



Access as Carceral Accessory: Documentary Ethics and Disability Justice¹

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This essay argues that documentary's longstanding investment in "access" has obscured the transactions with power that make access possible. Prompted by recent controversies surrounding films such as *Retrograde* (Matthew Heineman 2022) and *Jihad Rehab* (Meg Smaker 2022), I examine how access has come to function as an unquestioned virtue and a form of documentary capital. Tracing this logic through the history of carceral access in U.S. social-issue documentary, I revisit Frederick Wiseman's *Titicut Follies* (1967) and the landmark legal battle restricting its release. Rather than treating the film primarily as an exposé of state violence, I focus on the bureaucratic negotiations and legal obstacles structuring its production and circulation. I argue that *Commonwealth v. Wiseman* helped consolidate a neoliberal framework for documentary ethics preoccupied with liability and risk management, while transforming access into a form of property granted and regulated by the state. Documentary access emerges in this light not as a challenge to carceral power but as its accessory. I turn to disability justice for an abolitionist understanding of access, drawing on the movement for deinstitutionalization and psychiatric survivor activism. Through analyses of formerly incarcerated filmmaker Rahsaan Thomas's *Friendly Signs* (2023) and Jordan Lord's Documentary Participation Agreement (2024), I explore how access is relocated from privileged entry into sites of confinement to collective relations of interdependence and shared responsibility. These projects suggest how documentary might move beyond a compromised ethics of carceral access toward a liberatory politics oriented not merely toward exposing captivity but toward ending it.

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I was recently contacted by a colleague, the director of a privately funded research initiative on documentary and public policy. They were planning a symposium that would convene filmmakers, distributors, studio heads and other industry decision-makers to discuss harm-reduction in risky production scenarios. The prompt was a recent scandal involving an award-winning National Geographic documentary featuring an Afghan minesweeper who was reportedly murdered by the Taliban. Had the filmmaker violated the duty of care implied (if rarely enforced) by documentary ethics? Indeed, the documentary, *Retrograde* (Matthew Heineman 2022), had prominently featured the minesweeper's face in its on-the-ground chronicle of the U.S. military's withdrawal from Afghanistan. To capture the lead-up to the withdrawal, Heineman had embedded himself with the U.S. Army Green Berets, a position from which he also gained proximity to the Afghan minesweepers employed by the Green Berets as an advance guard to clear explosives—at great personal risk to themselves and their families. In 2023 one of these minesweepers, Omar Khan, was killed by the Taliban, allegedly after identifying footage from the film circulated on TikTok. When asked why no easy safeguards such as blurring faces were taken, Heineman and his team told the *Washington Post* that “both military public affairs officers and the Green Berets approved the final version of the film for release” (Roig-Franzia and Hodge-Sack 2024). National Geographic has since scrubbed the film from its platform. The film's corporate backers and distributors now face a wrongful death lawsuit.

Heineman has built his reputation on such proximity to danger. The degree to which this equates, for many, to excellence in craft is borne out by his Oscar-nominated breakout *Cartel Land* (2015), for which Heineman embedded with vigilante groups combating drug cartels on both sides of the US-Mexico border. Critic Vadim Rizov dissented from the breathless praise for the film's “unparalleled access” upon its Sundance launch (Flannery 2015), describing it as “an absolute mess of a film that raises the question: What happens when access doesn't equal insight?” (Rizov 2015).

The problem, though, is not simply that access fails to produce insight, but that documentary treats access *itself* as a self-evident virtue. This essay traverses a longer history of social-issue documentary, with a focus on carceral access in U.S. productions, to show how documentary ethics came to be organized around a misguided attachment to access. It also asks what happens when access serves the opposition function, as a smokescreen for state violence.

The *Retrograde* controversy was not an isolated incident. Similar dynamics structured the reception of *Jihad Rehab* (Meg Smaker, 2021; later opportunistically retitled *The Unredacted*), set in a controversial Saudi “rehabilitation center” for Islamic militants previously held without charge for years and decades as Guantanamo detainees. Again, critics fawned over the film's “intimate access,” deemed “a coup” by one Pulitzer-winning journalist (Wright, quoted in Powell 2022). A group of mostly Muslim women filmmakers had warned that Smaker's project reproduced Islamophobic narratives, but their critiques were largely ignored (Indiewire Staff 2022).

Once again, access had seduced the field; once again, hand-wringing over ethics followed exposure, with the obligatory postmortems on “duty of care” and the “limits of consent.” This pattern of crisis, apology, and rededication to reform has become endemic to the documentary field. Each cycle ends with a call for better ethical protocols and accountability practices—what my colleague envisioned as a symposium on “harm reduction” (also see Documentary Accountability Working Group 2022). But what these well-intentioned if reactive responses leave unexamined is the *logic of access* that gives rise to these crises in the first place.

Commonly understood as the filmmaker’s ability to secure a privileged place for the camera within guarded or cordoned spaces such as prisons, psychiatric facilities, or war zones, access prevails as documentary’s most coveted currency in a highly gatekept field with few rewards, many risks, and a lingering penchant for the voyeuristic gaze. In the currency of documentary value, access is gold. Boasts the filmmaker applying for funds, campaigning for awards: *I, and I alone, got the camera into a space you cannot otherwise see*. Yet this fetish for access routinely masks the negotiations with power that make such breaches possible.

Nowhere is the field’s bad romance with access more troubling than in prison documentaries, where the camera’s presence inside is assumed to be inherently good—a bulwark against the largest experiment in jailing human beings in recorded history. The share of Oscar-nominated documentaries in carceral settings has risen from near negligible levels in the early 2000s to nearly a third of nominees since 2021. These films are rewarded for bringing audiences inside a space otherwise reserved for those the state seeks to disappear—a privileged experience, given that most journalists, advocates and even loved ones are denied such access. But access to film inside, unless unsanctioned footage is smuggled out, always requires the cooperation of state officials whose interests lie in preserving the institution’s legitimacy. As Nicole Fleetwood (2020) reminds us, consent, like any other synonym for agency, is a fiction under carceral conditions. Any “collaboration” with prisons depends on maintaining good relations with wardens and funders rather than with incarcerated people, whose eligibility for parole, commutation, or other forms of relief is contingent on successful participation in “rehabilitative” programs (Fleetwood 2020, 160–62). Everything witnessed under such auspices therefore requires critical interrogation as a promotional image, especially when those on camera are governed by the same authorities who authorize the filming.

While carceral access functions today as shorthand for commercial viability and for a certain masculinist and ableist ideal of the fearless filmmaker, it also operates as a moral alibi: as proof of documentary’s presumed commitment to witnessing state violence and revealing hidden truths. To unpack its contradictions, I turn to a pivotal moment in the intersecting histories of documentary and deinstitutionalization. In 1967, a legal battle around Frederick Wiseman’s *Titicut Follies*, a landmark film shot inside the Massachusetts Correctional Institution at Bridgewater, a notorious psychiatric prison, consolidated the compromised discourse of access that now defines the documentary field, even as an incipi-

ent movement of incarcerated people with disabilities was articulating a more radical alternative. But a naïve reading of the “evidence” Wiseman uncovered can only teach us so much. I therefore focus on the bureaucratic negotiations and legal obstacles—the access frictions—involved in producing and circulating Wiseman’s film, to illuminate what the *state* seeks when it grants carceral access. When state authorities realized that Wiseman’s film threatened their credibility, they turned his demand for accountability back onto the filmmaker. Wiseman found himself embroiled in a lawsuit that accused *him* of breaching the privacy rights of disabled prisoners, as if their incarceration weren’t based on the annihilation of privacy and consent.

The verdict in this lawsuit vindicated the fantasy of access that continues to arrest the documentary imagination: one that confuses proximity to danger for insight and upholds the ideal of the documentarian single-handedly “taking on” state or para-military power. It also helped to codify the legal structure for the neoliberal and litigious norms around accountability that the field perpetually and reactively parries: one that frames responsibility as individual, consent as contractual, films as investments, and subjects as liabilities.

Access, understood this way, is not a brave challenge to carceral power; it becomes its accessory. It may present the appearance of transparency and accountability, but it turns documentary into an accomplice of the very institutions it imagines itself exposing. To arrive at a more radical, abolitionist understanding of both access and accountability, the documentary field needs the insights of those most impacted by institutionalization, including incarcerated activists, psychiatric survivors, and disability justice organizers who have sought not to reform prisons but to abolish them altogether. The second half of this essay accordingly turns to the long fight to end carceral sanism by looking at two documentary projects that build on the legacies of disability justice.

THE RUSE OF PERMISSION AND THE PROMISE OF CARCERAL REFORM

In 1967, Frederick Wiseman premiered the first of his esteemed fly-on-the-wall portraits of American institutions. History has been kind to *Titicut Follies*, whose exposure of the dehumanizing treatment of psychiatric patients has been credited with helping to trigger their liberation from carceral facilities thinly disguised as asylums and psychiatric hospitals.

Excerpts from Roger Ebert’s stunned 1968 review capture why this early example of Direct Cinema’s unprecedented access to places hitherto hidden from view made for such gripping, if unsettling, viewing. Ebert wrote:

‘Titicut Follies’ is one of the most despairing documentaries I have ever seen; more immediate than fiction because these people are real; more savage than satire because it seems to be neutral... It appears that the inmates are deprived of clothing much of the time because that is cheaper and makes security easier... Few of us have the slightest idea of conditions in the nation’s mental prison-hospitals [...] and the film leaves us

with the impression that institutions like Bridgewater are causing mental illness, not curing it (Ebert 1968).

Titicut Follies was prophetic in more ways than one. Wiseman's revelation of the rampant human rights abuses at Bridgewater reads now as a harbinger of the global humanitarian turn in documentary that would, in subsequent decades, seek to give voice to the voiceless in war zones, red-light districts, refugee camps, and torture prisons. The state also responded to Wiseman with a legal challenge that shifted its responsibility to the filmmaker. This reframing of access as a matter of individual rather than institutional accountability at a crucial and ambivalent moment (evident in Ebert's assessment) has stuck—and it has shaped both a neoliberal trajectory for documentary and a collaborationist attitude toward the carceral state.

The institution Wiseman filmed, Bridgewater, has a long history of warehousing "undesirable" people. Frequently described as a "hospital for the criminally insane," Bridgewater was not always a hospital or psychiatric prison. It began its life in the 1850s as an almshouse and by 1866 it included a State Workhouse for "incorrigible juveniles" (usually the children of parents without the means to care for them) and people convicted of misdemeanors (Honig 2023, 3, 4). People who were unhoused, disabled, or mentally ill continued to be confined there after almshouses were abolished in 1872. Bridgewater's population ballooned in the early twentieth century, as courts sentenced "insane" men convicted of intoxication and other petty and serious crimes (Honig 2023, 3, 5). By the mid-1960s, when Wiseman began visiting, it had evolved into a sprawling medium-security prison housing men labeled "criminally insane," "alcoholics," "sexually dangerous," and "defective delinquent" (Anderson and Benson 1991, 10). This last category, legalized in 1911, referred to people with intellectual and developmental disabilities who were deemed "likely to commit crimes" (Honig 2023, 3, 5). An astonishing 85% of the approximately 1,500-1,900 men confined there in the mid-1960s—some for as long as sixty years—had never been convicted of a crime (Anderson and Benson 1991, 10; Boston Globe 1963 and Gaughan obituary 1989 quoted in Honig 2023, 8).

This was not exceptional. It is often thought that U.S. confinement first topped global charts during the prison-building boom of the early 1970s. This number initially peaked in 1955, when 559,000 people were institutionalized in state-run psychiatric facilities ("mental hospitals" to use outmoded parlance), prior to the "first wave" of deinstitutionalization targeting people with mental illnesses. 1967, the year *Titicut Follies* premiered, marked another historic high for the number of people with intellectual and developmental disabilities institutionalized in the U.S., whose decarceration followed in a second wave (Ben-Moshe 2020, 40, 3).

Wiseman began visiting Bridgewater while teaching law at Boston University, bringing students to witness the institutions they would help populate as future prosecutors and judges (Rosenthal quoted in Winston 1993, 48). He eventually befriended Superintendent Charles Gaughan, an educator and reformer who had al-

ready spent years imploring the state legislature for sentencing reforms for non-violent offenders and the facility's transfer from the Department of Corrections to the Department of Mental Health (Honig 2023, 7–8). Wiseman has said he was naïvely motivated by the prospect of bringing about “improvements in the way in which inmates at M.C.I. [Massachusetts Correctional Institution], Bridgewater were treated” through public exposure (Anderson and Benson 1991, 156, 206).

Reform has long justified carceral access for journalists and media-makers, especially when blame can be assigned to elected officials wary of public ire. Filmmaker Geraldo Rivera is famously rumored to have broken into the Willowbrook hospital in Staten Island, where over 6,000 children deemed “mentally retarded” were held in conditions of horrible neglect, with a stolen key (Ben-Moshe 2020, 50). Prompted by whistleblower physicians, Rivera and his crew justified their trespass as an ethical breach in pursuit of a larger social purpose.

Unlike Rivera, Wiseman lobbied for permission to film inside Bridgewater. He ultimately persuaded Gaughan's supervisor, Commissioner John Gavin, with support from Elliot Richardson, Massachusetts' politically ambitious liberal-leaning lieutenant governor. It took nearly a year and a half for Wiseman to get this access, which was granted, shockingly, without written contracts. This was thirty years before the enactment of the Health Insurance Portability and Accountability Act (HIPAA)—the privacy law ostensibly protecting the personal health information of patients that now frequently shields carceral facilities from scrutiny over deaths in custody—and Wiseman's access was virtually unfettered (U.S. Department of Health and Human Services, Office of Civil Rights, n.d.). Gaughan gave Wiseman carte blanche to film inside Bridgewater, barring only high-security prisoners and one unit that required written conditions (Anderson and Benson 1991, 21). It only later became apparent that this access was conditional on the film making a contained case for reform: an improvement of carceral conditions rather than a fundamental challenge to incarceration.

Wiseman relied largely on implicit or oral agreements—a practice that is unthinkable today and indeed, illegal under HIPAA. Of the sixty-two institutionalized men seen in the film, many with intellectual, developmental, or psychiatric disabilities, only a handful were deemed competent to sign releases (a document that protects the production company from liability). Wiseman and his crew had drafted a written release with a symbolic \$1 compensation but only twelve were collected; Gaughan later testified that he did not know what a release was. Prison staff made consent decisions for the others and even suggested some of the film's most infamous scenes, such as the group strip search, the force feeding, the burial, and the man singing while standing on his head (Winston 1988, 280; Anderson and Benson 1991, 22–24).

The state's response upon viewing the completed film was swift and unequivocal. Concerned that the film would damage the Commonwealth's reputation, Commissioner Gavin found a sympathetic ear in Richardson, since elected Attorney General of Massachusetts. Richardson reversed his earlier support and initiated legal proceedings to prohibit the film's public exhibition within the state on the basis that it violated the “inmates' right of privacy” (Commonwealth v.

Wiseman quoted in Anderson and Benson 1991, 54–56). Gavin would later testify that his approval had been contingent on “the usual precautions” of obscuring faces, obtaining legal releases from those competent to sign them, and supervised filming; Wiseman has acknowledged only the last of these conditions (Commonwealth v. Wiseman quoted in Anderson and Benson 1991, 17–18).

The ensuing trial helped to crystallize a neoliberal, legalistic approach to documentary access. The state alleged that Wiseman had violated the privacy rights of James C. Bulcock, a man with psychiatric disabilities who is shown nude with his genitals exposed (Anderson and Benson 1991, 89; Kahana 2008, 227). Wiseman’s defense invoked his First Amendment rights, arguing that the public interest of disclosing what took place in a public institution outweighed the right to privacy, which was not recognized under Massachusetts state law. His lawyers also argued, rightly, that informed consent is impossible under carceral confinement, and that disclosing the conditions of confinement was in the best interest of those incarcerated people who were deemed incompetent to give consent (Anderson and Benson 1991, 86, 94–95).

The Massachusetts Superior Court’s initial verdict in this landmark case, later modified by the Massachusetts Supreme Court to allow limited screenings for specialized audiences, upheld the ban on the film’s public exhibition in Massachusetts (Neihausen 2012). These restrictions were partially lifted in 1987, following the deaths of several of those pictured, and fully lifted only in 1991, when a Massachusetts Superior Court judge overturned the earlier ruling (Anderson and Benson 1991, 104–5; Honan 1991). The case set a rare precedent against press interests and catalyzed the legalization of the right to privacy, previously a matter of common-law tradition, in Massachusetts (Winston 1988, 281).

It is worth pausing here to note how the state cynically used the smokescreen of reform to evade accountability: in order to suppress the film’s depiction of state violence, the Commonwealth invoked the language of *disability rights*, specifically the right to privacy of people with psychiatric disabilities. As legal scholar Eden Osucha (2009) observes, the right to privacy, first articulated by a pair of Boston jurists in 1890, a mere quarter century after slavery was abolished, has white supremacist roots. Early privacy laws were designed to protect white interiority from the racially denigrating exposure and consumption reserved for Black bodies in scientific archives, state surveillance and mass culture (Osucha 2009, 78–80, 97). Black unfreedom, in other words, subtended the very legal concept of privacy. *Commonwealth v. Wiseman* built on this legacy by leveraging privacy rights to protect the state’s carceral investments.

The racist and ableist core of these investments survived the reforms that *Titicut Follies* helped facilitate at Bridgewater. In 1987, Bridgewater State Hospital (BSH) was split off from the two medium security prisons at M.C.I., Bridgewater. Still, a special working group’s recommendation that its governance be moved from the Department of Corrections to the Department of Mental Health (an argument that ultimately only gave credence to carceral regimes) was never implemented, and several lawsuits subsequently targeted the use of restraints on involuntarily committed patients with no criminal involvement. As of July 2022,

61% of the 233 people held at BSH were people of color, more than twice their share in the population. Today BSH remains Massachusetts' only carceral facility for system-involved people with psychiatric disabilities (Honig 2023, 3, 11, 14).

Commonwealth v. Wiseman marked a pivotal shift in the relationship between social documentary and the carceral state, much of it related to the neoliberal rationalities that were being inaugurated into all aspects of Western life. It heralded a litigious era in which documentary filmmakers increasingly faced "SLAPP suits" (Strategic Lawsuits Against Public Participation) designed to hamstring or chill political speech. The verdict, which established the legal right, in Massachusetts, *not* to appear in a film, also helped establish access as a form of private property that filmmakers could acquire, either through state permission or through the consent of those conferred rights by the state. Access has since become a bargaining chip that prisons administrators trade with filmmakers, and increasingly, also with incarcerated artists, in exchange for favorable representations that do not fundamentally challenge their existence.

From our present vantage, the case epitomizes the neoliberal framing of documentary ethics as legal and economic, that is, as a question of risk management rather than political struggle. In subsequent decades, production companies and distributors began to protect their investments by seeking liability insurance, commonly known as an Errors and Omissions policy, which is typically contingent upon procuring legally binding appearance releases.

This shift has enormous consequences. Today, a filmmaker like Matthew Heineman can claim his "access" to endangered military informants was both in the public interest and legally sound, so long as the military signs off. Meg Smaker can say her Arab interviewees "consented" to being interrogated about their relationship to terrorism, regardless of how little her negotiation of access with the authorizing authoritarian regime is made transparent. Perhaps more insidiously, filmmakers can gesture to vague ideas of "reform," now firmly wedded to the notion of documentary access, while in actuality such access functions as a virtue-signaling smokescreen.

What might this mean, then, for those of us invested in documentary as a means of opposing state violence? For one, it might mean acknowledging that carceral access is not inherently ethical or progressive. It is a site of abolitionist struggle in whose control the state is so ideologically and financially invested that it is not above purchasing the cooperation of those opposed to it. It is also one with which people who have been institutionalized for their psychiatric or cognitive disabilities are intimately familiar.

DISABILITY JUSTICE AND THE MOVEMENT FOR LIBERATORY ACCESS

In the mid-1960s, it was structurally impossible for incarcerated people with psychiatric disabilities to speak out against institutionalization. Consider Vladimir, a prisoner at Bridgewater diagnosed as a paranoid schizophrenic. *Titicut*

Follies includes two separate scenes of Vladimir arguing in vain for his return from Bridgewater to the general prison population at Walpole. Vladimir repeatedly identifies the debilitating effects of the conditions at Bridgewater and the medication he is being given, stating: "You are ruining me." He is met with snickering dismissal and prescribed further sedation.



Exposés of psychiatric facilities have wrongly been identified as the source of empowerment for psychiatric patients like Vladimir. In actuality, the forces driving deinstitutionalization were complex, and had as much to do with neoliberal austerity measures as progressive activism. These media revelations, typically authored by nondisabled white men, stirred public outrage, but tended to target psychiatric facilities rather than the ideas and attitudes justifying carceral fixes for social crises. Disability scholar Liat Ben-Moshe calls this a "progress narrative": a story in which institutions were reformed or shuttered, while carceral sanist logics were simply transferred elsewhere, paving the way for new tools of chemical incarceration such as long-term care and psychopharmacology (Ben-Moshe 2014, 18).

But while Wiseman was filming at Bridgewater another movement was already in motion that sought not to improve carceral facilities but to abolish them. This more radical push for decarceration came from those directly impacted by these systems, working in coalitional struggles of those who identified as mad and disabled to create stable housing, free education and healthcare, accessible streets and amenities, and survivor-centered healing. Their fight for deinstitutionalization from the 1960s onward reveals a distinctively collectivist vision of

Fig. 1:
Vladimir is escorted
away by Bridgewater
staff. Screen capture
from *Titicut Follies* (dir.
Frederick Wiseman, 1967)

access predicated first on the *meeting of access needs*, or what disability justice activist Mia Mingus calls “liberatory access” (Mingus 2017). The documentary field has much to learn from this vision in both analysis and strategy.

One of the boldest articulations of this vision came from the Socialist Patients’ Collective (SPK), a self-managed mental patient organization in Heidelberg, Germany that challenged the largely physician-initiated antipsychiatry movement that sprung up across the US, UK, and Europe in the 1960s (Adler-Bolton and Vierkant 2022, 131). Formed in 1970 in response to the firing of a leftist doctor, SPK framed illness as a political condition produced by capitalism, and a source of revolutionary power that psychiatric treatment sought to neutralize. They gave material shape to their rallying cry, “Turn Illness into a Weapon,” by organizing hunger strikes, teach-ins, and experimental forms of mutual aid, where patients participated in group therapy instead of submitting to medical authority (SPK 1993).

SPK’s challenge to the medical establishment and the state did not go unanswered. The state branded SPK a terrorist threat to national security, and the organization became the target of a formidable smear campaign linking them to the Red Army Faction (RAF). Many members were arrested on trumped-up charges and imprisoned, and some were held for months and years under solitary conditions designed to destabilize their sanity. Others were forced underground. The organization was effectively crushed before it could fully realize its vision (Spandler 1992, 4–16; Adler-Bolton and Vierkant 2022, 163–67). Yet, in its brief existence, SPK exposed the way psychiatry operated as a tool of carceral control and offered a radical model of patient self-determination grounded in collective action and mutual aid.

The abolitionist commitments of the deinstitutionalization movement to collective liberation have since been taken up as the guiding principles of disability justice, a framework coined in 2005 by Sins Invalid, a Bay Area-based collective of disabled queer people of color (Lazard 2013). Disability justice activists have long resisted legal framings of access, as articulated in the Americans with Disabilities Act (1990), as a commoditized individual benefit secured through special permission or arrangement with the state or its proxies. Access granted as a special permission, commonly called an “accommodation,” is designed not to change the underlying exclusionary structure but rather to ward off litigation. More often than not, they involve harms of their own (Dolmage 2017, 74; Price 2024, 71–2; Price 2021, 272). This is why disability justice activists and scholars have actively moved away from neoliberal and legal discourses of access grounded in individual permissions and rights, with their implied corollary of individual risks, in favor of collective and interdependent approaches that understand access as a relational process and shared responsibility.

In a blog post Mia Mingus describes what she calls “liberatory access,” or access aimed at transforming the conditions that produce debilitation through its denial. She elaborates:

Liberatory access calls upon us to create different values for accessibility

than we have historically had. It demands that the responsibility for access shifts from being an individual responsibility to a collective responsibility [...] from being isolating to connecting; from hidden and invisible to visible; from burdensome to valuable; from a resentful obligation to an opportunity (Mingus 2017).

Mingus's call for liberatory access is especially resonant in the context of the documentary marketplace, where the prospect of exposure or visibility is often traded with vulnerable people under the sign of access. Mingus astutely identifies that liberatory access hinges on an ideological reversal of this dynamic, requiring those "providing" access to recognize their own interdependence with those they regard as disposable.

In a telling reversal of the celebrations of "intimate access" referenced at the beginning of this essay, Mingus calls this "access intimacy." Her reference point for this term is the sense of closeness, safety, and trust experienced by people with disabilities when other people—including and even especially nondisabled people—anticipate and proactively work to meet their access needs. To bring this back to our present discussion, access intimacy requires the documentary field to see access not as something *acquired* from carceral facilities and *granted* to incarcerated people, but as something *owed* to a world differently organized.

FROM INTIMATE ACCESS TO ACCESS INTIMACY

To pose the question of what collective and liberatory access might look like in documentary, I turn to two projects grounded in disability justice by filmmakers with and without experiences of incarceration: Rahsaan Thomas's *Friendly Signs* (2023) and Jordan Lord's Documentary Participation Agreement (2024). In both projects, disability justice features as subject matter but, more crucially, as an alternative value system that informs the ethos and form of the filmmaking. Each practices access intimacy within a community while navigating, respectively, the double-binds of carceral access, and a litigious and austerity-driven funding and distribution landscape. If access intimacy is how Thomas attempts to subvert the isolating coercions of the prison system, then the idea of sharing ownership by "catching" rather than releasing one another from interdependence motivates Jordan Lord's film practice.

Should a film even be called a film when it is produced under conditions that deny its director and protagonist personhood and consent (Knight 2027, expected)? Rahsaan "New York" Thomas's short film *Friendly Signs* was written, directed, and produced with grant support from Sundance and the Marshall Project while the filmmaker was incarcerated at San Quentin State Prison in California (recently and expensively rebranded as San Quentin Rehabilitation Center), and released following Thomas's own release on parole. The film exemplifies in both narrative structure and in its conditions of production

how incarcerated people pursuing political education through art have to do so within the auspices of rehabilitative programs, and increasingly, through self-fashioning as media entrepreneurs—even as their labor and work product are “owned,” without compensation, by the prison and/or collaborating outside organizations (Chan 2023).

Thomas’s film documents the efforts of an incarcerated man named Tommy Wickerd to get approval to teach a sign language class at San Quentin in anticipation of the arrival of a cohort of eleven d/Deaf and hard of hearing men from the Corcoran Substance Abuse Treatment Facility and State Prison, following the violent deaths of several people with disabilities. Wickerd explains that Deaf signers who are incarcerated are especially vulnerable to violence because they cannot hear orders issued verbally and because of their linguistic isolation. We also learn that Wickerd learned to sign to communicate with his Deaf older brother Mike, and that Mike has not visited Wickerd in person for over a decade because of a traumatizing encounter with an abusive correctional officer.

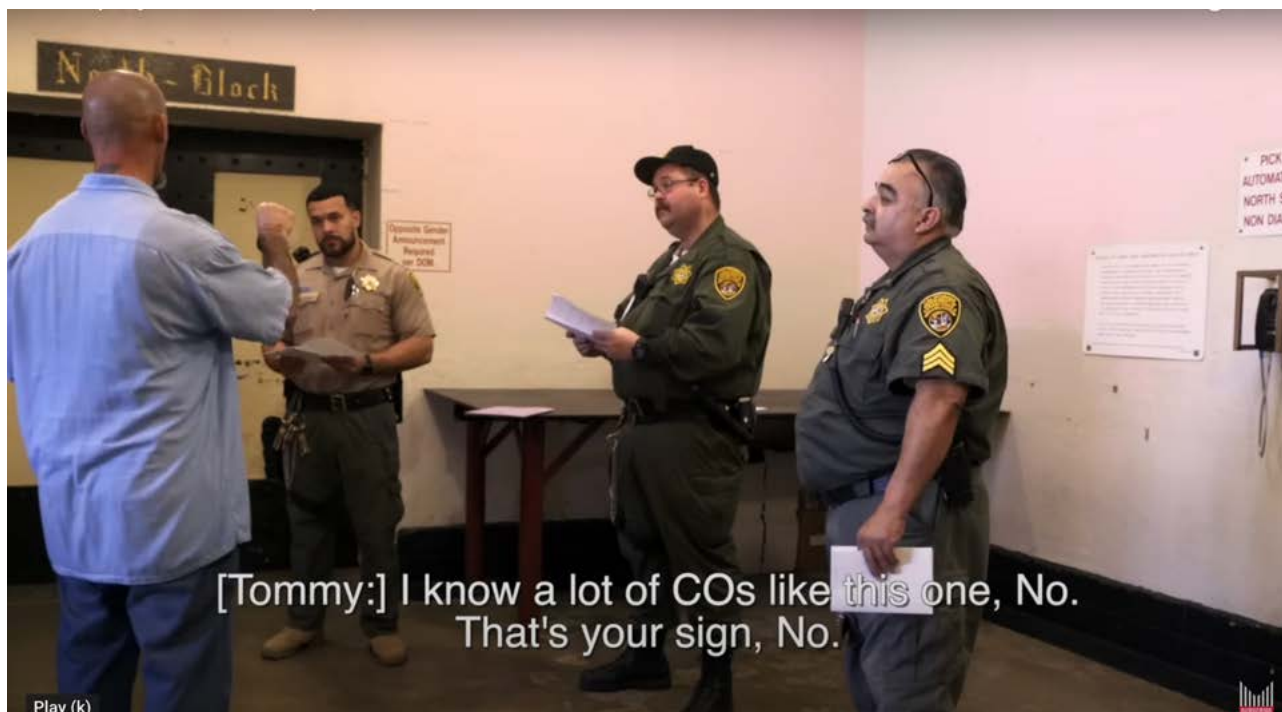
By connecting the structural vulnerability of Deaf and disabled people with the punitive ways in which prisons regulate intimacy and human touch, Thomas frames Wickerd’s anticipatory efforts at creating safety and community for Deaf comrades as an act of access intimacy. Indeed, as Lauren Berlant has argued, intimacy always “poses a question of scale that links the instability of individual lives to the trajectories of the collective” (Berlant 1998, 283). Linking access to intimacy thus opens up the radical promise of access relieved of its connotation to acquisition and more closely aligned to the idea of a collective trajectory. Toward the end of the film, Wickerd is shown signing with Mike for the first time in a decade using the video phone system installed by the prison to enable the Deaf/HoH population at the prison to communicate with their families. Thomas, in turn, has emulated Wickerd’s efforts at building access by using his film to campaign for Wickerd’s early release (Wickerd was eventually resentenced and released in 2025 for exceptional conduct).

That incarcerated people are even enabled to make films may come as a surprise to some. San Quentin has long been a testing ground for the California Model, which incentivizes incarcerated people to earn privileges and reduce their sentences through rehabilitative programming. Keisha Knight (2027, expected) argues, counterintuitively, that film and media programs inside prisons—with their attendant implications of agency and self-actualization—are a cover-up for the hyper-violence and disorder that organize all carceral workflows. This has historically been true of rehabilitative programming, which has served to both capture and dissipate revolutionary dissent. As Nicole Fleetwood has noted, many prisons turned to cultural and educational programs after the Attica Prison uprising of 1971 as a way to control and occupy growing prison populations. San Quentin was an early and enthusiastic adopter of this strategy (Fleetwood 2020, 163). Over the past two decades, the state has consolidated its relationship with Pollen Initiative, a nonprofit that now manages what were originally prisoner-initiated media projects, including *The San Quentin News* and the podcast *Uncuffed* (CDCR 2026). *Forward This* (founded 2021), the incar-

cerated film collective whose members crewed for Thomas (itself an outgrowth of the pioneering *First Watch* film collective founded in 2017), was recently subsumed under the mantle of the San Quentin Media Center, a flagship model that Pollen is now replicating at other facilities (Hicks 2022).

The contradictions of creating collective access under “rehabilitative” conditions where violating access restrictions can nonetheless result in death finds potent expression in the visual language of *Friendly Signs*. Thomas intersperses scenes of Wickerd’s access activism (presenting at a town hall; demonstrating manual signs; leading a volunteer ASL class for over twenty incarcerated men) with images of the decidedly *unfriendly* signs that isolate and restrict movement within the prison, such as: “RESTRICTED AREA”; “NOTICE: NO WARNING SHOTS FIRED IN THIS UNIT”; and “OUT OF BOUNDS MUST HAVE PASS.” These omnipresent access restrictions, screaming in all-caps, dominate the visual field in the only scene where Wickerd is shown interacting with armed correctional officers. The scene, which depicts Wickerd teaching the Correctional Officers (COs) the manual signs for “alarm” and “down,” and about Deaf communication styles, whose visual animation or “loudness” can be mistaken for aggression, is clearly designed to humanize the COs, who are shown to be responsive. But the angle of the scene, shot from the perspective of a surveillance camera, and the internal tension within the frame, telegraph the control prisons exert over access. We are reminded that the first audience for the film is, in fact, the prison; indeed, Thomas’s friendly relationship with San Quentin’s Public Information Officer may have contributed to his ability to retain ownership rights to his film after his release.

Fig. 2:
Tommy Wickerd teaches
San Quentin correctional
officers basic manual
signs. Screen capture
from *Friendly Signs* (dir.
Rahsaan Thomas, 2023)



Against a commodified vision of access based in artificial scarcity and individual exceptions, Jordan Lord’s “catch” agreement underwrites a different set of commitments to access understood as a shared resource, risk, and

responsibility. In a key scene from *Shared Resources* (2021), their feature documentary about war debilitation and the labor of familial caregiving, Lord asks their parents, both participants in the film, to sign a “catch” agreement. Lord has explained how this agreement, partly motivated by their war veteran father Albert’s discomfort at being shown in an infirm state after hospitalization (an image that Lord obscures) differs from the standard documentary appearance release:

Rather than releasing me from responsibility for how my film might negatively impact the participants’ lives or assigning the footage and stories of their lives as my property, this agreement would maintain the participants’ shared ownership over this footage, allow them the ongoing right to withdraw access to this material, and bind me to legal responsibility for any damage the film might do to their lives. This agreement sought to frame the act of documentary participation as a shared resource that cannot be ethically nor materially separated into my interest vs. that of the participant, my creative contribution vs. theirs (Lord 2024, 4–5).

Fig. 3:
Jordan Lord presents the
“catch” contract to their
parents. Screen capture
from *Shared Resources*
(dir. Jordan Lord, 2021)

By framing consent as an ongoing process rather than a single event, the catch agreement seeks proactively to prevent harm from occurring rather than preventing harm from being retroactively redressed. It also insists on the bonds of interdependence that tie the filmmaker to the participant rather than seeking to sever these bonds through the commodity form.



Albert worries that this agreement may get in the way of a distribution deal for Lord’s film (as noted earlier, it is very difficult to get distribution for a documentary without securing Errors and Omissions insurance, for which written

releases are a prerequisite). He refuses to sign.

Albert's refusal turns out to have been a prophecy regarding the difficulty of distributing a film committed to collective access. The year after its release Lord received an offer to distribute *Shared Resources* from a subscription-based streaming platform whose focus on experimental and arthouse cinema is enabled by a partnership with Amazon Prime Video. The deal ended up falling apart due to a policy change by Prime Video that precludes hosting or acquiring films with burned-in subtitles, which interfere with their business model for worldwide release (Rangan 2025, 122-23). This requirement disqualified Lord's film, which includes burned-in open captions and audio description that anticipate Albert's own future access needs (as explained in the film, he suffers from retinal damage from Agent Orange exposure during the Vietnam war that could culminate in blindness) as well as the access needs of other disabled audiences.

Since completing *Shared Resources* (which has since found distribution through Video Data Bank and Lux) Lord has developed a new Documentary Participation Agreement, this time modifying the standard appearance release as a work-for-hire agreement. In addition to designating the film as the shared property of the filmmaker and participants, this document seeks also to account for and compensate the living labor of participating in the film. The contractual preference for the term "subject" over "participant" (itself a vague term) disavows this labor, as do the journalistic ethics that forbid some distributors and broadcasters to compensate "sources" (Lord 2024, 7). But documentary participation is also typically uncompensated because the promise of exposure or visibility is *itself* sold to documentary participants as a form of compensation.

Lord's new agreement seeks to recognize and compensate all of the ways in which the participant continues to live with the film, both those that are bounded, like participating in public screenings, as well as the incalculable experiences and recognitions that accompany the act of sharing one's life on film: fielding questions, reliving trauma, and in extreme cases such as that of Omar Khan in *Retrograde*, being punished or even killed for being seen (Roig-Franzia and Hodge-Sack 2024). This living, biopoliticized labor—what Lord calls "the labor of living with the labor of appearing in a film"—is what continues to generate surplus value around the film. Releasing one's rights to the engine of value makes the labor of participating in a documentary resemble other forms of work premised on a loss of autonomy (Lord 2024, 9).

No institution enforces this loss of autonomy more fully than the prison. In a recent interview, Thomas explains why he has adopted a practice resembling Lord's catch agreement. He describes arriving at this shift in consciousness after a falling-out with a nonincarcerated filmmaker "on an Oscar hunt" who denied Thomas permission to use his own footage from a film in which he participated:

That taught me these people can own your likeness 'cos you signed a release while under duress in prison trying to do good. And so now when I make films, I don't own your likeness. If you're in a film you own a copy of it. You can do whatever you want with it except sell it without me. Just

because you allowed me to use your likeness doesn't mean I own your image (Girish and Krute 2024).

Thomas and Lord may be working from different vantages toward horizons more aspirational than achievable, but they share an analysis of what happens when documentary access reproduces carceral structures of dispossession. A lot needs to change about the field—quite possibly everything—if their disability justice-informed approach to liberatory access is to be realized at a broader level. Ethics can only take us so far. A more fundamental transformation requires a reckoning with the forces that produce, and maintain, human captivity in the first place, and the inherent limitations of media satisfied with exposing captive people rather than freeing them.

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