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PRISON SITING IN APPALACHIA: CARCERAL EXPANSION, NEOLIBERALISM, AND ENVIRONMENTAL HARM

BY

MACEY L. HALL

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BY

MACEY L. HALL

Submitted to the Faculty of the Graduate School of

Eastern Kentucky University
in partial fulfillment of the requirements for the degree of

MASTER OF SCIENCE

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DEDICATION

To my grandparents, Dempsey and Ollie Miracle, who showed me that learning new things is always an exciting adventure. Without your constant love and support this thesis would not have been possible.



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ABSTRACT

Since 1991, 14 state and federal prisons have been built in Appalachia with a recent proposal for a federal prison to be constructed in Letcher County, KY. Contradicting the narrative that Appalachia remains separated from the national economy, the ills of carceral growth are apparent throughout the region. This study examines the proposal to build a federal prison in Letcher County, KY. The purpose of this study is to gain further insight into the impact that the carceral state, including its promise of economic development, has on environmental harm and land exploitation in the region. The proposed federal prison would be built upon a former mountaintop removal site. This raises serious questions about the health impacts for incarcerated persons and prison employees, as well as environmental harm including the pollution of drinking water and the conservation of old growth forest nearby. The current relationship between carceral growth, economic development, and land exploitation cannot be fully discussed without accounting for the history of resource exploitation in the region. The continuation of this pattern relies on narratives that the carceral state is a viable form of economic growth. With other opportunities for economic growth, it is imperative to explore reasons for constructing a federal prison in Letcher County, KY and its potential impacts on the local economy and environment.



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I. Introduction

The birth of the prison-industrial complex occurred at the intersection of economic, political, and social movements (Alexander, 2012; Frost, 2006; Gilmore, 2006). Part of its rise can be attributed to the war on drugs and the tough on crime politics that followed. Punitive policies including three strikes, truth in sentencing, mandatory minimums, intensive supervision, and strict parole guidelines caused mass incarceration and rapid carceral growth (Alexander, 2012; Frost, 2006; Gottschalk, 2016). Over 40 years, the prison population has increased 500 percent, with no indication of subsiding, despite steadily declining crime rates (The Sentencing Project, 2018). Currently, 2.3 million people are incarcerated, with an additional 4 million on probation and parole (Wagner and Sawyer, 2018). The continuance of mass incarceration in the U.S. is not the sole product of the criminal justice system, but a consequence of the carceral state. According to Brown and Schept (2016), the carceral state consists of "systems of governance, institutions, organizations, commercial enterprises, and nonprofits built around and upon not simply the project of mass imprisonment but organized classed and racialized premature death" (p. 3). Thus, the carceral state is intricately linked to a multitude of structures; particularly the current neoliberal political and economic mode of capitalism (Garland, 2010; Wacquant, 2010).

Neoliberalism is a broad concept that encompasses political and economic structures, as well as state-building, ideology and cultural practices (Johnston and Saad-Filho, 2005). The crux of a neoliberal political and economic mode of capitalism is an unrestricted market economy that promotes individualism and creates an upward redistribution of wealth (Harvey, 2005). The political and economic framework of the



state shifted to both secure upper-class wealth and criminalize poverty. This project's examination of contemporary prison growth in Appalachia requires an analysis of neoliberalism, since mass incarceration and carceral expansion are unique to the current period of capitalism. The connections between neoliberal political economy and carceral expansion affirm that neoliberalism also must be understood as a state-building project.

The carceral state simultaneously functions as a mechanism of oppression toward minority groups¹. Numerous social ills, including poverty, were deemed a threat to the construction of an economic progress narrative upon which neoliberalism rests (Wacquant, 2010). Poverty was criminalized and heavily policed due to the threat the surplus population posed to this progress narrative. Marx (2009) conceptualizes those excluded from economic participation and labelled undeserving of any social safety net the "surplus population" (p. 283). Prisons then become "warehouses" for the growing surplus population (Wright and Herivel, 2013, p.34). Incarcerated persons are not counted in the national unemployment rate, and a felony charge significantly limits jobs options (Gottschalk, 2016). With the criminalization of poverty, the surplus population is incarcerated, not represented in the unemployment rate, and then systematically denied future participation in the new neoliberal political economy. Simultaneously, the surplus labor is used to retain low wages and minimal benefits to increase profit (Marx, 2009). This produces a façade of economic growth and a declining unemployment rate via the political project of mass incarceration.

¹ For data on incarceration rates see The Sentencing Project (2018). For work on how women are impacted by mass incarceration see Sawyer (2018). See Alexander (2012) for details on the disproportionate impact of mass incarceration on African Americans.

At first glance the neoliberal carceral state appears to be only about the criminalization of social problems and warehousing of the surplus population. However, the carceral state has also come to represent economic growth in depressed communities (Bonds, 2013; Che, 2005; Gilmore, 2006; Huling, 2002; Perdue and Sanchagrin, 2016; Schept, 2015; Walker, Thorpe, Christensen and Anderson, 2016). During an unstable economy, due in part to changes under neoliberalism, prisons are pitched as catalysts for shifting entire local economies. According to this argument, they will provide jobs and create secondary means of employment, increase the housing market and be a source of tax revenue. In some areas they are tied together with better local infrastructure including roads and water systems. Not only are prisons pitched as solutions to a host of community needs, they also consume large amounts of surplus land. Like the surplus population, vacant land is a threat to the narrative of economic progress (Gilmore, 2006). Land that was once used for industry, but is now vacant, paints a visual representation of a stalled economy. Prisons consume land and thus, allow it to serve a capitalist purpose.

Prisons labelled as economic revitalizers, that house the surplus population, and consume surplus land, are increasingly being sited in rural spaces with depressed economies (Bonds, 2013; Che, 2005; Perdue and Sanchagrin, 2016). Since 1991, 245 prisons have been built in rural spaces (Huling, 2002). Three federal prisons have been constructed in Eastern Kentucky since 1992, with a proposal for a fourth (Ryerson and Schept, 2018). There are a few distinct reasons why prisons are being increasingly sited in Appalachia. First, prisons are viewed as a recession-proof replacement for the declining presence of the coal industry. Counties in Appalachia are some of the poorest



in the country with rising unemployment rates and declining wages. Of the top 30 poorest counties in the nation, 9 are in Eastern Kentucky (Estep, 2017a). Although coal production has increased in Western Kentucky, production has declined in Eastern Kentucky, and less labor is required for mountaintop removal than underground mining (Department for Energy Development and Independence, 2017). Prisons are anticipated to replace employment lost from the coal industry. Though economic growth may be the main reason local communities support a prison, Appalachia is chosen equally for its vast amounts of surplus land created by years of strip mining and mountaintop removal than for its need of jobs.

Mountaintop removal, combined with declining coal production in Eastern Kentucky, has created a vast amount of surplus land. One federal prison is built upon a former mountaintop removal site with the potential for a second in eastern Kentucky (Ryerson and Schept, 2018). Siting prisons in rural spaces with surplus land accomplishes two purposes. First, it manages the surplus land that threatens the legitimacy of capitalism in a space with declining industrial jobs (Gilmore, 2006). Prisons then become pitched as a one-industry substitute for coal that can resolve economic crisis and consume surplus land (Bonds, 2013; Ooten and Sawyer, 2016; Perdue and Sanchagrin, 2016). Rural topography also easily conceals burgeoning prison complexes and keeps them out of the public eye. Rural spaces can be synonymous with isolation; what McClanahan and Linnemann (2018) deem as "black sites". These "black sites" allow the carceral state to control the visibility of itself. The public viewpoint elicits interpretations of crime, punishment, and safety, leaving a small space for other



counter-interpretations (Brown, 2014). The carceral state easily conceals the causes and consequences of surplus bodies and land.

Much research has brought attention to the consequences of the carceral state on the surplus population. Less apparent in the literature is an examination of the means through which surplus land is consumed. Prisons that warehouse the surplus population become institutions that use up surplus land without regard to environmental consequences (Gilmore, 2006; Mazurek, 2015). In 2000 a coal slurry impoundment built over an underground coal mine collapsed in Martin County, KY (Jarvie, 2018; Sealey, 2000). Over 100 miles of streams were polluted with arsenic, lead and mercury. After 18 years, residents are still unable to drink the water. Martin County is also home to the federal prison USP Big Sandy, where 1280 individuals are subjected to environmental pollutants from the spill (Federal Bureau of Prisons, 2018; Ryerson and Schept, 2018).

I chose Appalachia as a place to examine carceral growth because I am a proud, fifth-generation Appalachian. The town where I grew up is in the heart of the mountains and has a strong history of resource exploitation and environmental harm (for more see Appalachian Land Ownership Task Force, 2014; Lewis and Knipe, 1978). My inspiration for this thesis initially came from the fact that I had no idea Appalachia had become a place where federal prisons were being passed off as economic opportunities. I quickly became concerned over the proliferation of the carceral state in Appalachia and its representation as economic vitalization at the expense of incarcerated populations and the region's distinct landscape. First, I seek to understand why more prisons continue to be built in rural spaces, especially Appalachia. Second, why are



prisons being constructed upon former coal mines and mountaintop removal sites?

Lastly, how do neoliberalism and the carceral state intersect to impact prison siting on mountaintop removal sites? To answer these questions, I decided to study the proposal to build a federal prison in Letcher County, KY on a former mountaintop removal site in the community of Roxana. Using social reproduction theory as the theoretical framework provided further insight into the environmental and social harms caused by the relationship between the carceral state and a neoliberal political economy in Central Appalachia.

Methods

I chose the proposal for a federal prison in Roxana for its specific place in the timeline of carceral embeddedness. A proposal for a federal prison, as opposed to one that is already present in the community, allowed me to examine how the carceral state became a solution to social, political, and economic issues in Eastern Kentucky. As of 2018, Letcher County is one of the most economically depressed communities in the state with an average household income of \$30,293 and an unemployment rate of 13.6 percent, over twice the national average (Appalachian Regional Commission (ARC), 2018; United States Census Bureau, 2017a). Since it will be constructed upon a former mountaintop removal site, this also allowed for analysis of the land-work relationship crafted by the economic and political ideologies of neoliberalism.

Field Research

Since the region has been plagued with stereotypes and early misguided research, I decided that grounded theory would be the best research method to guide my



project². Grounded theory by Glaser and Strauss (1967) combines two different approaches to data analysis. The premise of the theory is that data collection is the first step in the research process, preceding identification of a problem or construction of hypotheses. Participants guide the research by providing data and then informing researchers how they should interpret it. I did have an idea of a problem prior to my data collection but my data and participants completely guided the theories I use in this thesis.

I collected data using two qualitative research methods. First, I used phenomenological interviewing to understand participants' opinions and interpretations of a possible federal prison in their community (Merriam, 2014). Participants for my study were found using snowball sampling and interviews were loosely structured with six open-ended questions. All participants were adults, 18 and over, who either lived or worked in Letcher County or had strong socio-economic ties to the community. In addition to my interviews, I conducted ethnographic content analysis (ECA) using public comments from news articles and a federal government report to understand the embedded meanings of comments within the political and economic context of Letcher County, KY. (Altheide, 1987, Plummer, 1983). This included 342 public comments submitted to the 2017 Environmental Impact Statement as well as comments made in articles from *The Mountain Eagle*, the local newspaper in Letcher County, *The Herald-Leader*, *WYMT*, and several national news outlets including *NBC*.

Data from the sources mentioned above were collected and analyzed. From that analysis, three themes became apparent: the history of land use in Appalachia,

² For work on stereotypes about Appalachia see Algeo (2003); Anglin (1992); Billings, Norman, and Ledford (1999); Catte (2018).



environmental harm, and the neoliberal political economy that embedded to the point of concealment. The purpose of this study is to gain further insight into the relationship between the carceral state and the political economy in Eastern Kentucky. This relationship will be examined through the context of the proposal to build a federal prison in Letcher County, KY. Chapter two will examine the history of coal mining and mountaintop removal as it relates to economic development. The third chapter discuss how a neoliberal political economy facilitates prison siting in rural spaces. Chapter four will conclude how the history of resource extraction and economic development, in relation to land use, has produced environmental harm in the region, and its consequences for ecosystems and community members. The final chapter will discuss shortcomings and implications for future research.



II. Resource extraction in Appalachia

The presence of the carceral state in Appalachia cannot be discussed without mentioning the long history of resource extraction in the region, as well as the ideological construction of Appalachia as a distinct region. Under the guise of an economic progress narrative, corporations have historically gouged the region of its natural resources without creating a sustainable economy. The production of coal as a fuel commodity is considered profitable and under capitalism, profit is social, economic, and even political progress. This profit/progress relationship fails to account for the unequal distribution of wealth or the sustainment of necessary social services. After years of resource extraction, Appalachia remains one of the poorest regions in the United States with high unemployment rates and poor access to healthcare and education. The control of land and fuel resources by absentee owners, along with a crippling economy and inadequate social services, has created a space where the carceral state is viewed as potential economic development. Like the coal industry before it, the consideration of economic, environmental and social harms has taken a backseat to the discourse on prisons, profit and progress. To understand how the carceral state has come to mean economic development in Appalachia, this chapter will examine the history of economic change in the region and production of stereotypes that facilitated resource extraction and land exploitation.

A common misconception about Appalachia is its historical, unyielding loyalty to, and dependence on, the coal industry. The relationship between the region and coal mining is steeped in the history of capitalism and resource extraction. When the Industrial Revolution happened in Europe in the late 18th century, elites set out to find



resources and land to supply the development occurring (Stoll, 2017). In 1750, Thomas Walker noted the vast amount of coal located in the Cumberland Gap (Barry, 2012). His accounts describe the land as unfarmable with scarce flat land and no means of transporting any goods but rich with coal and iron. Later, Arnold Arthur, who was a businessman from Canada, visited the Cumberland Gap and purchased large quantities of land and mineral rights which he later resold (Gaventa, 1978). Walker and Arthur are just two examples of outside explorers and investors that sought to purchase mineral rights from landowners. Most outside investors sought not just coal, but also iron and timber deposits. By 1910, most land, and 85 percent of mineral rights were under absentee ownership (Billings and Blee, 2000). After the Civil War, Appalachia became connected to major cities through railway, which allowed products to be sold in the national market (Barry, 2012). With this, Appalachia became a primary exporter of timber and textiles as well as livestock (Marley, 2016). The rugged mountain terrain also allowed farmers to easily herd livestock. By the early 20th century, Appalachia became a leading supplier of livestock, timber and produce in the United States.

With the rise of industrialization in the United States, Appalachia subsequently became the epicenter for producing coal. The fuel needed to power facility plants and manufacture steel came from burning bituminous coal found in the region (Eller, 2008). Modernity, and technological innovations demanded by capitalism required coal. Since coal was plentiful, and relatively cheap to mine, hundreds of independent coal mines popped up throughout the region. Over the next thirty years, the population increased five-fold to meet the intensive labor demand of mining (Blake, 2001). Since many communities did not have the infrastructure to sustain the population influx, coal



companies built company towns, sometimes with churches and doctors, to house miners and their families. This gave coal companies substantial control over their labor force, since wages were usually paid in company scrip and workers were forced to pay for equipment needed to work. Workers then had limited options for changing jobs or fighting for better wages and benefits. This population increase, along with the decline in farmable land due to livestock, led to a decline in the agrarian economy. With an increase in the population, there was less farmable land per person which placed a strain on profit. Outside investors also acquired large parts of land for mineral rights. Lastly, competition from the Great Plains region led to a decline in profit to be made from agriculture. The Great Plains region had more flat land with better soil quality that allowed farmers to increase productivity and thus have lower prices. The Homestead Act of 1862, which allowed farmers to claim land for free, created vast amounts of farms (Marley, 2016). With industrialization, farming equipment increased the overall output of produce and shifted the epicenter of agriculture from Appalachia to the Great Plains.

Though agriculture never completely regained its presence in the Appalachian economy, it did experience a short revival in the 1930's with the Great Depression (Marley, 2016). The coal industry, in tangent with the national economy, declined and subsistence farming increased. Farming continued to decline into the 1940's, while WWII fueled the coal economy. Coal was considered so essential to the war effort, and equally dangerous as fighting, that many miners stayed underground to mine coal. After WWII, the national economy remained steady, though this was short-lived. In 1950, after a long history of coal strikes in the region, the Love-Lewis Agreement guaranteed



high wages and health benefits to miners (Blake, 2001). At the same time, this agreement gave coal companies the green light to introduce technology that would likely replace jobs. Between 1940 and 1970, around 3 million people left Appalachia, known as the Great Migration (Eller, 2008; Marley, 2016). The continuous miner as well as dragline excavators, conveyor belts and augers significantly reduced the number of jobs required to extract the same amount of coal (Blake, 2001). By 1960, the number of coal jobs in the region had decreased by over two-thirds. The era of mechanization has since steadily eliminated coal jobs in the region.

In the mid-1960's, President Johnson sat on the porch of the Fletcher family in Martin County, Kentucky as part of the regional tour that would launch the war on poverty. The iconic photo of the conversation with Mr. Fletcher increased national support for the program (Fessler, 2014). In 1964, during his State of the Union address, President Johnson officially declared a war on poverty. With the national economy focused on continued technological innovation, commodity production, and wealth accumulation, the poverty in Appalachia threatened the national progress narrative upon which the success of capitalism rested. Though poverty found in Appalachia is not unique to the region, there were a few factors that contributed to its place in the national spotlight. Local color writing of the early 19th century, and the introduction of the mountain hillbilly into the national media stereotyped Appalachians as lacking the discipline and other moral characteristics needed to maintain sustainable employment (Algeo, 2003; Anglin, 1992; Lewis, 1999). One of the first theories concerning poverty in Appalachia blamed the cultural isolation and moral degradation. Mimicking the narrative of earlier local color writing, the culture of poverty theory claimed that moral



poverty caused economic instability (Lewis, 1999). Tautological in reasoning, the characteristics that made Appalachia iconic, including isolation and backwardness, simultaneously contributed to its struggles. Thus, solutions rested upon social programs including job training and improved accessibility to healthcare. To address this shocking poverty, the government passed the Economic Opportunity Act of 1964 which formed the Office of Economic Opportunity (OEO) and other programs focused on rural communities in Appalachia (Eller, 2008; Moore, 2015). Other theories emerged about why Appalachia lagged behind national economic progress. In addition to cultural isolation, geographical isolation was blamed. Poverty was a direct result of the region's inadequate infrastructure, which separated it from the national economy. One year later the Appalachian Regional Commission (ARC) was formed with the goal of improving the region's infrastructure including the construction of a highway system (Eller, 2008; Hall, 2014). The failure of the OEO and ARC has largely been attributed to the misuse of government funds. Much of the funds were given to local politicians, who used money as a tool to maintain political power. Organizations under the OEO, including Volunteers in Service to American (VISTA) and the Appalachian Volunteers (AV) soon recognized the political and economic structures that hindered progress and organized strikes and formed activist groups. Although activism was largely successful in highlighting these problems, political disenfranchisement and unemployment remained a consistent problem. With the war on poverty considered a failure by Republican politicians, the election of President Nixon led the OEO to be abolished shortly thereafter. While the ARC remains active, scholars have found it has minimal impacts on poverty.



Although less often mentioned in the war on poverty literature, a popular theory used to explain Appalachia's poverty was internal colonialism. According to the internal colony theory, Appalachia was suffering economic instability because its resources had been extracted by outsiders without taxes or profits being returned to the region (Lewis and Knipe, 1978). Walls (1978) critiqued the theory by positioning Appalachia as an "internal periphery" within a larger capitalist structure (p. 337). While an internal periphery model cannot alone account for the carceral state's presence in the region, it is important to examine how capitalism has created surplus land via the exodus of coal mining and mountaintop removal from Appalachia.

An example of the capitalist structure at work in Appalachia is the monopolization of the coal industry which occurred through the concentration of land ownership by outside corporations. A study conducted by the Appalachian Land Ownership Task Force (2014) found that in 1969, four-fifths of the mineral rights in Eastern Kentucky were owned by 31 people. During the 1960's, larger coal companies purchased smaller mines, consolidating the ownership of resources and land. Absentee corporate ownership is also higher in counties with active coal mines and large deposits of coal. Large amounts of mineral rights were purchased using broad form deeds, which gave coal companies the right to extract any minerals beneath the surface while individuals still owned the land (Eller, 2008). In addition, broad form deeds allowed one person within a landholding trust to sell mineral rights for the entirety of the land within the trust. Since Kentucky courts continue to recognize the validity of broad form deeds, this absentee ownership has lasting consequences for the future of land development and resource extraction in the region (Broad Form Deed Act of 1984; Eller, 1982).



When only a few corporations own land, and control the development that occurs on it, a region depends solely on those corporations for economic development. Thus, the goals of capitalism including commodity production and wealth accumulation are dependent upon the operations of one industry. In addition, the absentee ownership of land and mineral rights should increase the tax revenue for local governments. Land makes up 50 percent of property tax income for governments and mineral rights make up 26 percent (Appalachian Land Ownership Task Force, 2014). However, both land and mineral are significantly undervalued in their taxable assessments. Land in Southeastern Kentucky holds the lowest value with an average value of \$2,300 per acre for cropland, compared to \$6,100 in Western Kentucky (UK Cooperative Extension Service, 2018). An amendment to the Kentucky Constitution, Section 172A also allows owners with over 15 acres to pay less than the full taxable assessment amount. Though designed to grant tax breaks to farmers, Kentucky will lose a projected \$98 million over a two-year time frame (Cheves and Blackford, 2018). Thus, state and local governments receive significantly less funding from taxes.

The immense amount of land that is owned by energy conglomerates whose goal is profit created a condition that sustains mountaintop removal. The mechanization of coal mining is not new, but technological advancements have allowed companies to access coal seams once deemed impossible before. This includes shallow seams and those previously deemed unprofitable. As early as the 1960's, coal companies transitioned to surface or strip mining. This method removed the surface of a mountain to reach coal seams near the surface. Now mountaintop removal is a leading practice in coal extraction (Black, 2011). Mountaintop removals entails the removal of the top of a



mountain in order to expose a coal seam. The overburden, the industry term for rubble, the overburden, vegetation and soil left following the dynamiting of the mountain, is then deposited into an adjacent valley. This allows companies to access more coal seams at a cheaper and faster rate. The transition from underground mining to surface mining has impacted both employment and the landscape. Since 2011, coal employment has steadily declined in the state, with a record low of under 5,000 employees in 2017 (Department for Energy Development and Independence, 2017). A mountaintop removal site can operate with only 3 people and at most usually 10. The decline in coal jobs has not produced an equal decline in coal production. While Kentucky is the third largest coal producing state in the U.S., coal production has significantly decreased in Eastern Kentucky (Berkowitz and Meko, 2017). The coal severance tax requires coal companies to pay a percentage per ton of coal extracted to communities they operate within. With the decline in coal production in Eastern Kentucky, local budgets are constrained without coal severance dollars and prisons are pitched to revitalize struggling economies.



III. Prison siting in Appalachia

How did Appalachia transition from coal mining to prison proliferation and carceral growth? The answer to this question is embedded in both the history of economic development and resource extraction in the region, as well as the changing national political economy (Billings and Blee, 2000; Blake, 2001; Eller, 2008; Harvey, 2005; Marley, 2016; Stoll, 2017). The coal industry's uneven impact on the region's economy has left communities once reliant upon coal to find other one-industry alternatives. Most resources were extracted and exported from the region without profits being reinvested back into the economic and social infrastructure. Thus, local economies centered around the coal industry, and the social services they provided, without building infrastructure independent of the ever-changing coal economy. The historical dominance by coal, however, is just one part of a multi-faceted answer to how Appalachia has become a center for prison proliferation. An equally prudent explanation is the national shift in the political economy and the subsequent state project of surveillance and punishment in which prisons have become the new capitalist intervention in Appalachia (Camp, 2016; Cowen and Siciliano, 2010; Harvey, 2005; Schept, forthcoming). This chapter will build on the previous chapter's historical analysis of the region's political economy by examining how changes in the nation's economic and political structures, with ties to the project of punishment, created a space where prisons are constructed in rural spaces.



A neoliberal political economy

While there is no one political or historical event that would indicate a complete and distinct transition to neoliberalism, historians of capitalism mark this period in part by the shift in the state's role from economic intervention to securitization and incarceration (Gilmore, 2006; Harcourt, 2010; Wacquant, 2009). A primary goal of capitalism is wealth accumulation, which requires a consumer base and workforce as well as production of goods and services. Wealth accumulation, although framed as an equal opportunity, is unequally distributed. The upward redistribution of wealth creates a burgeoning lower-class that is disenfranchised from the increasingly white-collar, service industry. In addition, globalization has shifted production from the global north to the south, where drastically low labor costs allow for a higher profit margin. International Financial Institutions (IFIs), such as the World Bank and International Monetary Fund, facilitate this upward distribution of wealth by issuing conditional loans to impoverished countries. These loans have high interest rates and require a restructuring of the nation's economy, essentially ensuring a continual supply of cheap labor while profits benefit IFI's member states as opposed to the loan recipients (Rothe and Friedrichs, 2015). The continual supply of cheap labor that occurs with globalization creates a burgeoning surplus population in the U.S. whose declining employment opportunities limit their participation in the new global economy. This denial in market participation creates what Marx (2009) termed the relative surplus population. Thus, the defining characteristic of capitalism is the preservation of class power, through policing social movements that contradict capitalist principles. The



outcome is legitimation of state power and solidification of upper-class wealth (Camp, 2016).

A central goal of the current neoliberal political economy is the shift of state intervention from the economy to security and punishment, with the rise of the carceral state (Harcourt, 2010; Wacquant 2010). A central goal of the carceral state under the neoliberal political economy is the policing and incapacitation of the surplus population and the use of surplus land (Gilmore, 2006; Gottschalk, 2016; Harcourt, 2010; Wacquant, 2010). The surplus population and surplus land pose a threat to the legitimacy of capitalism as an economic system, and thus must be managed by the state. According to Harcourt (2010, emphasis original), in a neoliberal political economy, "the only legitimate space for government intervention is in the penal sphere--there and there alone (p.80). The state's role shifted from economic regulation towards continuity and expansion of the carceral state. Criminalization, policing and imprisonment then become tools the state uses to shape discourse on political and economic threats to the legitimacy of neoliberalism (Harcourt, 2010; Wacquant 2010).

When the state's focus shifts to punishment and uses mass incarceration and prison proliferation as solutions to threats to neoliberal social order, it has become an "antistate state" (Gilmore and Gilmore, 2008). According to Gilmore and Gilmore (2008):

"the antistate state is both producer and product of the prison and jail expansion; it gathers and deploys the wherewithal to normalize particular bureaucratic and fiscal capacities that put such spaces into motion in place" (p.146).

Thus, the state both defines these problems and then determines the solution, which is incarceration. Let us consider prison proliferation that has occurred alongside mass incarceration. If development of land is considered progress, vacant land is a threat to



the economic growth narrative upon which capitalism rests (Gilmore, 2006). The proliferation of prisons consumes vast amounts of vacant land. Thus, using the antistate state assertion, the state frames empty land as a threat to progress and then normalizes the construction of prisons as its solution.

Let us also consider the idea of the surplus population. As much as prisons consume surplus land, they also serve to police, surveil, and incarcerate the surplus population, which consists of individuals who are systematically excluded from economic and political participation along class and race lines (Harcourt, 2010; Wacquant, 2010) and who are also framed as posing threats to capitalist social order (Camp, 2016). Capitalism creates a surplus population via the concentration of wealth within the upper-class and then legitimizes the unequal distribution of wealth by barring the surplus population from long-term access to economic participation via lengthy prison sentences and civil death (Pinard, 2010). The carceral state through capitalism also effects the middle class, through prisons being pitched as a solution to community problems or employment opportunities within the prison-industrial complex (Bonds, 2013; Gottschalk, 2016; Schept, forthcoming). According to the Bureau of Labor Statistics (2017), there were 428,870 individuals working in the correctional field. This likely does not include additional careers within the prison-industrial complex including monitoring/surveillance or food services. With the far reach of the carceral state, the antistate state not only manages the surplus population that would challenge the neoliberal political economy but also garners support from the middleclass.



The carceral state in Appalachia

Mass incarceration began as, and in some part remains, a political endeavor to police the surplus population. In *Caught*, Marie Gottschalk (2016) describes how conservative politicians framed costly prison expansion during a period of limiting government spending. One of the most successful framings was positioning prison growth as economic development in rural spaces. Prisons continue to be framed as a new growth industry that would replace the extraction industries upon which many economically depressed rural communities relied. As Eason (2017b) notes, geographical trends in prison proliferation are not identical to trends in mass incarceration. Prison siting depends on the political economy of a community that welcomes prisons framed as opportunities for economic growth. More prisons have been constructed in rural communities than any other space. Over the course of a decade, 245 prisons have been built in rural spaces, accounting for approximately 60 percent of all new prisons (Perdue and Sanchagrin, 2016; Ooten and Sawyer, 2016). There are four federal prisons in Eastern Kentucky; five once the prison is built in Letcher County (Ryerson and Schept, 2018). Since prisons are framed as economic growth opportunities, counties regularly vie for contracts, giving prisons immense tax breaks and selling land well below market value (Bonds, 2013; Che, 2005; Eason, 2017b; Huling, 2002; Perdue and Sanchagrin, 2016; Schept, 2015; Walker et al., 2016). Though prisons are framed as economic lifelines, research shows mixed results at best. Perdue and Sanchagrin (2016) found no significant difference in employment rates in counties with a prison in Appalachia. On average, only 20 percent of prison jobs go to local citizens, since many cannot meet educational or physical requirements (Gilmore,



2006). If any auxiliary employment comes with a prison, it is usually chain stores that cannot provide a living wage and do not improve the local economy. It is unlikely that local businesses win bids to provide services to the prison, as many contracts go to large outside corporations. Prison employees often choose to commute instead of moving to prison towns. The anticipated housing boom does not occur, and property values may decrease with the siting of a prison. Overall, many communities with prisons experience higher poverty and unemployment rates as well as lower property values.

The carceral state in Letcher County, KY

Letcher County is not exempt from the consequences of this neoliberal, penal economic strategy (Schept, forthcoming). Congressman Hal Rogers and the Letcher County Planning Commission have been working since 2005 to have a federal prison constructed in the community (Cornett, 2018). Prison proliferation is an active economic strategy of Congressman Rogers for Eastern Kentucky (Gilpin, 2018). Consider Hal Rogers' statement about the federal prison. "This new high security prison will create hundreds of new jobs in a region that has been plagued by the downturn in the coal industry" (Hal Rogers, 2018). This discourse is one of many examples that frames carceral growth as a solution to a multitude of economic and social problems. "We need local jobs."

Some of the residents I spoke to were supportive of the prison for its possibility to provide much needed jobs after the decline in the coal industry. Although environmental regulations are often blamed for the decline in coal production in the region, environmental deregulation will not lead to an increase in coal employment



(Estep, 2017b). The region continues to steadily lose coal jobs as it becomes cheaper to produce coal in other parts of Kentucky as well as in other parts of the country. Kentucky is third behind Wyoming and West Virginia in coal production and Letcher County has less than one hundred coal mining jobs (Mountain Eagle Staff, 2018). Most people in the county work in either healthcare or retail (United States Census Bureau, 2017a). The most recent economic report from the Appalachian Regional Commission placed Letcher County in the top ten percent of economically distressed counties in the U.S, outpacing other counties in Appalachia for increasing unemployment rates (County Economic Status, 2019). Letcher County has a 13.6 percent unemployment rate, almost four times the national rate, with over a quarter of its population living at or below the poverty line (United States Census Bureau, 2017a). In newspaper articles, community leaders and political representatives viewed the prison as an opportunity to save a declining economy (Cornett, 2018; Gilpin, 2018; Schuppe, 2018). In response to criticism that employment should not be prioritized over other concerns, Cornett (2018), in an op-ed for the *Herald-Leader*, stated:

When naysayers from other states and outside communities downplay the importance of the jobs that this prison will bring to Letcher County, I question what solutions they have to offer that will create over 300 sustainable, well-paying jobs in a region that is struggling to rebound.

The prison was not economic salvation so much as the first step towards improvement. When I spoke with residents about the proposal, several echoed the narrative in the media and anticipated good paying jobs that allowed people to stay in the area and provide for their family. Many workers drive over an hour each way to construction or other industry jobs.



"It will help improve our community."

Within the official narratives of economic development, not only will the prison bring over 300 correctional and 1,000 construction jobs, but also the housing market, retail businesses, local schools, and hospitals are expected to benefit. Many of the comments submitted to the official Environmental Impact Study cited jobs and an improved economy as well as a replacement for coal as reasons for support. John Woolley, regional president at Whitaker Bank wrote:

with the decline in the coal industry and its effects on the local economy over the past few years in Southeastern Kentucky, this proposed project could provide a major boost in this area by providing opportunity for employment, education, medical, and retail business (United States Department of Justice (USDOJ), 2017, p. J-19)

Woolley's statement echoed the sentiments of many people with whom I spoke about the federal prison. Most were not enthusiastically supportive of the prison, but also hesitated to speak out against any opportunity for economic development, even if it was a prison. One man I talked with said that the prison was going to happen anyway, so why not in his community, where they may get some jobs. More citizens talked about secondary economic opportunities including prison service contracts, construction bids, better roads, improved water treatment services, mobile phone service, and a boost in the housing market. Several vendors at the local farmer's market spoke with hope about the possibility that they would obtain a contract to provide produce for the prison. A friend of mine was happy to be able to work in his hometown for a week on the prison site as opposed to traveling out of state. Some of my phone interviews required careful planning by both the interviewee and I, since many would have to travel into town to get cell phone service. Many hoped that the prison would require cell phone service and would provide a wider range of coverage to people living outside the city.



Others were not as convinced, citing most jobs would go to outside transfers already employed by the Federal Bureau of Prisons and contracts given to companies specializing in correctional services. When I talked to a mother at the local farmers market, she discussed her research into the claim of 300 jobs and found most would not be local. Jobs that local citizens could get would also likely be lower paying jobs. This created a mistrust among some of the people I spoke with concerning promises about the prison that were being made by the local government and Congressman Rogers. One poignant part of a conversation I had with the mother was her anger towards officials' statements and her assertion that they think Appalachians were too stupid to realize building a prison was a bad idea.

Though most of the citizens I spoke with either fully supported or had mixed feelings about the prison, there were a few who expressed strong criticisms that centered on land use. A question kept resurfacing during my interviews. Why is this land being used for a federal prison instead of something else? Thus, the challenge was not towards the use of land itself but instead the acceptable uses of land for economic growth.

"Why a prison?"

The prison will sit on 570 acres that was a former strip mine site (USDOJ, 2017). In the 1980's, the Kentucky Fish and Wildlife Department closed the strip mine and reclaimed the land for its deer restocking program in Letcher County (Whitaker, 2016). Currently, the land serves at one of the only raptor rehabilitation programs in the eastern U.S. as well as a venue for local outdoor concerts and a model plane airfield. Thus, the land does not remain vacant, but is not producing a commodity or serving



another capitalist purpose. In terms of economic revenue, members of the community I interviewed expressed alternative ideas for former strip mine sites, including a maple syrup industry. The region has a burgeoning maple syrup industry with local farmers starting businesses using maple trees as a cash crop (Hill, 2010; Patton, 2018). If there are options for land use other than prisons, why does the carceral state take precedence over local business opportunities? It is important to note Eason's (2017a) point that "public servants protect the interests and well-being of elites" (p.29). In a neoliberal political economy, surplus land is a sign of stalled progress. Land does not exist merely in its physical state, but is a site of representation, its meaning continually contested (McClanahan and Linnemann, 2018). Thus, prisons become industrial complexes in a neoliberal landscape (Moran, Turner and Schliehe, 2018). The dominant representation inscribed upon land is its capitalistic purpose; the land becomes either defined by the commodity it produces or the services it provides to the economy, including incarceration. Thus, the ideology of the land is confined to its morphology and the material labor that alters (Mitchell, 1996). Although the land in Roxana is currently being used for community projects, it is labelled surplus land for its lack of commodity production. When mountains, or former mountaintop removal sites, are no longer producing commodities their value is open for contestation. According to Nash, Lewis, and Griffin (2009), land is a space to "invoke power and authority" (p.46). Land is represented as a natural space upon which work is produced (Mitchell, 1996). The ideology that economic development creates wealth is inscribed upon the land and the labor that alters it. Thus, a prison and prison work are represented as mechanisms for



economically depressed communities to first, acquire more resources and wealth, and second, utilize surplus land.

The contestation over meanings of land occurs both at the national and community level. Although capitalism dictates how land is represented, as Hall (1980) notes, representations are not fixed, but continually contested and reproduced. Opinions about the prison and whether it would provide an economic boost to the community varied across participants. A sentiment that resounded throughout my interviews, however, was that something needed to be done to stimulate economic growth in Letcher County, KY. This need almost entirely centered around the decline of coal jobs. With the discourse that prisons create jobs, improve community infrastructure, and stimulate economic growth, the federal prison was able to be pitched by community and political leaders as another one-industry alternative solution. Simultaneously, the prison became a means to consume surplus land created by mountaintop removal and a departure of the coal industry.



IV. Land, work, and social reproduction

Capitalism created a surplus population systematically denied participation in the political economy. Subsequently, the surplus population poses a threat to capitalist social order and are policed and incarcerated within the growing carceral state.

Simultaneously, the prisons are pitched as opportunities for economic growth with secondary benefits such as better infrastructure in places like Appalachia. Since the prison is central to the ideology of economic development, through job creation, and the revitalization of infrastructure, it is apparent the prison plays a vital role in the social reproduction of the worker and community (Cowen and Siciliano, 2011; Story and Schept; forthcoming). The first section of this chapter will discuss social reproduction theory and how it offers insight into why prisons are being sited in communities with a declining presence of the coal industry. The second part of this chapter will examine how this social reproduction of masculinities facilitated the approval of a proposal to construct a federal prison in Letcher County, exacerbating already present environmental hazards.

Masculinities in coal towns

Masculinities, or socially constructed norms dictating how men should act in situations, are dependent upon geography, race, ethnicity, class, and age, and are historically situated (Connell, 2005). Masculinities are not fixed; continually being shaped by the agency and structure. According to Filteau (2015), the construction and performance of dominant masculinities, or the "most powerful, celebrated, common, or current form of masculinity" in rural spaces are tied to labor markets (p.435). Many



rural economies have drastically changed with globalization, the emphasis on the service sector, and decline in blue-collar industrial work. Thus, "feminine" jobs have increased in rural spaces while jobs where dominant masculinities can be performed have declined with the changing, global neoliberal political economy. This has created what some scholars have called "surplus masculinities" (Cowen and Siciliano, 2011). Consider the coal fields of Appalachia. Coal jobs in the region, which have been tied to masculine ideas about being a provider, a patriot, and a winner, have steadily declined (Bell and York, 2010) In the case of Letcher County, the coal industry continues to develop more efficient, profit-driven methods of extracting coal and will likely never replace the jobs already lost. With the steady decline of coal jobs, a central avenue for the performance of masculinity is threatened, especially with the increase of traditionally feminine jobs including retail and customer service (Filteau, 2015).

Social reproduction theory

How is prison proliferation in regions with once strong coal economies, linked to the performance of dominant masculinities? According to Bhattacharya (2017), the production of commodities is related to the production of society and life, namely the reproduction of the worker. The reproduction of society and the worker relies on what Fraser (2017) terms care, or household labor traditionally performed by women, including cooking, cleaning and childrearing. Social reproduction theory focuses on the "feminine" unpaid, domestic labor and its inferiority to paid, masculine labor within the reproduction of dominant masculinities in the workplace (Fraser, 2017). The carceral state then ensures the reproduction of the existing gender norms, especially dominant



masculinities, that dictate how men and women operate in economic spaces (Bhattacharya, 2017; Cowen and Siciliano, 2011). Cowen and Siciliano (2011), term this reproduction "securitized social reproduction" which is the "assembly of a future wherein whole groups reproduce themselves and are productive within securitized identities, institutions, and industries" (p. 1535). The carceral state, along with the military, has become a site where dominant masculinities can be performed in the wake of the decline of manual, blue-collar paid labor under deindustrialization. In Appalachia, where employment to perform dominant masculinities has declined with the departure of coal jobs, the siting of a federal prison not only consumes surplus masculinity, but also creates a space where dominant masculinities associated with being a provider and patriot can be performed (Bell and York, 2010).

Prisons and the social reproduction of life

The legacy of mountaintop removal has resulted in a severe environmental impact in Appalachia. Unlike underground mining, mountaintop removal drastically alters the landscape and is a direct threat to the health of community members. In mountaintop removal, the top of a mountain is blasted to break apart bedrock and expose the coal seam(s) underneath (Witt, 2016). The blasted material is then either used as structural fill or deposited in an adjacent valley. Initially, the Environmental Protection Agency as a part of the Clean Power Act, stated that former mountaintop removal sites needed to be reclaimed to their original environmental state, which may take up to 15 years. However, in a provision within the Surface Mining Control and



Reclamation Act, if another economic industry is sited on the mountaintop removal site, environmental reclamation does not have to occur.

Building prisons in Appalachia will only further exacerbate existing forms of environmental harm in the region. When the federal prison is constructed in Letcher County, two out of three federal prisons in Appalachia, as well as several state prisons, will have been built upon former mountaintop removal sites. For the federal prison to be constructed, 10,157,586 cubic yards of earth will have to be moved, which would result in "adverse impacts on topography, geology, and soils" (USDOJ, 2017, pp. Es-vii-Esviii). Mountaintop removal has significant impacts on the environment. When the blasted material is deposited in the valley, this material covers headstreams and contaminates the water with high levels of selenium, which is toxic to aquatic wildlife and their predators. In a study conducted by Palmer et al. (2010), 73 of the 78 streams near mountaintop removal sites contained toxic levels of selenium. In response to the first Environmental Impact Statement conducted by the U.S. Department of Justice (USDOJ, 2017), residents and activists noted that it failed to account for the potential adverse impact on an old growth forest and Kentucky's threatened bat population. Neoliberal carceral growth depends on the domination and exploitation of land (Mazurek, 2015; Ruggiero and South, 2013; Washington, 2016).

The practices of coal mining, strip mining, and mountaintop removal have drastically altered Appalachia's landscape. Approximately every two seconds, 100 tons of coal are extracted from the land with most coming from strip mines and mountaintop removal sites (Black, 2011). The practice of mountaintop removal has leveled over 500 mountains; its remnants have buried over 1200 miles of stream (Black, 2011; Witt,



2016). Within one mile of the facility boundary is one of three remaining old growth forests in Kentucky which is home to over 500 unique species (Mazurek, 2015). These species include the endangered Indiana bat and the threatened Northern long-eared bat. According to the USDOJ (2017), the loss of 180 habitable acres may have serious consequences for the Northern long-eared and Indiana bat. In addition to the loss of habitat, the 100ft lighting poles that will surround the facility grounds are anticipated to impact the "natural circadian and circannual cycles" (3-44). Thus, the construction of the federal prison would have severe consequences for local wildlife and endangered and threatened species.

Consider the compounding harms of resource extraction experienced by individuals confined in the Letcher County facility. The federal prison will be built upon a former mountaintop removal site. Mountaintop removal has been found to cause birth defects and fertility issues, along with cardiovascular, gastrointestinal, kidney, and respiratory diseases (Holzman, 2011; Palmer et al., 2010; Zullig and Hendryx, 2011). A letter from Lori Ann Burd, Environmental Health Director for the Center for Biological diversity asserted that the DOJ had not fully considered the potential health consequences. A portion of the letter states:

It is entirely likely that if this project is completed, the prisoners incarcerated in the facility may have their lives shortened by exposure to the toxins on site. The Bureau cannot ignore its mandate to fully analyze and disclose these dire environmental justice concerns (USDOJ, 2017, pp. J 27-28).

Much of these health problems have been attributed to contaminated drinking water (Boyles et al., 2017; Palmer et al., 2010; Ross et al., 2016; Witt, 2016). Slurry impoundments pose a serious risk to local water quality (Sealey, 2000). When a coal slurry pound failed in 2001 in Martin County, local water was contaminated and still



labelled undrinkable by many of its residents (Jarvie, 2018; Sealey, 2000). Communities near a mountaintop removal site are also more likely to incur violations for water treatment facilities since many do not have the capability to filter excess pollutants. The six-million-gallon slurry impoundment less than two miles from the federal prison site poses serious risks of inmates being forced to drink contaminated water (Mazurek, 2015). The Whitesburg water treatment facility, which was initially supposed to provide services for the prison, have received numerous violations (USDOJ, 2017). Violations for 2015 and 2016 were incurred for water exceeding the allowed levels of trihalomethanes and haloacetic acid. To provide services for the prison, a separate water treatment facility will have to be constructed in Roxana. Currently the construction is on a mandated twelve-month delay ensuring there is enough water to meet demands (Farley, 2018).

It is critical to examine the environmental impacts of mountaintop removal and construction of prisons near or upon former mountaintop removal sites and coal mines since many community members identified the prison to socially reproduce acceptable living conditions. Thus, the carceral state not only consumes surplus masculinity, but also offers a way to secure funds to improve quality of life in their communities. For example, when a prison was pitched for McCreary County, the local government built new roads and a new water treatment facility (Ryerson, 2013). Some communities expand local jails to rent extra prison beds to the state, known as bed brokering, to increase tight budgets (Gottschalk, 2016). In Letcher County, the prison required water lines to be extended to the site, which also brought water to 200 residents (Norton and Schept, 2018). Thus, the carceral state becomes a way to reproduce both the worker and



the conditions which sustain the worker in a neoliberal political economy that propels mass incarceration and prison growth.



V. Conclusion

The construction of prisons in Appalachia, especially near environmental toxins and within a proximity to endangered and threatened species as well as unique geography, continues a historical pattern of land exploitation in the region, with the justification of economic growth and capitalist social order, despite research that disproves this narrative (Black, 2011; Eller, 2008; Gilmore, 2006; Gottschalk, 2016; Huling, 2002; Scott, 2010). When the primary representation of land is the capitalist purposes it serves, environmental harms are overlooked. These consequences are minimized when compared to the neoliberal economic and political goals the prison appears to accomplish. In Letcher County, the prison serves as a replacement for the masculine jobs coal mining supplied (Bell and York, 2010; Filteau, 2015). After coal jobs severely decreased, most jobs in the community were in traditionally feminine jobs including retail and service (United States Census Bureau, 2017a). This also serves as a way to reproduce living conditions, including better infrastructure as well as an increase in the housing market and secondary employment opportunities (Bonds, 2013; Che, 2005; Gilmore, 2006; Perdue and Sanchagrin, 2016; Schept, 2015). In a neoliberal political economy, the prison not only warehouses the surplus population created by the shift of production to cheaper labor markets but also creates a façade of economic growth (Harcourt, 2010; Marx, 2009; Wacquant, 2010). Research has shown that prisons have a mixed effect, at best, in the communities in which they are built and in those communities that are already economically distressed, prisons can further harm local economies (Huling, 2002; Walker et al., 2016). Although residents spoke of the prison's potential benefit, its relationship to the environment and the reproduction of the



masculine worker within the security state, will likely have more of a negative effect on Letcher County and its residents.

Limitations

Although my project uncovered important connections between the history of resource extraction and environmental exploitation, an expanding neoliberal political economy, and the siting of prisons in Appalachia, there are a few shortcomings in the project.

Namely, my interview sample size was relatively small, and in no way can be used to account for the wide thoughts and opinions of community members in Letcher County, KY. In addition, I did not speak with individuals outside the community who have strong ties to either the support for or opposition to the prison. I also relied mostly on news sources to learn about the opinions of political leaders in the community. Lastly, my project focused on Letcher County, KY and cannot fully account for the implications of prison siting in other Appalachian counties.

Implications for future research

My research focused on the proposal to construct a federal prison in Letcher County, KY. Future research could continue to examine the causes and consequences, both long-term and short-term, of prison siting in other Appalachian counties. This would create a broader, more accurate understanding of how the carceral state has shaped, and continues to shape the politics, economics, and social fabric of the region. First, interviews need to be conducted with individuals most likely to experience negative consequences from environmental toxins caused both by resource extraction and prison



siting. It would be interesting to see if individuals most impacted by environmental harm either support or oppose prison building. Second, how much does the social reproduction of existing gender roles account for the siting of prisons in communities with strong work-related identities? While there are certainly several articles which address this question, more research needs to be conducted to gain further insight into this relationship.

An Abolitionist Project

Critically examining the carceral growth happening in Appalachia, as well as other regions in the U.S. must be situated within a larger movement to abolish mass incarceration. Currently, over 2 million people are incarcerated with over 4 million on probation or parole (Wagner and Sawyer, 2018). All the while, a prison is being pitched in Letcher County as a solution to a host of community problems. Examining oppressive economic, political, and social structures which facilitate carceral growth is a crucial step in continuing the work of abolishing mass incarceration. My goal for this project was to highlight how these structures are at work in the carceral expansion in Letcher County, with hopes that this work, in addition to similar work, can continue to construct a strong framework for abolitionist efforts.



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