



Copyright © 2023 *Journal of Criminal Justice and Popular Culture*  
All rights reserved.  
ISSN: 1070-8286

---

A Taste of the Racial Contract:

Incarceration, Subjugation, and Labeling in *Orange Is the New Black*

Courtney D. Tabor

University of Oregon

### Abstract

Through an intersectional thematic analysis, I assert that *Orange Is the New Black* (OITNB) acts as a useful media artifact for understanding the Racial Contract and Labeling Theory. In OITNB, Black women are subjugated to a subhuman status by white people, reinforcing Charles Mills's Racial Contract. Furthermore, the "felon" label deeply damages potential for reintegration after a prison sentence. As most people will only experience prisons through mediated representations, it is important to explicate the messages transferred from popular culture to the average viewer and to identify how these messages reflect reality. OITNB serves as a useful example, in this specific case, of a television show that includes a nuanced portrayal of prisons as a site for violence and parole as a continuation of the sentence after release.

*Keywords:* prison media, Racial Contract, Labeling Theory, *Orange Is the New Black*, intersectionality

## Introduction

Over the last fifty years, United States (US) lawmakers have continuously escalated “law and order” policies as a veiled attempt to battle wars on crime, poverty, and drugs (Alexander, 2012; Hinton, 2016; Schoenfeld, 2018). However, despite colorblind rhetoric around these policies and their enforcement, racial and ethnic minority groups are far overrepresented in prisons, and white people continue to be underrepresented by gross margins (Alexander, 2012; Hinton, 2016; Schoenfeld, 2018). Black people, who face the highest disparities in incarceration representation, comprise 13% of the US population but 40% of the prison population, while white people comprise 64% of the US population and just 39% of the prison population (Sawyer & Wagner, 2020) — in other words, while there are nearly five times as many white people in the US than Black people, the percentage makeup of each group in prisons is nearly equal. These discrepancies are hardly a fluke, but rather, a marker of a system designed to marginalize certain people inside and outside of prisons.

The role incarceration plays in maintaining white supremacy through violence and segregation has been thoroughly studied, albeit by scholars in fields often deemed “niche.” Notably, the bulk of this scholarly work and labor has fallen onto Black women (e.g., Michelle Alexander, Angela Davis, and Elizabeth Hinton, to name only a few), so their designation as “niche” is hardly a surprise, as this work (and their existence) is in direct opposition to power systems such as capitalism, neoliberalism, and, of course, white supremacy. Still, their work has designated prisons as a site of violence and indicates how prisons and their related arms (e.g., parole) work to segregate people of color from society (Alexander, 2012; Davis, 2003, 2016; Hinton, 2016). Operating under these assumptions, I employ Charles Mills’s (1997) philosophical theory of the Racial Contract to further these claims. Summarily, the Racial Contract refers to an agreement between white people to uphold white supremacy through the ongoing subjugation of nonwhite<sup>1</sup> people, with all white people as beneficiaries regardless of their role as signatories. Alongside this, I draw on Labeling Theory (Becker, 1963) — a sociological theory to explain how society labels behaviors as deviant, leading to state control over those behaviors — as an explainer for post-incarceration segregation and the denial of felons, by society at large, to reintegrate.

To date, little has been done to connect these theories to media studies. Fictional television has demonstrated effects on real-world opinions and beliefs (e.g., Appel & Richter, 2007; Mutz & Nir, 2010) and, as many people will likely not encounter prisons in their lifetime, media representations serve as stand-ins for reality (Yousman, 2009). *Orange Is the New Black* (OITNB; 2013-2019) is one such recent example of a fictionalized portrayal of a prison entering the home via mediated representation, and one that has achieved nearly unparalleled success as a form of prison media, with about 105 million Netflix users having watched at least one episode (Low, 2019). While OITNB has been praised for its movement from sensationalized violence to the mundane of prison life (Bock, 2021), it has also been criticized for reinforcing stereotypes and maintaining white supremacist ideologies (Belcher, 2016; Enck & Morrissey, 2015). Thus, engaging with these theories of the “real-world”<sup>2</sup> — the Racial Contract and Labeling Theory — and applying their assumptions about prisons, race, and society to OITNB’s portrayal of a fictional prison through an in-depth and intersectional thematic analysis broadens understanding of how these relationships play out in a medium consumed by millions.

---

<sup>1</sup> When directly referring to *The Racial Contract* (Mills, 1997), I use the distinction white/nonwhite. While this framing has been rightfully criticized for placing whiteness as the center and all other identities in its orbit, that is the purpose of its use in *The Racial Contract*, as this is a theory on whiteness, white supremacy, and the creation of the other group “nonwhite” by white people to maintain global power.

<sup>2</sup> I put “real-world” in quotation marks because I remain unconvinced that fictionalized television is not part of the real world. However, the distinction between media representations and lived experiences is important, so quotation marks delineate between the two.

## Theoretical Framework

This section is organized as follows: First, the Racial Contract (Mills, 1997) acts as a guiding theory describing power relations, white supremacy, and the subjugation of nonwhite people. Next, Labeling Theory (Becker, 1963) explains how labels serve to reproduce and reify violence towards “deviants.” Then, the existent literature on fictionalized prison media is reviewed, to give some background on reinforcing stereotypes and white supremacist ideology. Finally, *Orange Is the New Black* (OITNB) is presented as the relevant case for analysis.

### The Racial Contract

Charles Mills’s (1997) seminal work, *The Racial Contract*, works to address the gap in Social Contract Theory that does not account for racial dynamics. The Racial Contract is a theory on whiteness and, as such, Mills makes the distinction between white and nonwhite. The central thesis is that the Racial Contract is an agreement between white people to uphold white supremacy through the ongoing subjugation of nonwhite people. Regardless of their level of awareness, all white people are beneficiaries and are thus inclined to uphold it.

As part of the contract, white people have aimed to render it invisible. This is likely most apparent in the modern era, as postracial and colorblind ideologies have dominated discursive spaces (Joseph, 2018). Black scholars (e.g., Baldwin, 1972; Yancy, 2018) have spoken to this, deeming it “the lie” that white people maintain to preserve their false integrity or assuage their own guilt, what Mills also refers to as epistemological ignorance. Ultimately, this is a perpetuation of the false idea that racial differences and violence towards nonwhite people are sad but long-passed marks on history, rather than an ongoing reality. This occurs alongside and supports the state-sanctioned and ideological violence required to uphold the Racial Contract.

State-sanctioned violence and ideological violence, as upholders of the Racial Contract, map closely onto Althusser’s (1971) concepts of the Repressive and Ideological State Apparatuses. Whereas state-sanctioned violence manifests through policing, prisons, and similar systems of enforcement, Mills (1997) describes ideological violence as the “intellectual equivalent of ‘seasoning,’ ‘slave breaking,’ the aim being to produce an entity who accepts subpersonhood” (p. 88). Prisons, while an obvious form of state violence, also play an ideological role as well, with just two (of many) examples being within-prison segregation, particularly through solitary confinement (Davis, 2003; Guenther, 2013; Jones, 2016), and the failure to provide substantive rehabilitation programs (Alexander, 2012; Bates, 1932; Davis, 2003; Foucault, 1977).

Marvin Jones (2016) articulates the relationship between the Racial Contract and the criminal justice system in his writings on Kalief Browder, a young Black man who killed himself after he spent three years incarcerated for a crime he did not commit nor was he convicted of. By describing how poor, nonwhite people “live in a kind of social limbo where they are not considered worthy of the same level of recognition, social protection, or rights. They are always and already depersonalized. They are disposable” (Jones, 2016, p. 34), we see how criminality is weaponized to subjugate certain groups to the level of subpersonhood. Prisons are endemic to society because they are necessary to uphold the Racial Contract, as they perpetuate constant violence (Davis, 2003, 2016) and disproportionately segregate nonwhite people from society (Alexander, 2012) by means of sequestering or death (Mills, 1997).

It is worth acknowledging some of the criticisms that have been leveled against Mills’s Racial Contract since its publication in 1997. First, work that has responded to Mills and applied the Racial Contract as a theoretical framework has been criticized for the centering of whiteness in the distinction between white/nonwhite. Rather than a flaw in the work, this conceptualization is indicative of the theory’s purpose – the Racial Contract describes a theory on whiteness and white supremacy, illustrating how anyone who falls outside

of the “white” category is subject to subpersonhood. Thus, while it indeed is centering whiteness, it is most useful in explaining the relationship between whiteness as a constructed beneficiary group and all others as excluded parties from the contract. Additionally, criticisms about the use of the “contract” figure have claimed that this does not sufficiently illustrate the mechanisms of domination built into the systems Mills explores (Mills, 2015). Mills comes from a philosophical background of contractarianism, so it’s hardly a surprise that he would lean into the contract figure, but there is fair criticism here that emphasizes the role of consent under the Racial Contract’s parent theory – the Social Contract Theory. Unlike the Social Contract, the Racial Contract is largely a nonconsensual contract, wherein large groups of people are subjugated to subpersonhood by an elite few beneficiaries to the contract. It is thus critical to emphasize the role of consent (and non-consent) in the Racial Contract, as it differs from previous understandings of contracts.

Perhaps the most pressing criticism for this study is Mills’s failure to address the Racial Contract from a fully intersectional perspective. Famously, Mills’s work was based off of political scientist Carole Pateman’s 1988 book *The Sexual Contract* (Pateman, 1988), which examined the way women have historically been the subject of contracts (e.g., marriage). As Pateman outlines, men have bought, sold, and traded women, preventing their freedom or liberation from the patriarchal modes of domination (i.e., another non-consensual contractual relationship, even if it may seem consensual, as with marriage). While Mills does acknowledge the role of gender in furthering subjugation, his analysis is limited. In her feminist analysis of the Racial Contract, Keisha Lindsay (2015) unpacks how the Racial Contract can act as a feminist theory, and supplements it by bringing attention to further axes that play a role in these contracts, such as sexual preferences and behaviors. Lindsay also discusses the importance of “wild” spaces, or spaces where subpersons are relegated that exist outside the bounds of a traditional understanding of heteronormative “civilized” femininity. I would argue that women’s prisons fit this conceptualization of wild spaces, as they are a space where “wild” women are held and left with a demarcation of their subpersonhood following their incarceration. As this study takes an expressly intersectional approach, it helps fill in the gap identified by Lindsay by examining the multiplicative oppressions of nonwhite women in prisons and after their release.

## Labeling Theory

Tied most closely to the fields of criminology and sociology, Labeling Theory attempts to understand how the labels that are assigned to us develop our sense of Self and behaviors, with a particular eye towards deviance (Becker, 1963). Within this relationship, two forms of deviance emerge; first, there is the behavior itself (e.g., smoking marijuana) and second, is society’s reaction to the behavior (e.g., criminalizing marijuana; Becker, 1963). Labeling Theory emphasizes the latter — how society responds to a behavior through the labeling of it as “deviant” and then controls it through criminalizing the behavior. Through labeling, members in a society have the power to control a person’s behavior and make a label their “master status” or “chief characteristic” (Lemert, 1951). Thus, by labeling a person as a felon, communities can control where the person can live, what kinds of jobs they may hold, whether they can vote, and so on. Furthermore, the label may lead to new problems related to the reaction of friends and family members, negative stigma from the community, and a harmed sense of self (Bernburg, 2019). Problems can then become chronic, with longitudinal research demonstrating the enduring effects of weakened social bonds, limited mobility and opportunities, and the development of a deviant perception of the self, all brought on by the label.

Labeling Theory was born out of an opposition to the deterministic movement in criminology that claimed criminality was a biological factor (Tannenbaum, 1938). Labeling Theory, instead, posits that criminality can come from societal factors, including the limitations imposed by labels. This is especially pertinent when considering the felon label, as it can affect nearly every facet of a person’s life post-incarceration (Alexander, 2012; Chiricos et al., 2007; Levine & Meiners, 2020). Most notably, Labeling Theory

has been applied to demonstrate how individuals who attempt to reintegrate into society post-incarceration with a “felon” label are considerably more likely to recidivate (i.e., be rearrested for a similar offense) than those without the label, due to the material and social costs brought on by a “felon” status (Chiricos et al., 2007). For example, a person who is released from prison on drug charges who now has a “felon” label may be limited in their job opportunities and means to support their family, and so they may return to crime as a job, and thus the limitations imposed by their societal label has influenced their criminality.

Additionally, the overwhelming majority of those released from prison are still under state surveillance in some manner, typically parole or probation. The harsh conditions presented by this status often lead to recidivism as well, with 45% of prison admissions attributed to supervision violations (Fenster, 2020). On average, probationers must meet between 18-20 requirements per day or face re-arrest (A. Jones, 2018) and “*about as many people were returned to prison for parole violations in 2000 as were admitted to prison in 1980 for all reasons*” (Alexander, 2012, p. 95, emphasis in the original). Indeed, this reentry is usually linked to labeling; for example, a parolee/probationer can be returned to prison for failing to hold a job, which is likely due to the insurmountable obstacles placed by the barring of felons from most workplaces or for other related reasons, such as a driver’s license revocation (Alexander, 2012; Chiricos et al., 2007; Levine & Meiners, 2020).

Consequential of the disproportionate incarceration between racial and ethnic groups in the US, is the disproportionate labeling of “felons.” This potentially leaves marginalized communities in a more adversely affected and subjugated position. Interestingly, research on labeling effects and recidivism has indicated that women, white people, and young people show the strongest effects of labeling on their recidivism, though this is in part explained by statistics demonstrating that men, nonwhite people, and older people (i.e., those with a more extensive prior record) are already most likely to recidivate and so a label may not actually be as consequential for these groups (Chiricos et al., 2007). Given the importance of drawing on intersectionality and the prevalence of younger women on OITNB, it’s likely that labels will have a complex relationship with recidivism in this media example.

While there are few examples of Labeling Theory applied to media studies, an analysis of labeling in *Joker* stands out as relevant to this study. In their analysis of the film, Reed and Boppre (2020) outlined the transformation of the Joker, demonstrating a longitudinal effect of labels such as “clown” and “freak” on the Joker’s behavior. Over time, the acceptance of deviance as his master status leads to the Joker as a villain, highlighting how societal labeling can lead to criminality, with some cyclicity to the relationship (Reed & Boppre, 2020). This example is demonstrative of the longitudinal effects of labeling, as it shows how labeling can lead to a deviant self-concept and chronic problems.

### Representations of and Stereotypes in Fictional Prison Media

After sentencing, media depictions of the criminal justice system all but disappear. Keeping in mind that any media portrayal of the corrections side is rare, that which does exist predominately looks at prisons, leaving out other programs such as parole, probation, psychiatric incarceration, or halfway homes (Garcia & Arkerson, 2017). Still, “even though prisons are not widely covered, any coverage in the media is all of the information most people receive” (Garcia & Arkerson, 2017, p. 120). Thus, it is critical to examine what media artifacts are available, since they likely have a powerful effect on public opinion, given their rarity.

“Prison movies” as a niche film genre make up a small fraction of the movie landscape and are heavily reliant on stereotypes and filmic tropes (Garcia & Arkerson, 2017). Relevant to this study is the overreliance of filmmakers on violence in its various forms. One such example is the prevalence of rape in prison films. A content analysis of prison movies counted scenes of an attempted or completed rape at a rate of five times that of actual prison rape statistics, and rapes in these scenes are almost always depicted as committed by prisoners even though prison rapes are frequently committed by correctional officers (Eigenberg & Baro, 2003; Garcia &

Arkerson, 2017). Additionally, prison movies typically cast white actors in leading roles, with Black actors relegated to background stereotypes (e.g., perpetrators of violence or drug use). While it could surely be argued that “lead inmate” is not ideal representation, it is important to acknowledge that many prison movies use narratives of innocence and redemption as their major plotline, and so relying on white actors as leads sends a message that only white people are deserving of these arcs.

Prison television shows tend to exhibit the same stereotypes and tropes as prison films, though they often go beyond white, heterosexual male leads (Garcia & Arkerson, 2017). With their longer running time, prison television shows can incorporate the mundane alongside the traditional narratives of violence and confinement. One notable example of this was *Oz* (1997-2003). In a discourse analysis of *Oz* and interviews with incarcerated people about the show, Yousman (2009) found that:

while this program is unique in the way that it brings viewers inside the daily workings of a fictional maximum security prison and offers more multifaceted portrayals of inmates than are normally on display in U.S. television, it also recreates archetypal stereotypes of the so-called underclass, and especially [B]lack males, as savage, sexually predatory, and in desperate need of white engineered systems of control (p. 168).

Thus, while *Oz* – an exemplary success of a prison-set television show – includes character development, diversity of cast, and the mundane, it also relies heavily on the “spectacle of horrific violence” (Yousman, 2009, p. 168) and ultimately reproduced hegemonic ideologies about prisons.

Crime procedurals are an interesting addition to the literature on prison media representations, as these shows are not necessarily about or set in prisons, but often include them as part of a storyline. Prisons in these programs are most often depicted as violent and brutal places, with the brutal treatment justified because of the savageness of criminals (Yousman, 2009). Additionally, daily prison life and the mundane are invisible from these programs; rather, prisoners act as foils to help develop law enforcement characters (Yousman, 2009).

*Orange Is the New Black*, then, is a particularly apt case study as it (1) centers the rarely portrayed institution that is a women’s prison; (2) includes depictions of parole, which is critical to understanding Labeling Theory; (3) matches the success of previously-studied *Oz* and mirrors the production and distribution economic model of HBO through a paid service with in-house content, but is significantly more contemporary (and stars women); and, (4) depicts the mundane of prison life alongside spectacles of violence.

### The Present Case — *Orange Is the New Black*

Loosely based on a memoir (Kerman, 2010), OITNB was a Netflix original series that lasted for seven seasons from 2013-2019. The show centered around author Piper Kerman’s fictionalized self, Piper Chapman (portrayed by Taylor Schilling), a white woman who had been sentenced to 15 months at the fictitious Litchfield women’s prison for money laundering. Given the conventions of the memoir genre (e.g., Couser 2011), the characters and narrative are conceived and developed through Piper’s white gaze, even when the focus is entirely on characters who are not white. Throughout its run, OITNB won numerous highbrow awards, earned consistently high ratings, and saw widespread social media popularity (Crooks & Frigon, 2020; Enck & Morrissey, 2015).

As both a product and indicator of its popularity, OITNB has become the subject of numerous media studies projects ranging in interests. For example, studies have looked at OITNB through lenses of feminism and post-feminism (Schwan, 2016; Silverman & Ryalls, 2016), intersectionality (Terry, 2016), queer studies (Symes, 2017; Thomas, 2020), and colorblind ideology/post-racism (Belcher, 2016; Enck & Morrissey, 2015). Several of these studies have followed the story of a single character, such as Piper Chapman (Symes, 2017) or

Sophia Buset (portrayed by Laverne Cox; Thomas, 2020), or a small group of characters, such as the elderly inmates known as the Golden Girls (Silverman & Ryalls, 2016). My study follows in this tradition by focusing on the content of a single character's story.

Tasha "Taystee" Jefferson (portrayed by Danielle Brooks) is a Black woman incarcerated for unknown reasons, but which are presumed to be linked to heroin trafficking. Taystee is one of several characters with a memoir equivalent (Kerman, 2010), and was a character in 86 out of 91 episodes across the series. Throughout the show, Taystee is characterized as funny, resourceful, intelligent, friendly, ambitious, kind, and tough; she is a multi-faceted character who plays secondary roles in seasons 1, 3-4, and 6, and a primary role in seasons 2, 5, and 7. Scholars have noted her use of humor as a coping mechanism and political tool while still maintaining the seriousness of her character, as well as her push back on traditional white liberal notions of Blackness (Belcher, 2016; Crooks & Frigon, 2020). Furthermore, in a study concerning class distinctions in OITNB, Belcher (2016) cited Taystee's recidivism as indicative of the cycle of poverty created by institutionalization and incarceration. It is this recidivism plot line which is the main interest of my study.

Before moving into the empirical section of the paper, I will provide a brief synopsis of Taystee's story on OITNB. As mentioned, Taystee is included in nearly every episode of the series, and is a lead character in about half of the show. Taystee begins the show as an inmate who works in the library and has established friends in the prison, most of whom are other Black women. She is released early from prison in the first season but is re-incarcerated before the season ends. In the second season, a mother figure of hers is incarcerated, creating conflict within her friend group around trafficking drugs through the prison. After her mother figure is killed at the end of season two, Taystee spends most of season three filling the mother role among her friends, with special care for Suzanne "Crazy Eyes" Warren (portrayed by Uzo Aduba). In season four, Taystee takes on a job as the warden's personal assistant and befriends white celebrity chef Judy King (portrayed by Blair Brown). Undoubtedly the most impactful moment of the season and Taystee's time in Litchfield is the murder of her friend Poussey Washington (portrayed by Samira Wiley) by a correctional officer and her reaction when the warden fails to say Poussey's name in the subsequent press conference. This incites the Litchfield prison riot, of which she becomes lead negotiator in the fifth season. Throughout the fifth season, Taystee experiences immense grief for her friends (and herself) and responsibility for the other women in the prison. Following a dramatic standoff between the women at Litchfield and riot police at the end of season five, the sixth season opens with Taystee and the other lead characters incarcerated in a maximum-security prison. Taystee learns that she is being charged with the murder of a correctional officer that she did not kill. Despite a lawyer from the ACLU and support from Black Lives Matter activists, Taystee is unable to fight the charges, in part because of testimonies fellow inmates gave that pinned the crime on her in exchange for shorter sentences. At the end of the sixth season, Taystee is charged with murder (in addition to riot charges) and falls into a deep suicidal depression. Despite attempts at suicide, Taystee's demeanor turns around towards the end of the series, ending on a hopeful note as she tutors GED classes and develops the Poussey Washington Fund.<sup>3</sup>

### Research Questions

This paper uses a theory of power relations and white supremacy (i.e., the Racial Contract; Mills, 1997) and a theory of identity building and behavior control (i.e., Labeling Theory; Becker, 1963) to examine a media artifact. The present study analyzes how Taystee's recidivism arc in *Orange Is the New Black's* first season, alongside key additional scenes from later seasons, acts as a media representation of the state-sanctioned and

---

<sup>3</sup> Before the credits for the series finale, a phone number to text and link to access the Poussey Washington Fund is provided. At the time of writing, the Poussey Washington Fund is a GoFundMe page (\$544,706 raised of \$750,000 goal) that redistributes donations to eight charities. See more: <https://www.gofundme.com/f/poussey-washington-fund>



ideological violence of the Racial Contract and of labeling effects. As such, the following research questions are posed:

RQ1: How is the Racial Contract reproduced in the Litchfield penitentiary, and how is this done specifically pertaining to the character Tasha “Taystee” Jefferson?

RQ2: How does the “felon” label affect Taystee’s ability to reintegrate into society upon her release from prison, and how does it contribute to her subsequent recidivism?

### Method

For this study, I engaged in a close watching of the first season of OITNB with additional episodes included as supplementary evidence. Limiting the study to the first season is necessary considering the development of the show and the research questions of the study. Characters are still being established, their relationships crafted, and the general rules of the show are developed within the first season; jumping around a series could mean missing key elements and flawed interpretations. Furthermore, while OITNB certainly provides several storylines throughout the entire series that could be used to explain the Racial Contract, a critical element of this study is how post-release mechanisms (e.g., parole) are necessary arms of the legal system that support the Racial Contract through labeling. Where useful and necessary to supplement the argument, I also bring in plot points from additional seasons. Though the focus of this study is principally on the recidivism plot, excluding Taystee’s grief at the death of Poussey and the wrongful murder conviction would mean missing the full picture of Taystee’s experiences. Thus, limiting the research to the first season is motivated by the research questions as it puts the emphasis on how labeling works alongside the parameters of the Racial Contract both in and outside of prisons, but additional scenes also provide further evidence for the subjugation and labeling claims.

Edwards and Esposito (2020) describe closely watching television to analyze popular culture texts. This process includes taking extensive notes, rewatching segments of importance, and being reflexive as a watcher, in much the same vein as textual analysis. Throughout watching, I would pause the show when necessary to take down notes about character demeanors or settings, to transcribe scenes from the show, and so on. I rewatched scenes so I could take notes on the multi-layered aspects of audiovisual work. As I organized themes to develop findings, I consistently returned to my theoretical framework and research questions to ensure that my theory drove my analysis. I marathon viewed all episodes in their entire duration, following the conventions of Silverman and Ryalls (2016). As they frame it, “Marathon viewing allows scholars to make deep connections between multiple texts, to connect patterns of importance, to consider media’s reproduction of power, and to intervene for the purpose of creating social and cultural change” (Silverman & Ryalls, 2016, p. 529). Marathon viewing engages with the Netflix design of “binge watching,” wherein a researcher watches all relevant episodes of a show without the temporal concerns that typical television watching would entail. This style of watching also allowed me to consume scenes throughout several episodes multiple times or in an expedited manner, as the temporality of Netflix television watching is intrinsically different from other forms of consumption (Silverman & Ryalls, 2016).

### Findings

#### “Tribalism”

Upon her entry into prison, Piper Chapman is greeted by fellow white inmate Lorna Morello (portrayed by Yael Stone) who gives her a toothbrush and packet of tissues (OITNB, 2013, 1:1). When Piper questions

this, Morello claims that “[we] take care of our own,” and further says “Oh, don’t get all PC on me. It’s tribal, not racist” (OITNB, 2013, 1:1, 32:00-32:21). Later, Piper is shown looking for a place to eat; here we see a classic cafeteria scenario where we cut to various groups, all divided by race, when a white woman tells Piper to sit with another white woman. These initial interactions are indicative of a wider theme of racism, often masked on the show as “tribalism.” While these events occurred between inmates, the racial dynamics within the prison are more often created by Correctional Officers (COs) and other prison officials.

Such an example of this systemic racism appears clearly when Piper is moved to “the ghetto” (OITNB, 2013, 1:3). The inmates explain to Piper that dormitories in the prison are divided by race, including nicknames such as “the ghetto,” “Spanish Harlem,” and “the suburbs.” This racial division is manufactured by the COs. Furthermore, when one counselor decides to create a Women’s Advisory Council (WAC), he specifies that inmates must vote within their corresponding group – white, Hispanic, Black, Golden Girls (i.e., elderly), or other (OITNB, 2013, 1:6). Thus, the women speak only within their own groups about their needs, campaign only to these groups, and then must present ballots to boxes labeled as such at the behest of the counselor.

This theme also presents itself on the outside, as Piper’s family navigates her incarceration. Stereotypical understandings of who “belongs” in prison fall along racist lines as her mother, Carol Chapman (portrayed by Deborah Rush), is insistent in her denial of Piper’s incarceration. At one visitation, Carol implies to Piper that because she is white and educated, she does not belong in prison, to which Piper replies that she committed the crime and should be incarcerated (OITNB, 2013, 1:6), a scene which was used in promotions by Netflix for the first season, interspersed with images of other inmates in a colorblind manner (Belcher, 2016). Additionally, Piper’s fiancée, Larry Bloom (portrayed by Jason Biggs) comes across roadblocks in selling stories of his wife’s incarceration because their relationship is deemed not representative of the prison population, due to their resources (OITNB, 2013, 1:9). A fictionalized NPR podcaster specifically acknowledges to Bloom that someone in the “cycle of poverty” would be a more appropriate representation (OITNB, 2013, 1:9, 47:30-47:41). Such stereotypes reify the notion that people of color, unlike white people, “belong” in jail, segregated from white society. This is a clear example of the idea of “wild” spaces, where white people designate spaces that nonwhite women should be relegated to, based on their perceptions of who belongs in a “civilized” space (Lindsay, 2015; Mills, 1997, 2015).

These examples may not speak directly to Taystee — although Taystee does run and win the WAC representative seat for the Black inmate group — but they are important worldbuilders that help explain race relations in and around Litchfield Penitentiary. The inmates, prison officials, families, and public all see a young, white woman (Piper) as ill-fit for prison, that she doesn’t belong. The Racial Contract explains this; white people are meant to be members of society, whereas nonwhite people are segregated in prisons (Alexander, 2012; Mills, 1997). So, it is with these racial dynamics in mind that we understand the context in which Taystee is living.

### Teaching White Women How to Behave

While much of the season is spent teaching Piper how to behave in prison, with wisdom coming from numerous characters of varying backgrounds, there is a noticeably different level and type of labor that is demanded from Black women in this role. First, Crazy Eyes serves as a warning to Piper of the stereotypical representation of the “crazy” inmate (Garcia and Arkerson, 2017; OITNB, 2013, 1:4). Then, Piper is sent to bunk with Miss Claudette Pelage (portrayed by Michelle Hurst), an elderly Black woman who teaches her mannerisms around sharing spaces (OITNB, 2013, 1:4). Sophia Burset also advises Piper on norms, such as bartering (OITNB, 2013, 1:2).

Importantly, Taystee fulfills this role numerous times throughout the first season (and indeed throughout the entire series). This type of interaction is in fact the first real image we get of Piper’s life in prison, with

Taystee lecturing Piper on time spent in the shower (OITNB, 2013, 1:1). Taystee also serves this role when she and Piper serve on the WAC together, as Taystee explains the frivolity and meaninglessness of the committee as well as the failures of COs to enact any useful change in prison conditions (OITNB, 2013, 1:7).<sup>4</sup> Upon Taystee's return to prison, she is assigned as Piper's bunkmate. Within this episode, Piper's conflict with fellow white inmate Tiffany "Pennsatucky" Doggett (portrayed by Taryn Manning; OITNB, 2013, 1:13) comes to a head and is certain to lead to violence, possibly murder. Taystee coaches Piper through this, giving her advice on how to handle the situation, particularly concerning whether to involve COs or counselors. It is also worth noting that Taystee continues to be relied upon like this across the series, including as an unpaid GED tutor first for Pennsatucky, and later for a racially diverse group of women.

At the same time these women are expending this unpaid labor, Taystee consistently and perceptively jokes about the irony of Piper's air of pretentiousness and presumed authority over the other women because of her education, despite her failure to learn appropriate prison mannerisms. While it can certainly be said that women of all backgrounds step up to educate Piper in one way or another, it is the Black women who hold the responsibility of training her while at the same time being steamrolled by her arrogance, receiving very little in return for their favor. In several cases, their relationships with Piper are so steeped in subjugation that Piper leaves them worse off, her being the only party in the relationship to gain anything.

### Building a Disciplinary Board Case

In episode seven, Taystee reveals that she has an upcoming disciplinary board hearing that could possibly result in her release. Throughout this episode, Taystee prepares for the hearing with fellow inmates. In a mock interview with Poussey Washington and Cynthia "Black Cindy" Hayes (portrayed by Adrienne C. Moore), Taystee states that she didn't learn anything in prison and has always been innocent. Poussey and Black Cindy strongly recommend against Taystee saying this in her board hearing, claiming it would be better for her to lie, pretend to be remorseful, and make a claim about going to college or helping underprivileged youth. In a later conversation about the board with Poussey, Black Cindy, and Sophia, the women mull over what racial makeup would be ideal for Taystee's possible release. Taystee claims that if there are "brothers on the board, I'm gonna be free at last yo, 'cause ain't no Black man gonna let a fine Black woman such as me hide her light in jail" (OITNB, 2013, 1:7, 39:16-39:22). Black Cindy is quick to disagree, claiming that Black men would be harder on her, as not to show a bias, to which Poussey promptly jokes about wanting liberal white women on the board who just want to feel good about helping a Black woman out of prison. Ultimately, Taystee's board is comprised of two men and one woman, none of whom appear to be white.

Though brief, Taystee's preparation for her board hearing speaks to the racial dynamics of prison release. Interestingly, a white character in this same episode tells Taystee she's wasting her time and won't be released from prison no matter what she does (OITNB, 2013, 1:7). While Tricia Miller (portrayed by Madeline Brewer) is speaking to the rarity of *any* woman to be released early from prison, it should not be seen as mere coincidence but rather a directorial decision to have a white woman declare that Taystee should give up hope for release. Between this comment and the musings over the makeup of the board, there is an awareness of the unlikelihood for a Black woman to be released from prison. This is further nuanced by the idea that Black men would align with the white perspective to be harsh on a Black woman appealing her sentence, but that white women might put their performative allyship before their commitment to the Racial Contract. This latter point speaks to the importance of addressing intersectionality in considering the Racial Contract; it is worth considering the role of the patriarchy and the Sexual Contract in this relationship, wherein men may align with

---

<sup>4</sup> Similarly, in season two, Taystee wins a job fair that she believes will set her up with a job upon her release, only to find out it was a fake event intended to keep the inmates busy. This is demonstrative of the frivolity and the disappointment that COs create.

men and women with women. There are seemingly numerous intersecting relationships at play, and there is some acknowledgment of this in the way the Litchfield women muse over possible early release.

### Taystee Recidivates

Looking stressed and nauseous, Taystee reveals to Poussey that the disciplinary board approved her case and she'll be leaving prison (OITNB, 2013, 1:8). Shortly after, numerous inmates plan celebrations for Taystee's release (OITNB, 2013, 1:9). Despite her excitement, Taystee reveals to Poussey and Miss Claudette that she fears the outside and is concerned that her perceived lack of skills and history of being institutionalized will prevent her from successfully reintegrating. Taystee begins crying and divulges her fear of no one taking her seriously, speaking sagaciously to her comorbid identities as a felon, a Black woman, and as the comedic relief of the show. To this, Poussey likens Taystee's life to that of an animal in a zoo; those bred in captivity aren't meant for the wild. Taystee, Poussey, and Miss Claudette all agree that prison (i.e., captivity) is also not a life.

At the end of episode nine, Taystee has left prison and arrived at the home she thought she would be sharing with a (foster) cousin. Instead, Taystee is met by an unknown woman in a rundown apartment full of people. When Taystee explains she was told she could live here, the woman argues that she does not want an "ex-con" living in her home. Taystee begins to get emotional, explaining she has nowhere to go and this is the address she gave her parole officer; only then is the woman willing to let Taystee stay for one night on the floor. This is the last we hear from Taystee until episode 12.

About 44 minutes into the 12<sup>th</sup> episode, Taystee briefly appears in Litchfield wearing the orange jumpsuit designating a new inmate. Another scene passes before we see Taystee again, this time in the library with Poussey. Poussey asks Taystee if she wants to talk about "it." Taystee replies that she doesn't, but then says the following:

What they don't tell you when you get out? They gonna be up your ass like the KGB. Curfew every night, piss in a cup whenever they say. You gotta do three job interviews in a week for jobs you never gonna get. Probation officer callin' every minute, checkin' up. Man, at least in jail you get dinner (OITNB, 2013, 1:12, 46:20-46:45).

Poussey pulls Taystee's hair and tells her that some women in prison have never met their grandchildren or seen their children in several years, and that since she has been in prison, her own mother died. This leads to the climactic interaction:

Poussey: So I know you ain't tellin' me in my face right now that you walked back in this place 'cause freedom was inconvenient for you?

Taystee: It ain't like that, P. Minimum wage is some kinda joke. I got part-time workin' at Pizza Hut, and I still owe the prison \$900 in fees I gotta pay back. I ain't got no place to stay. I was sleepin' on the floor in my second cousin apartment like a dog and she still got six people in two rooms. One of the bitches stole my check. I got lice. Everyone I know is poor, in jail, or gone. Don't nobody ask how my day went. Man, I got fucked up in the head, you know? I know how to play it here. Where to be and what rules to follow. I got a bed. And I got you (OITNB, 2013, 1:12, 47:30-48:20).

This scene explicitly outlines the insurmountable hurdles of reintegrating into society following a prison sentence. Due to Taystee's felon label and the prison's continued surveillance of her life, combined with a

lifetime of institutionalization, Taystee is funneled back into the prison system with little hope of any alternative. Notably, her return to prison is due to a parole violation, an increasingly common reason for reentry, with almost half of released prisoners facing re-incarceration due to a parole or probation violation (Antenangeli & Durose, 2021). Thus, subjugation and labeling have worked together to segregate Taystee from white society, leaving her defeated in the prison system.

In the seventh season, Taystee flashes back to when she was released. The viewer gets a further look into her experience before her recidivism, with a scene that depicts her eviction from her home and a phone call with Poussey. In this scene, while being forced to pack up in a short amount of time, Taystee describes the struggle to keep a job, pay fines, and keep emotionally afloat. At the end of the conversation, Taystee makes a choice to go with two friends who will deal drugs in exchange for a place to sleep, an indicator of the chronic effects of labeling.

It is additionally worth comparing the outcomes of a few other characters who were released from Litchfield. Taystee, as already described, struggled to get on her feet and was quickly returned to prison because of it. In the seventh season, we also see Black Cindy struggle with her return, ending the show unhoused with very few belongings to her name (although she appears to have a reasonably steady job at an elderly care facility). Aleida Diaz (portrayed by Elizabeth Rodriguez), a Latina woman, is granted an early release in the fourth season and struggles in her transition. Aleida has difficulty securing a job, ending up involved in a pyramid scheme, and faces challenges finding a home and getting custody of her children. While Aleida stays closely connected with her friends and daughter still incarcerated in Litchfield, this leads to her bringing drugs into the prison. Aleida is eventually returned to the prison in the seventh season for attacking her daughter's much older boyfriend and remains in prison for the rest of the series. On the other hand, Alex Vause (portrayed by Laura Prepon), a white inmate, is released from prison and finds a place to live in the second season. Although she is returned to prison, it is because Piper asks a friend to accuse Alex of a parole violation, not because she particularly struggles outside of prison.<sup>5</sup> Furthermore, Piper enjoys a relatively comfortable release, being given a place to live by her brother, a job by her father, and a pass on violations by her parole officer (e.g., smoking marijuana). She explores relationships and has numerous life experiences, ultimately choosing to move to Ohio to be with Alex. While any person will likely have a rocky transition, and Piper indeed faced negative stigma for her label, the nonwhite characters who were released faced much steeper consequences than their white counterparts.

The permanent segregation of nonwhite people from white society is a key tenet of the Racial Contract and is made explicit in the murder of Poussey Washington and Taystee's suicide attempts. Although the focus of this study is on Taystee's recidivism in the first season, these two moments are integral to the show's plot itself and connected to Taystee's return to prison. In season four episode 12 (OITNB, 2016, 4:12), Poussey is held down by a white CO until she can no longer breathe. Murdered at the hands of the state, Poussey's name is then left out of conversations in the press between white administrators, and significant time is spent in the season finale and start of season five following the guilt of the CO. This example is evidentiary of the role the state plays in permanently removing nonwhite people physically and then in memoriam as well. Taystee's cries to have Poussey's name and personhood recognized are often ignored, even by fellow inmates who fail to prioritize justice for Poussey as a demand in negotiations. In season seven, Taystee becomes overwhelmed by her grief, her wrongful conviction for murder, and her overall situation, and contemplates suicide. After a failed attempt at hanging, Taystee seeks out drugs, which she obtains after successfully trading with another inmate. Taystee spends several episodes looking at, holding, and contemplating using the drugs. The pain that Taystee has experienced since returning to prison is so immense that the once comic relief becomes a seemingly new

---

<sup>5</sup> While Alex is certainly not in a great position out of prison, this is because of her testimony against her former boss and drug lord, not because of the kinds of systemic issues that nonwhite women tend to face.

character, with Crazy Eyes regularly commenting on Taystee's stark change in personality. In this way, though Taystee is still alive, she remains very much removed from society (in maximum security prison) and is deeply impacted by the subjugation that she has undergone after years in prison.

### Conclusion and Discussion

The purpose of this study was to analyze how a media representation of incarceration replicated and upheld the Racial Contract within and outside the prison walls, with the added layer of “felon” labeling to complicate reintegration. Taystee's recidivism at the end of season one is indicative of the cycle of violence perpetuated by prisons and by society's labeling of so-called deviant behavior. Despite her professed innocence, Taystee faced incarceration and the material and social costs of having been deemed a felon, ultimately leading her to reenter prison as a quasi-form of escape from the “real-world.” Similarly, despite her confirmed innocence in the murder case, the system conspired through manipulated testimonies and the exploitation of Taystee's grief to take her to the brink of suicide at the end of the series. In this way, the Racial Contract and labeling succeeded in ideologically seasoning Taystee to believe she belongs in prison and that prison is a home for her. Furthermore, out of prison surveillance in the form of probation compounded with this ideological seasoning led to her disappearance from white society, an outcome white released women did not have to face.

### Upholding the Racial Contract

Tribalism is our first indication of the dominance of the Racial Contract in Litchfield Penitentiary. Firstly, white inmates have the means to support each other in ways that they choose not to extend to other inmates. This is exacerbated by the COs and prison officials repeatedly showing preferential treatment to white inmates over other inmates and by their choice to segregate inmates. Furthermore, white characters actively denigrate people of color through inmate interactions (e.g., Pennsatucky claiming to make a “whites only” bathroom if elected to WAC; OITNB, 2013, 1:6) and systemic violence (e.g., continued perpetuation of the idea of a “representative” inmate who is not white; OITNB, 2013, 1:9).

Along systemic lines, it is worth noting the way nonwhite people are further segregated within the prison and representations thereof. Throughout the first season, Black women are sent to solitary confinement and maximum-security housing, and Crazy Eyes divulges her previous experience in the psych ward (OITNB, 2013, 1:11). However, it is only when white women are sent to these spaces that we see inside to the horrors of these types of confinement. The show is thus asserting that white women are the only demographic which can meaningfully be victims of such conditions, whereas Black women are disappeared, rendering their experiences with the additional layer of state-sanctioned and ideological violence invisible. This is directly in line with Mills's (1997) claim that white people render the contract invisible — harm to Black women is done in secret while harm to white women is graphic.

Taystee is repeatedly made a victim of the Racial Contract throughout the first season. As she makes clear when discussing her fears of leaving the prison, Taystee has been groomed for institutional dependency her entire life, having lived as a ward of the state, in a juvenile prison, and then in Litchfield. This is demonstrative of Taystee's history of removal from white society and her relationship with state-sanctioned violence. Furthermore, Taystee is often depended upon to solve the issues of white women, is told by white women that she belongs in prison, and is sometimes made out to be a stereotypical caricature of a Black woman (e.g., OITNB, 2013, 1:6). Upon her release, Taystee reveals she has been broken down by ideological violence, fearing that she is incapable of reintegration, which is later echoed in her return when she talks of prison's comfortable familiarity. This type of rhetoric illustrates the role seasoning has played on Taystee as she both sees and (reticently) accepts her role as subhuman.

## Labeling and Recidivism

The “felon” label has been empirically linked to an increased likeliness to recidivate (Chiricos et al., 2007) and a great deal of this can be attributed to many of the same claims Taystee made in her episode 12 monologue. As Taystee describes, her “freedom” was met with exorbitant fees owed to the prison, barriers in employment, constant surveillance by a probation officer, failure to find a home, and a disconnect in understanding the unwritten rules of society. Scholars of carceral studies and Labeling Theory have similarly identified how the “felon” label impedes the possibility of reintegration, likening it to a continued sentence beyond that which the judge administered (Levine & Meiners, 2020).

The goal of labeling deviance is to control the behavior of a population (Tannenbaum, 1938). The “felon” label is remarkably successful in accomplishing this. Mirroring Taystee’s experience, carceral studies scholars have demonstrated how legal fees (Clair, 2020), at-home surveillance (Schenwar & Law, 2021), social ostracization (Levine & Meiners, 2020), and the spiritual breaking of incarcerated people (Davis, 2003; Guenther, 2013) conspire to create an environment where formerly incarcerated people find that they have few options but to recidivate (Chiricos et al., 2007). If a person cannot secure a job because of their felonious status, but must pay inflated legal fees, where can they turn to find the money? By controlling what a felon can do, where they can be, and who monitors them, societal labeling of deviance successfully breeds a feedback loop of felons engaging in criminal behavior and being forcibly removed from society (Becker, 1963). Taystee’s monologue explaining her recidivism is thus an accurate representation of the hardships faced by persons labeled “felon.” This is even truer in Taystee’s case, as a woman who has spent her life in state institutions with very little support to begin with, and even less upon her release.

## Limitations

Two key limitations are evident within this study. First is the inherent limit in analyzing a show that has seven seasons across six years of production. While I have focused on the recidivism arc, and incorporated additional key scenes that supplement this story, OITNB has nearly 100 hours of content that could be explored. Along these lines, because of the confines of a single analysis, there is the potential for some selection bias in the examples that I have highlighted. I have tried to give a thorough explanation and justification for all my choices in this study, though it is possible that there are still limitations in my decision making. Second, this study continues a long line of research on OITNB that focuses exclusively on analyzing the content of the show. There would be added value for prison media scholarship in studying source intentions as well as audience reception. Future studies, especially those that use OITNB as their media artifact, should attempt to add other forms of analysis alongside content.

## Final Thoughts

Prison conditions and their post-incarceration effects create a revolving cell door for marginalized people, removing them from white society (Alexander, 2012; Davis, 2003, 2016; Mills, 1997). True to this, the first season of OITNB used Taystee as a vehicle for demonstrating the hardships faced by incarcerated people upon their release and revealed how a history of state-sanctioned and ideological violence exacerbates this harm. People generally understand prisons through their media representations (Yousman, 2009) and fictionalized television notably has the power to shape “real-world” opinions and beliefs about a subject (Appel & Richter, 2007; Mutz & Nir, 2010). OITNB illustrates prisons and recidivism in ways that reinforce notions of labeling and the Racial Contract and packages them into episodes to be consumed in the comfort of homes by millions of viewers. As anti-prison activism moves closer towards the zeitgeist (Davis et al., 2022; Kaba, 2021),

fictionalized prisons present opportunities for nuanced portrayals of incarcerated people as humans and prison systems as sites of institutional harm. While OITNB is certainly not a perfect example of this, it does offer some useful media representations that disrupt stereotypical notions of prisons as good places that house bad people.



## References

- Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of colorblindness*. The New Press.
- Althusser, L. (1971). Ideology and ideological state apparatuses. In B. Brewster (Trans.), *Lenin and Philosophy and Other Essays* (pp. 166–176). Monthly Review Press.
- Antenangeli, L., & Durose, M., R. (2021). *Recidivism of prisoners released in 24 states in 2008: A 10-year follow-up period (2008–2018)* (Special Report NCJ 256094; pp. 1–29). Bureau of Justice Statistics.
- Appel, M., & Richter, T. (2007). Persuasive effects of fictional narratives increase over time. *Media Psychology, 10*(1), 113–134. <https://doi.org/10.1080/15213260701301194>
- Baldwin, J. (1972). *No name in the street*. Knopf Doubleday Publishing Group.
- Bates, S. (1932). Have our prisons failed? *Journal of Criminal Law and Criminology, 23*(4), 562–574.
- Becker, H. S. (1963). *Outsiders; Studies in the sociology of deviance*. Free Press of Glencoe.
- Belcher, C. (2016). There is no such thing as a post-racial prison: Neoliberal multiculturalism and the White Savior Complex on *Orange Is the New Black*. *Television & New Media, 17*(6), 491–503. <https://doi.org/10.1177/1527476416647498>
- Bernburg, J. G. (2019). Labeling theory. In M. D. Krohn, N. Hendrix, G. P. Hall, & A. J. Lizotte (Eds.), *Handbook on crime and deviance* (pp. 179–196). Springer. [https://doi.org/10.1007/978-3-030-20779-3\\_10](https://doi.org/10.1007/978-3-030-20779-3_10)
- Bock, M. A. (2021). *Seeing justice: Witnessing, crime, and punishment in visual media*. Oxford University Press.
- Chiricos, T., Barrick, K., Bales, W., & Bontrager, S. (2007). The labeling of convicted felons and its consequences for recidivism. *Criminology, 45*(3), 547–581. <https://doi.org/10.1111/j.1745-9125.2007.00089.x>
- Clair, M. (2020). *Privilege and punishment: How race and class matter in criminal court*. Princeton University Press.
- Couser, G. T. (2011). *Memoir: An introduction*. Oxford University Press.
- Crooks, H. R., & Frigon, S. (2020). Lessons from Litchfield: *Orange is the New Black* as Netflix feminist intersectional pedagogy. *The Popular Culture Studies Journal, 8*(1), 74–100.
- Davis, A. Y. (2003). *Are prisons obsolete?* Seven Stories Press.
- Davis, A. Y. (2016). *Freedom is a constant struggle: Ferguson, Palestine, and the foundations of a movement*. Haymarket Books.
- Davis, A. Y., Dent, G., Meiners, E., & Richie, B. (2022). *Abolition. Feminism. Now*. Haymarket Books.
- Edwards, E. B., & Esposito, J. (2020). *Intersectional analysis as a method to analyze popular culture: Clarity in the matrix*. Routledge.
- Eigenberg, H., & Baro, A. (2003). If you drop the soap in the shower you are on your own: Images of male rape in selected prison movies. *Sexuality and Culture, 7*(4), 56–89. <https://doi.org/10.1007/s12119-003-1018-2>
- Enck, S. M., & Morrissey, M. E. (2015). If *Orange Is the New Black*, I must be color blind: Comic framings of post-racism in the prison-industrial complex. *Critical Studies in Media Communication, 32*(5), 303–317. <https://doi.org/10.1080/15295036.2015.1086489>
- Fenster, A. (2020). *Technical difficulties: D.C. data shows how minor supervision violations contribute to excessive jailing*. Prison Policy Initiative. [https://www.prisonpolicy.org/blog/2020/10/28/dc\\_technical\\_violations/](https://www.prisonpolicy.org/blog/2020/10/28/dc_technical_violations/)
- Foucault, M. (1977). *Discipline and punish: The birth of the prison* (A. Sheridan, Trans.). Knopf Doubleday Publishing Group.

- Garcia, V., & Arkerson, S. G. (2017). *Crime, media, and reality: Examining mixed messages about crime and justice in popular media*. Rowman & Littlefield.
- Guenther, L. (2013). *Solitary confinement: Social death and its afterlives*. U of Minnesota Press.
- Hinton, E. (2016). *From the War on Poverty to the War on Crime: The making of mass incarceration in America*. Harvard University Press.
- Jones, A. (2018, December). *Correctional control 2018: Incarceration and supervision by state*. <https://www.prisonpolicy.org/reports/correctionalcontrol2018.html>
- Jones, D. M. (2016). A Bronx tale: Disposable people, the legacy of Slavery, and the social death of Kalief Browder. *University of Miami Law Race & Social Justice Law Review*, 6, 31–52.
- Joseph, R. L. (2018). *Postracial resistance: Black women, media, and the uses of strategic ambiguity*. New York University Press.
- Kaba, M. (2021). *We do this 'til we free us: Abolitionist organizing and transforming justice*. Haymarket Books.
- Kerman, P. (2010). *Orange Is the New Black: My Year in a Women's Prison*. Random House Publishing Group.
- Lemert, E. M. (1951). *Social pathology: A systematic approach to the theory of sociopathic behavior*. McGraw-Hill.
- Levine, J., & Meiners, E. R. (2020). *The feminist and the sex offender: Confronting sexual harm, ending state violence*. Verso Books.
- Lindsay, K. (2015). The Racial Contract: A feminist analysis. *Politics, Groups, and Identities*, 3(3), 524–540. <https://doi.org/10.1080/21565503.2015.1059349>
- Low, E. (2019, July 18). Netflix: 105 Mil Have Watched One “Orange Is the New Black” Episode. *Variety*. <https://variety.com/2019/tv/news/netflix-105-million-watched-orange-is-the-new-black-1203271524/>
- Mills, C. W. (1997). *The Racial Contract*. Cornell University Press.
- Mills, C. W. (2015). The Racial Contract revisited: Still unbroken after all these years. *Politics, Groups, and Identities*, 3(3), 541–557. <https://doi.org/10.1080/21565503.2015.1053400>
- Mutz, D. C., & Nir, L. (2010). Not necessarily the news: Does fictional television influence real-world policy preferences? *Mass Communication and Society*, 13(2), 196–217. <https://doi.org/10.1080/15205430902813856>
- Pateman, C. (1988). *The sexual contract*. Stanford University Press.
- Penn, M. (Director). (2013, July 11). Blood Donut (7). In *Orange Is the New Black*. Netflix.
- Reed, S. M., & Boppre, B. (2020). Labeling theory and Joker: “Could you introduce me as Joker?”: An application of labeling theory to explain the creation of the crown prince of crime. In S. E. Daly (Ed.), *Theories of Crime through Popular Culture* (pp. 173–183). Springer.
- Sawyer, W., & Wagner, P. (2020). *Mass incarceration: The whole pie 2020*. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/pie2020.html>
- Schenwar, M., & Law, V. (2021). *Prison by any other name: The harmful consequences of popular reforms*. The New Press.
- Schoenfeld, H. (2018). *Building the prison state: Race and the politics of mass incarceration*. University of Chicago Press.
- Schwan, A. (2016). Postfeminism meets the women in prison genre: Privilege and spectatorship in *Orange Is the New Black*. *Television & New Media*, 17(6), 473–490. <https://doi.org/10.1177/1527476416647497>
- Silverman, R. E., & Ryalls, E. D. (2016). “Everything is different the second time around”: The stigma of temporality on *Orange Is the New Black*. *Television & New Media*, 17(6), 520–533. <https://doi.org/10.1177/1527476416647496>
- Symes, K. (2017). *Orange Is the New Black: The popularization of lesbian sexuality and heterosexual modes of viewing*. *Feminist Media Studies*, 17(1), 29–41. <https://doi.org/10.1080/14680777.2017.1261836>

- Tannenbaum, F. (1938). *Crime and the community*. Ginn.
- Terry, A. (2016). Surveying issues that arise in women's prisons: A content critique of *Orange Is the New Black*. *Sociology Compass*, 10(7), 553–566. <https://doi.org/10.1111/soc4.12388>
- Thomas, V. E. (2020). Gazing at “It”: An intersectional analysis of transnormativity and black womanhood in *Orange is the New Black*. *Communication, Culture and Critique*, 13(4), 519–535. <https://doi.org/10.1093/ccc/tcz030>
- Weiner, M. (Director). (2016, June 17). *The Animals* (12). In *Orange Is the New Black*. Netflix.
- Yancy, G. (2018). *Backlash: What happens when we talk honestly about racism in America*. Rowman & Littlefield.
- Yousman, B. (2009). *Prime time prisons on U.S. TV: Representations of incarceration*. Peter Lang Publishing.