



The Myth of Intersectionality to Women
of Color.

by Donald "C-Note" Hooker

Intersectionality, under the context of social justice, is a terminology that means, across social movements. Its meaning can best be summed through a parable.

A White environmentalist at an environmental conference is complaining, "Where are the Black people?" A fellow next to him asks, "Have you ever gone to a seminar on criminal justice?" The moral being, "How can you ask someone to support your cause when you are unwilling to support theirs?" The concept arose from frustration by social justice movements to their own impotency, and asks, "Wouldn't we be better off if we joined forces?" However, women of color are constantly being presented with a Hobson's Choice of supporting race over gender, or gender over race.

Take the case of the judge recall movement in California. Santa Clara County Superior Court judge, Aaron M. Persky, gave a six month sentence for sexual assault to Stanford University student, Brock Turner. The sentence caused a backlash as it stunk of "White male privilege." But the recalling of the judge has both proponents and opponents. The most staunchest proponents are women. The most staunchest opponents are women too, but of color. The highest profiled woman of color opponent, is former California Supreme Court Justice, Janice M. Brown. She vehemently argues that a successful recall will only hurt defendants of color.

This writer has long ago wisened to the effects of harsher laws targeting the White male rapist. As Justice Brown argues, time and time again, these harsher laws put in jeopardy far more criminal defendants than the White male rapist that they are intended to target.

Despite having passed Propositions 36, 47, and 57, California still holds prisoners who have been imprisoned for over two decades for crack cocaine valued under \$10, driving without the owner's consent, or felony evading arrest, under the Three Strikes Law. A sentencing scheme that was repeatedly rejected by the California legislation, until the murder and rape of a White child, by a White male.

When the White boyfriend of a White female graduate had been released on bail for her murder, Californians passed Proposition 9, also known as "Marsy's Law." Pre-Marsy, prisoners sentenced to life without the possibility of parole, had parole hearings

after thirty years of confinement. Post-Marsy, that opportunity to go in front of a parole board was forever lost. Pre-Marsy, life with parole prisoners, were eligible to go in front of the parole board every three years, once they had served out their determinate sentence. Post-Marsy, they could be denied up to fifteen years, before they would be eligible for another parole hearing.

As a result of California's thirty-plus years of prison expansion, mandatory sentencing is no longer viewed as a smart and intelligent means to deal with crime. Justice Brown is arguing, that the net effect of the recall is that judges will be chilled from exercising discretion. Since defendants of color are disproportionately in front of judges, this chilling effect will disproportionately be harmful to them. People of color are sick and tired of being the collateral damage to the White male rapist. Isn't it ironic, that women of color have to point out to their White female counterparts, that quite often, they are faced with a Hobson's Choice of choosing race over gender.

[C-Note has written for *Prison Action News*, *California Prison Focus*, and *Mprisond Thotz*. He's been written about in *People*, *Darealprisonart*, *KCET-Los Angeles's Departures*, and the French publication *Prison Insider*. In 2017, Google Search listed him as both America's and the world's most prolific prisoner-artist.]