37 PM), <https://www.businessinsider.com/take-a-tour-of-americas-cushiest-prison-2013-6#aerial-view-1> [<https://perma.cc/RV9U-2GAU>].

11. See Chris Dickerson, *Former Alderson Inmate Says Prison Official Raped Her, Others Failed to Report It*, W. VA. REC. (Sept. 10, 2019), <https://wvrecord.com/stories/513529536-former-alderson-inmate-says-prison-official-raped-her-others-failed-to-report-it> [<https://perma.cc/Y94Y-SEDK>].