Family, Carceral Visuality, and a Historical Process

Thesis

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By

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Abstract

In this essay I lay bare my theoretical framework for the artworks titled *Unrest* and *A Historical Process: Unchanged Representation* featured in the MFA thesis exhibition, *Proximity*. I investigate the history of photography in relation to the mug shot while focusing on my brother's experience with mental illness and the criminal justice system in my pursuit to investigate questions of power, and photography's ability to honor and villainize.

Dedication

Dedicated to Francisco Javier Vega and the families who share a similar experience.

Acknowledgments

I would like to thank my committee members, Carmen, Gina, and Jared, for their support throughout these three years. You each have provided me with the space to bring this work forward and have given me incredible feedback as it has evolved through various stages. Thank you for your push, your thoughtful comments, and for your kindness.

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Introduction

Photo 1: Francisco and Jonathan Vega

During my time at OSU, I sat with and revisited two photographic archives of my brother which lived in my studio. One archive was a set of photographs pulled directly from family albums. I visited family in Chicago and Dallas to collect images of my immediate family members. The photographs that I managed to find were from a time when my brother was much younger and perhaps didn't mind being photographed through the lens of my parent's disposable cameras. My belief is that his discomfort with being the subject of family photographs grew with his age and the gap of our family

relationship. He may have been aware of the myth of photography as a tool for objective truth – avoiding portraits that required him to perform for the false portrayal of our family during a time of domestic violence and substance abuse.

The second archive is a set of mug shots pulled from google images. My encounter with this archive was accidental. In 2015 my brother and I parted ways, which created a gap in the time I saw and knew him. After undergrad I moved to Dallas, TX to join my mother and brother. My mother had taken my brother back into her apartment, after he had promised to spend time in rehab and take the appropriate measures for his mental health. A promise that, unfortunately, had been broken countless times before.

One afternoon near the end of my first summer in Texas, my brother mixed alcohol with his mental health medication. The combination of the drugs increased his aggressiveness. In an attempt to isolate my brother from the extended family at the home in Dallas, my mother and I drove my brother away. We headed towards a treatment center.

As we drove further from the house and onto the highway, he repeatedly tried to open the car doors, which had been child locked. As he continued to slam his weight against the doors and reach for the steering wheel, we exited the off-ramp. Before exiting the ramp completely, we pulled over to the side. Everyone got out. My brother threatened to jump from the side of the ramp – a fall which would have likely been fatal. I tried to pull him back. In his state of rage, he picked me up and threw both of us into oncoming traffic. Car tires screeched.

Up until that point we had spent the summer together just fine – talking, laughing and working-out. There are moments in between his relapses that I get to see characteristics and parts of my brother that I can recall from our childhood. Loving, intelligent, passionate about music, and a great sense of humor. However, the day of that incident was the moment I understood that my love and hope wouldn't be enough to help him. And because he was not able to remain in treatment due to his addiction, I was also putting myself at risk. The most difficult thing to accept was that one cannot *care* someone else into recovery and health.

My brother suffers from multiple mental health illnesses and has burned every bridge ever built with extended family. His circumstance is one Baillargeon et al. refer to as a "revolving-door" phenomenon, cycling between hospitalization, homelessness, and the criminal justice system (Psychiatric Disorders and Repeat Incarcerations: The Revolving Prison Door, p. 103). Soon after that incident, I moved to Ohio and my brother moved to Chicago.

During the Polar Vortex of 2019, Chicago temperatures hit a low of negative 21 degrees. *CBS New*s reported that as many as 20 people died from the freezing temperatures throughout the Midwest. When this happened, I searched my brother's name online in hopes that it would not appear on any accident reports. I also searched to see if he had been in Cook County Jail. I wanted to make sure he was alive and warm, even if that meant in a jail bed.

During my search online, I stumbled onto a mug shot of my brother. I scrolled down, and there were more. I clicked on the website listed under his image which led me

to a site with nearly 30 of his mug shots spanning across the last four years. I can't put into words what this experience was like. It was as though he became a spectacle on display for this website branding him a criminal. I was angry. I felt the deepest sense, of that being *my* brother, *my* blood, *my* childhood friend, and *my* responsibility.

The photographs were taken by an unidentified person, without any relationship to him during a vulnerable state and with a lens of judgement. The photographer unaware of the layers to his situation, and the camera unable to provide any transparency to this truth. These visuals were so unexpected - they were immediately engrained into my memory. Not only because they were mug shots, but also for the volume and the many questions they brought about: Why were you there? Why is this public? Why are there so many photographs? Why can't they see that you need help?

This archive included photographs of him angry, sad, defeated, some physically beaten, or under the influence. They recorded his body changing across several years. Fluctuating in weight, age, and skin tone - showing that he had been living out in the sun.

The family archive and the carceral archive operate distinctively. One is personal and accessible only to me. They are those moments "in-between" all the chaos. They display my brother as I know and remember him. They have his permission. The other exists on a public database available to individuals who have never encountered him and who are unaware of his diagnosis or upbringing.

I often question how many other individuals exist in the same way as my brother. In the gaze and mark of the criminal justice system, as a result of acts of survival. Dr. Dena Williams, Director of behavioral health, Mental Health Transitions Center, of Cook

County Jail says, “There are not enough resources on the outside. We have people who are suffering from a mental illness who decompensate because they don’t have access to medication, and law enforcement might not be trained with how to deal with it, so instead of sending them to the hospital, they get arrested and come to jail” (Kobielski).

Living with both groups of images have made me question how each of these archives function. My research, and search for my brother, eventually led me to my work in the exhibition *Proximity*.

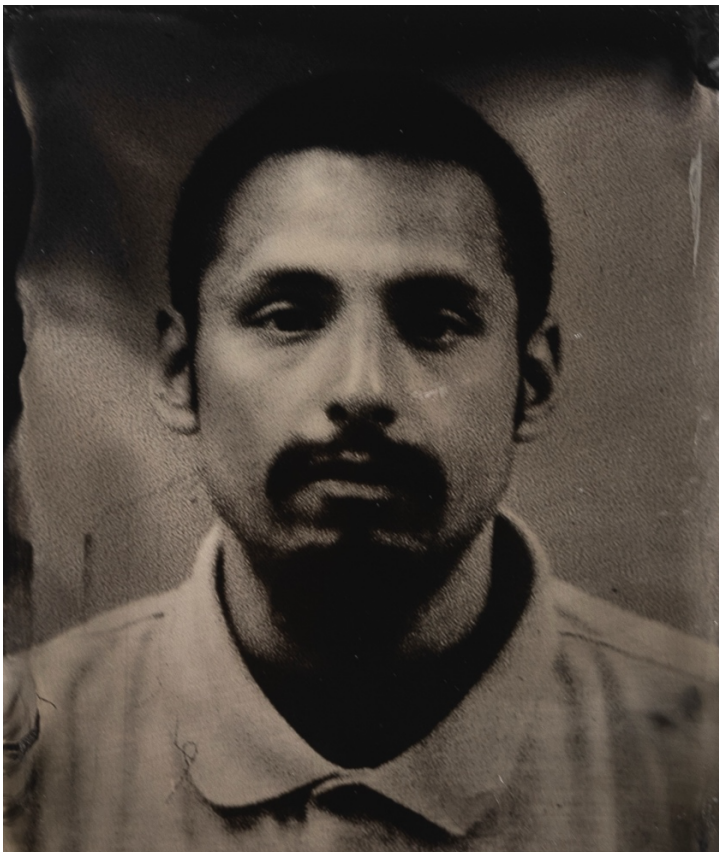

Photo 2: Francisco’s Mug Shot

Years One, Two, & Three

In my first year when I encountered the mug shots of my brother, I did not want to show them or use them as "work" for others to view. The images were difficult to look at as they reminded me of the true state of my brother's situation. The closest I came to making artwork with his images during the first year was when I created a diptych of us. I used one of his mug shots and placed it next to an image of myself taken in a lighting studio with a grey backdrop - stylistically matching his mug shot.

The diptych consisted of two separate images, unified by one sheet of paper. There was a gap in between both images, preventing them from touching/merging. It felt suitable for the way I had been feeling about my relationship with my brother - in a constant state of separation. In addition, the diptych highlighted our similar facial features. Most of my life I have wondered why he found himself in the trouble that he did, and I why was I able to avoid it? There was a sense of survivor's guilt and living with the diptych was a reminder that at any point the circumstances could have been switched.

As I went onto my second year, I made work directly connected to my family archive. Utilizing images of my grandparents and cousins from the 90's to show the story of migrant families coming to the US, adopting a different culture, and experiencing firsts – first home, first grandchild, etc. My hope was to use the personal story to speak to larger experiences and issues. As I grew comfortable with using my family archive, I also began to grow comfortable with utilizing images of my brother. I began to develop a

different read of his mug shots and became more critical of the systems in which my brother was filtering through. However, during that second year I was unable to address the multiple issues affecting his situation - substance abuse, mental health, and the criminal justice system. My attempts at making work during that time included scanned journal entries, carceral material experiments (objects taken from Cook County Jail), photographs of Cook County Jail, mug shots printed on a blanket, videos, and collage installations.

Each method of working prior to my third year was informative to the work displayed in the thesis show. Text, landscape photographs, portraits of my brother, and material exploration all became important pieces for the work in the end. Although I had experimented with carceral materials and relief prints of the objects I collected from the jail site, it was ultimately an attempt to communicate a concept of representation and a system of looking through material. This ultimately led to my curiosity of the digital mug shot existing as a transformed object.

My experiments took the form of cyanotypes, etchings, drawings, and eventually the tintypes. By transforming the digital image from the monitor into a tangible object, I was able to hold these images of my brother. Prior to the body of work *A Historical Process: Unchanged Representation* I had no experience working with tintypes. The process of learning to make the tintypes and then rematerializing the mug shots was a form of care and a labor of love.

This act contrasts their original form. Although they exist as aluminum objects, they are delicate, small, and approachable photographs that one can imagine fitting in the

palm of their hand. They are precious and given their own shelf to exist individually. My hope is for the viewers to raise questions about the process and form. Hopefully creating a bit of confusion and challenging the viewer on whether the images are meant to be repressive, honorific, or “beautiful”. I will elaborate on my decision to ultimately decide on the tintype process in the following sections.

A Double System

In *The Body and the Archive,* American Photographer, filmmaker, writer and art critic, Allan Sekula refers to portraiture as, "a double system: a system of representation capable of functioning both *honorifically* and *repressively*" (p.345). Both archives of my brother, familial and carceral, are examples of Sekula's argument.

The family album functions honorifically, taken by family members and/or by the permission of my brother. It is for the self and the family to hold memories of one another. This was a popular function of photography as it became more accessible during its early invention. However, during its rise in popularity and accessibility the photographic portrait also became utilized as a tool for categorization, asking viewers to look "down" on people who fit within certain visual cues. Sekula highlights two methods in which photography became used as a tool to regulate "social deviance", or in my opinion, to villainize and repress certain groups.

In hopes of creating a "criminal type", Francis Galton, the founder of eugenics and English statistician, was an early adopter of the photographic portrait within systems of policing. Sekula writes,

> "Galton operated on the periphery of criminology. Nonetheless, his interest in heredity and racial "betterment" led him to join in the search for a biologically determined "criminal type". Through one of his several applications of composite portraiture, Galton attempted to construct a *purely optical* apparition of the criminal type" (p. 353).

Galton was not alone in this quest for systematizing photography to identify "criminals". Alphonse Bertillon, known for his method of Bertillonage, utilized "photographic

portraiture, anthropometric description, and highly standardized and abbreviated written notes on a single *fiche*, or card" (p. 353). This motive and history are directly related to the mug shot as we know it today.

Upon learning about the mug shot's historical connection to phrenology, physiognomy, and eugenics, my relationship to the carceral archive of my brother grew complicated. This history along with the context in which I discovered the mug shots made me critical about our collective engagement with images. I wondered how my work could bring this history to the forefront.

Leading my art practice were questions inspired by Sekula's text: How can an image honor? How can it repress? And how, if at all, can an image reclaim power? I took time in my studio to examine and research the function of my brother's images within each context. What does each archive ask of me? What does it ask of a stranger in my studio? And who is working from similar materials?

In her preface to the book, *Marking Time: Art in the Age of Mass Incarceration*, Professor of American Studies and Art History, writer and curator, Nicole R. Fleetwood speaks about her experience with carceral photographs of her family, "I began displaying photos of incarcerated relatives around my apartment, partly as an attempt to work throughout my own discomfort with the pictures of them in prison and to bring their presence into my daily life" (p. xvii). Dr. Fleetwood's decision may seem strange to those without a similar experience, but it made sense to me. Although images of our loved ones caught in an unjust system may be uncomfortable to live with, they are still very much our loved ones. The photographs are taken during a moment where our grasp and

relationship to the individuals are limited. Having lived with the set of mug shots, I wondered if they spoke more about the system than of the individual caught in it.

Photo 3: Installation view of *A Historical Process: Unchanged Representation*

In the case of my brother's mug shots, I believe these images do in fact speak about the system. Recidivism, or the likelihood for an individual to reenter the criminal justice system, is displayed in the excess of his mug shots, acting as visual evidence that a problem has not been addressed. This became important when deciding the number of images to display. Although some view jails and prisons as a form of punishment in effort to rehabilitate and prevent an individual from committing the same act, it fails to address the systemic underpinnings such as mental health, poverty, and racism which

may have been the cause for an individual's encounter with the criminal justice system in the first place.

Although the public may be immediately inclined to question the offense of the individual pictured in my work, my hope was that the number of images would instead urge viewers to question the criminal justice system itself; How can a system expect to do the same thing repeatedly and yield a different outcome? The decision to display twenty-seven mug shots was meant to highlight recidivism through the act of repetition. Instead of their repressive origin, they attain power in their numbers, and evolve into a collective looking back at the viewer.

The Mug Shot & the Tintype

In *The Mug Shot A Brief History*, Professor of Visual and Critical Studies, Shawn Michelle Smith states that in the 1850's, Police departments used ambrotypes and tintypes to display arrested men and women in rogues' galleries (p. 30). These rogues' galleries were available to the public as a form of entertainment as well as an attempt to solidify a "criminal type" for the public to police itself. Dr. Fleetwood states, "The mug shot would serve as a tool not only for police officers but for the broader public to manage and self-surveil their behavior and also to watch others" (p. 92). They became so popular that eventually the galleries had to be closed to the public. This practice of photography is rooted in systems of categorizing and creating a target for *who* is to be considered a "criminal" – often placing non-white and lower-class groups as the subject.

Regarding mug shots, Dr. Fleetwood explains,

> "These indexes date back to the mid-nineteenth century. They are examples of the rise of photographic technology and the bureaucracies of the state, and they reflect the power of the state to dictate and enforce the narrative of the criminal by deploying the tools of photographic representation against certain populations, largely the poor, dispossessed, migrant, indigenous, and racialized others" (p. 87).

I chose to rematerialize my brother's images from digital files into tintypes to situate the process of the mug shot within the context of its history. A history in which photography became a device for the "criminalization of certain bodies, types, classes, nationalities, and races" (Fleetwood, p. 92).

The mug shot has an agenda, and that is to stigmatize the subject and larger groups to fit within the narrative of the "criminal". Dr. Smith writes,

> "The mug shot marks the first step in the visual inscription of the body within policing parameters. It is a liminal point, a threshold, in which the future of the subject represented is still undetermined, in which he or she is caught, by the police and in the flash of a camera, yet still not bound. The subject is neither guilty nor innocent, but her brush with the law has shaded her toward criminality. She is now "suspect," and the mug shot shows it" (Photographic Returns: Racial Justice and the Time of Photography, p. 69).

There is no transparency in this mode of photography, nor does it reveal its' own roots in targeting certain populations.

I was well aware that certain people would cast judgment on my brother's images at first glance. After all, that is very much what the mug shot was designed for. Having control of these images and how they were presented to the public was critical in my art making process.

I chose to display twenty-seven 4x5 prints of the mug shots. They exist in a grid format as a mimetic instrument of rogues' galleries, emphasizing systems of categorization and further placing them within a dialogue of their history as a form of carceral aesthetics for the public. Through this decision my goal was to raise questions about photography's past and current use of representation. Dr. Smith states, "What the history of the mug shot demonstrates is that such disciplinary ways of looking had to be learned; they were crafted, standardized, practiced, and taught." (The Mug Shot A Brief History, p. 33).

Photo 4: Close-up view of *A Historical Process: Unchanged Representation*

What the mug shot refuses to acknowledge are the various individuals caught in the criminal justice system who are wrongfully convicted, others who may be there because of mental illness and/or due to acts of survival. The mug shot offers no story and instead it is an inscriber of guilt to the public.

My hope was to offer a different narrative. By rematerializing the mug shots, I hoped to slow down viewer's engagement with these images. To create questions about why mug shots would be on display? Why there are so many to view? Why they exist in the form of tintypes? My own agenda was to highlight a system beyond the frame. To point to the fact that our conventional practices of looking should be challenged.

There is power in the ways we look. In every form of viewing, participation in the act is important. To challenge this process of surveillance I felt it was important for these

images to exist within the institutional setting of an art gallery. The space demands viewers to be active participants in looking and engaging with each work, beyond carceral aesthetics.

Along with our practices of looking, my goal was to confront viewers with a dialogue concerning the criminal justice system. Whether that be an internal dialogue, or a dialogue with a peer. Conversations surrounding incarceration and the criminal justice system are often avoided. From my experience, when the topic does come up, people search for the answer of an individual's arrest. What did *that* person do to *deserve* jail or prison?

Distinguished Professor, political activist, writer and philosopher, Angela Y. Davis writes,

> "We take prisons for granted but are often afraid to face the realities they produce. After all, no one wants to go to prison. Because it would be too agonizing to cope with the possibility that anyone, including ourselves, could become a prisoner, we tend to think of the prison as disconnected from our own lives. This is even true for some of us, women as well as men, who have already experienced imprisonment. We thus think about imprisonment as a fate reserved for others, a fate reserved for the "evildoers," to use a term recently popularized by George W. Bush. Because of the persistent power of racism, "criminals" and "evildoers" are, in the collective imagination, fantasized as people of color. The prison therefore functions ideologically as an abstract site into which undesirables are deposited, relieving us of the responsibility of thinking about the real issues afflicting those communities from which prisoners are drawn in such disproportionate numbers. This is the ideological work that the prison performs-it relieves us of the responsibility of seriously engaging with the problems of our society, especially those produced by racism and, increasingly, global capitalism." (Are Prisons Obsolete?, p. 6)

My work is meant to reconnect us to the reality of the carceral state and challenge the narrative of jail and prisons reserved for "criminals" and "evildoers", as Dr. Davis states. It is meant to confront the issues we have been "relieved" from and bring forward

conversations of the criminalization of mental health. The work utilizes by brother's experience as a stand-in for those with a similar experience. There is no mention of who the figure is in my photographs for the public to ground the subject. Instead, he exists as a symbol of those existing within the larger issue.

As a collective, the mug shots are meant to lay bare the biased position of this state instrument. For that reason, I utilized my brother's story to address the larger systemic issues which have caused communities who suffer from issues relating to mental health to end up in jail and prison. I appropriated Cook County Jail's statement on their website to sit alongside the mug shots, placing them within the context of their admission to failings within the criminal justice system.

Photo 5: Cook County Department of Corrections (One of two photographs featured in the work titled *Unrest*)

Alongside photographs of my brother, were images of Cook County Jail, Loretto Hospital, and the following text pulled from Cook County Jail's website,

> "On any given day up to a third of those incarcerated at Cook County Jail suffer from some form of mental illness, making the jail the largest mental health hospital in Illinois – and one of the largest in the country. The majority of these inmates are in jail for nonviolent offenses closely associated with their mental health.

> Cook County Jail is, unfortunately, the rule not the exception when it comes to the number of incarcerated individuals with mental illnesses. In 44 states, jails or prisons house and care for more individuals with mental illness than hospitals. Decades of cuts to mental health budgets have led to limited services, leaving many to commit crimes of survival" (Criminalization of Mental Illness).

At the age 13 I would begin to get stopped and frisked on my walk to and from school by Chicago police. This was common among young individuals in the west side. Viewed as gang members, drug dealers, or relatives to the former. Trauma, anxiety, and mental illness were not topics of conversation in the home – and much less of interest for police officers in black and brown communities who would stop you because they could. Police would treat us with no respect. In *Controlling The Dangerous Classes*, Professor of Criminal Justice, Randall G. Shelden states, "the criminal justice system focuses primarily on those crimes that have the highest probabilities of being committed by the poorest segments of our society and almost virtually ignores those crimes committed by the richest segments of our society, crimes that actually harm us the most" (p.5).

An example of this difference is the 1994 crime bill, calling for harsher sentencing for crack-cocaine possession, often in black and brown communities, than powdered cocaine, often in white suburban communities. One can also look at the difference in treatment of addiction during the "crack era" and the "opioid crisis". With the former subjects often portrayed as villains and addicts, while the latter approached with empathy and acknowledgement of drug-abuse as a disease.

Similar to policing, carceral aesthetics are not colorblind. Leaving non-white communities vulnerable to filling the majority of jails and prisons. This is a cycle that

feeds itself, marking certain groups as criminal, feeding a narrative that those members should be policed and incarcerated. In Cook County, the population consists of approximately 74% black, 18% Latino, and 7% white (Sheriff's Daily Report 4/9/2021).

As we see from the language by Cook County Jail, many of those incarcerated are victims to mental health issues with lack of access to medicine, therapy, and treatment. Elli Petacque Montgomery, a social worker and director of mental health policy and advocacy at Cook County Jail says, "People that historically would have gone to public hospitals or state hospitals are ending up here. We are the de facto mental health hospital now. It is far more expensive to try to manage mental illness and handle incarceration at the same time" (Kobielski). Cook County jail currently houses over 9,000 individuals, meaning around 3,000 people incarcerated suffer from mental illness.

I chose to pair large scale images of Cook County Jail and Loretto Hospital titled, *Unrest*, to stand alongside the images of my brother. Viewers are placed between both institutions. Though the places are particular to my visit with my brother at Loretto Hospital and his history in Cook County, the questions I ask of viewers is to consider their relationship to one another. Which one feeds the other? Who has access to where? Who is more likely to enter which of the two?

Although my work and my research began as a search for my brother and an understanding of his life, I became aware that this is not just a story about him, but about a larger system which fails to address the shortcomings of our society. A system which rather incarcerate first.

Proximity

In closing, I would like to share a story of my most recent interaction with my brother, which came about during the culmination of my thesis work.

On a cold weekend in November 2020, I visited Chicago, IL to continue working on my thesis. At this moment I was well aware of the direction I was heading in and had returned to my hometown to document institutions. Jails, hospitals, and rehabilitation centers. On this particular morning, around 7:30am I remember calling it quits after about 30 minutes of taking photographs around the city since it had been extremely cold, and my fingers began to ache after holding my camera out in the wind.

As I drove back towards the place I had been staying, I noticed a man from the corner of my eye. He had multiple layers of old clothes and was walking slowly with a limp down North Avenue. To this day I don't know if it was his stature, his silhouette or some kind unknown force that made me slow down and take look at his face. But when I did manage to get a glimpse of the man, my heart sank. It was my brother.

I made a U-turn and parked my car a few feet away from him. I slowly caught up. The walk up to him was difficult. What would I say? What could I do? I worried how he would respond to seeing me after five years. I finally caught up to him and made my way into his peripheral. He wore no expression on his face and looked as if there was no world around him. As if nothing were real.

I tried to pull him out of that place. I said to him, "Javy". He slowly turned to look at me and said, "Jon?" His gaze returned to the present. I asked him, "What are you

doing?". To which he responded, "I'm walking, I'm fucking homeless." His voice was hoarse. He spoke with a strong exhale in each word. I asked, "Are you hungry? Do you need me to take you anywhere?"

We got into my car and drove to get some food from a nearby drive-through. I caught him staring at me multiple times as if he was still unsure about my existence in that moment. I drove him to a location he said was near our father's home and that he would stop there to wash up. We only had those few minutes together during the drive, and when we arrived at the parking lot on North Avenue and Cicero Avenue, he slowly exited the car. I told him I loved him. He walked away, food in hand, into the cold, almost as if what just happened might not have been real.

The work that I make is driven by a search for my brother. To understand what happened and why. What might have been different if he were looked at with a lens of empathy rather than criminality. In this exchange, there is the lens that I see him through and the lens the world sees him through. Similarly, are the images in the archives that curate a representation of him. Though I am biased by my love for him, so too is the mug shot.

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