Revisiting the Property Room: A Humanist Perspective on Doing Justice and Telling Stories

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I first wrote this essay as a brief article for The Evidence Log*, the official publication of the International Association for Property and Evidence, Inc. (IAPE),*[1] *a professional organization for police officials who run and oversee the operations of evidence rooms in North America and across the globe. The association and its programs, including* The Evidence Log*, were "established to further the education, training, and professional growth of Law Enforcement Property and Evidence Personnel,"*[2] *as it says on the publication page of the journal. Having joined this organization and attended one of its two-day workshops, I wanted to give back. I wanted to explain more directly why, as a scholar in the humanities, I had joined this organization. I hoped that I could share with these police officials some of my work on* Evidence as Archive*, a larger project in which I build on what I have learned from them. In this larger work, I call attention to the often invisible and yet necessary labor of those engaged in property management in both law enforcement and in Holocaust museum and archival collections.*

Let me explain: in Evidence as Archive*, I ask what it means to hold what were once ordinary objects as evidence, as juridical and historical evidence of violent crimes and traumatic legacies writ large and small. Most especially, I am interested in what it means to hold onto evidentiary objects, ordinary objects that may never make it to court, the evidence from the vast majority of crimes that remain otherwise unresolved, including so many of the horrific crimes that constitute the Holocaust.*

What I had hoped to do was make a suggestion as to how law enforcement professionals might build on a model deployed by the art and artifacts curators at the United States Holocaust Memorial Museum (USHMM). Given that these unresolved cases lack juridical justice, I wanted to imagine how, without damaging the chain of custody, those connected to these unsolved crimes might tell some of the stories of the evidentiary objects held in these repositories. In this way, I wanted to imagine doing justice for the victims of these crimes outside of, or perhaps, in some cases alongside of, going to court. By simply getting their stories out, by allowing those objects held as criminal evidence to become the occasion for telling other narratives, I wanted to propose the telling of stories as another form of doing justice. This type of labor has often been described in situations when we mourn the life of someone who has died.[3] *We attempt to honor—to do justice to—individuals' lives by telling many stories, and in so doing, we collectively recreate a semblance of those once bristling lives. In a similar fashion, the telling of still open stories of violence and harm allows those involved to be recognized in different ways over time. Here, justice is a ritual enactment; justice is an opportunity to retell and share one's stories.*

In Evidence as Archive*, I juxtapose the collection of artifacts held in the United States Holocaust Memorial Museum, evidence of the genocide—trauma writ large—with the*

vast storehouses of evidence from individual violent crimes held in police custody all across the United States. As I initially wrote this essay for those police officials like Joseph Latte, the founder of the IAPE who enabled me to join the organization to take one of their workshops and become a regular reader of their professional publication, The Evidence Log*, I wanted to write for that publication in order to try to share this perhaps utopian vision of how lessons from the USHMM might help law enforcement officials consider carrying out an alternate form of justice in all of those unsolved crimes whose evidence they continue to hold in their storage facilities. I had learned so much from these law enforcement officials but felt that it was important for me to try to explain how my efforts might have some relevance to their work and might be of some use to them. In the end,* The Evidence Log*, a very practical, hands-on publication, was not the right venue for my more exploratory musings. So I have turned to MAVCOR as an alternative venue.*

As an open access publication, MAVCOR allows me to reach not only other scholars of religion, visual and material culture, and the humanities more broadly conceived, but members of the IAPE community as well. In other words, MAVCOR offers me a forum to present this work to many different readers including IAPE members who I hope might access it through the links that I include here. I also plan to publish a letter to the editor of The Evidence Log *that will include a link to this work. Given all of this, I hope to be able to share my vision of the potential of evidentiary objects to do justice to the suffering of so many whose traumatic stories might not otherwise be told. The telling of these stories, the making public, the sharing, is a part of my vision of what it means to do the work of justice. It makes the bearing of such legacies less lonely. I make this intervention thinking both of MAVCOR's eclectic and interdisciplinary scholarly community, as well as of members of the IAPE who may find it of interest. In this modest way, I hope that this essay may reach both law enforcement professionals as well as scholars who might help facilitate such enactments.*

Where I Began: Making Connections

I am a scholar of religion and Jewish studies. My 2007 book, *American Jewish Loss after the Holocaust*,[4] explored the relationship between everyday losses in American Jewish life and the legacy of the Holocaust. I was interested in the process of Holocaust commemoration: what happens when all kinds of people visit places like the U.S Holocaust Memorial Museum (USHMM) in Washington, DC? I argued that part of what Holocaust commemoration entails is the bringing together of many different kinds of losses. All of us bring our own ghosts to such places; at its best, commemoration is what happens when these different losses touch each other. This touching is not a melding, or a making of a collective.[5] Their interaction is not about rendering these incommensurable losses one and the same. What interested me, rather, was understanding how, through the interaction of losses, we learn something not only about the Holocaust, but also about our own more intimate experiences of grief. Bringing our own ghosts into such places reminds us that the millions of people whose lives were lost or otherwise harmed in that genocide were individuals: teachers and coaches, fathers and mothers, grandmothers and grandfathers, friends and lovers,

husbands and wives. We recall that each of those who died and survived was also once an ordinary person like those we love and so we draw connections between our lives and theirs.

This approach was my way of challenging the tendency to see the Holocaust as so vast that we could not possibly draw any connection between it and our own experiences of loss. In that way of thinking, our own losses pale in comparison and must be set aside to recognize the enormity of the Holocaust. The origins of this deferential strategy were extremely well meaning; it was undertaken out of respect for the millions who had died. Nonetheless, part of my concern in reconsidering this deferral was to rethink how we might better keep Holocaust memory alive. Deferral does not allow visitors to remember the individual lives lost or envision how to connect this legacy to the future. By allowing different losses to touch each other, my hope is that we can honor our dead and all of those millions of lives lost or otherwise maimed through the Holocaust. I believe that this may permit us to continue a dialogue about the horrors of genocide and what it might take to resist such degradation in the future.

I realize this is a long introduction, but it was this notion of how different losses touch one another that drew me to my current project, which looks at the material remains of different crimes: the artifacts housed in Holocaust museums like the USHMM, and the objects held in police custody. Through considering these collections together, I propose that these objects may enable us to bring justice to those who have been harmed through acts of violence.

The Allure of Objects

By turning to the material remains of different crimes, I want to consider more fully the allure of ordinary objects that become the "stuff" of evidence. I am interested in how these objects—a sweater, a raincoat, a pair of shoes, bedding, a suitcase, vast piles of eyeglasses—might enable in a different way new connections between those who have suffered as victims of crimes writ large and small. Early on, the intimacy and strange anonymity of such objects drew me in. As historian Leora Auslander eloquently explains in her own efforts to think "Beyond Words,"[6] such objects demand our attention not only because they have some aesthetic appeal, but perhaps more importantly, because as "three-dimensional objects with which people are in bodily contact,"[7] they also touch us. As Auslander goes on to explain, objects that are "felt and touched" as opposed to simply being seen, leave their mark on our bodies and our minds. "These goods—whether jewelry or clothes that are worn, linen that is slept upon, the chest that stores that linen, plates or spoons from which food is eaten, or furniture or housing that shelters—carry special weight in essentially all societies."[8] She then further explains why these tactile connections to such objects are so powerful:

> Even the objects used in everyday, repetitive embodied activities, such as eating or grooming (to say nothing of ritual objects) are not simply functional; they are always also modes of communication, or memory cues, or expressions of the psyche, or extensions of the body, as well as sites of aesthetic investment,

> involving pleasure, distress, or conscious indifference. Their makers and users understand them to have special attributes not only because of their contact with the human body, but because they themselves mirror two crucial characteristics of human existence. They, like the people who use them, are embodied. That embodiment means that objects occupy space and cannot be in two places at once, and they are mortal, although their life-spans may be much longer or shorter than those of the people using them.[9]

Auslander beautifully captures the allure of objects and she makes a compelling case for why they matter. Not only do we touch them, but we also live with them, interact with them on a daily basis and in this way, they become a part of the very texture of our lives. Such familiar objects remain a part of us; even when so much else is lost, they become a part of a kind of deep embodied knowledge.[10] While Auslander argues for the universality of these connections, I am not so sure. What draws me to her account is how well it captures the intensity of my engagement with the collected and archived objects of trauma and violation at the heart of my work. In other words the strong sense of feeling described by Auslander can explain the kinds of desires that make the objects held in the USHMM so very captivating to so many visitors. And, in a different way, Auslander's approach helps make intelligible why it is that some of us are moved by the traces left at crime scenes, the clothing and linens that end up in police holdings.

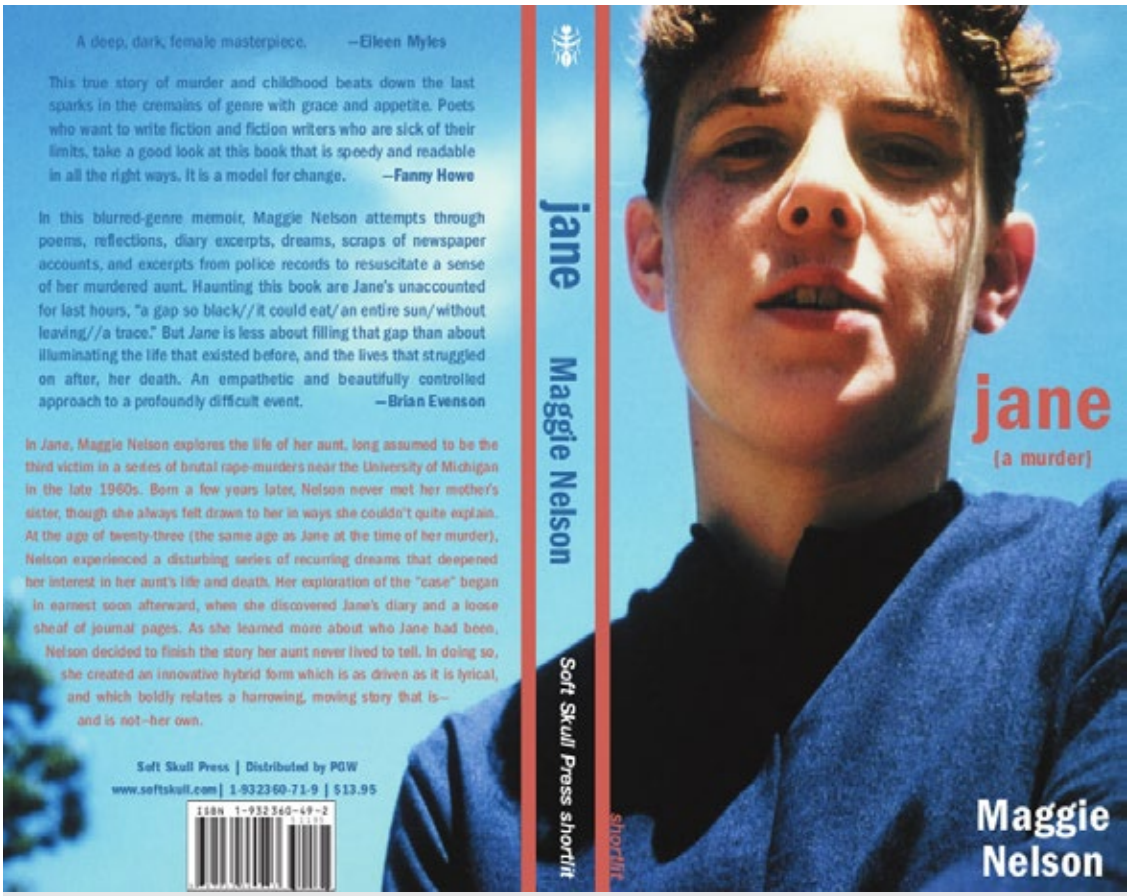

Fig. 1 Maggie Nelson, Jane (A Murder), 2005

As I was completing *American Jewish Loss*, I met Maggie Nelson, a poet. Nelson had just completed a book of narrative poems entitled *Jane: A Murder*,[11] which explored and described haunting and trying to piece together a life lost through such shards. The collection is a meditation on what it was like for Nelson to grow up under the shadow of her aunt Jane Mixner's unsolved murder, a crime that happened before the poet was born. The book was a labor of love, a painstaking engagement with all of the evidence the poet could amass about her aunt's life and death. The work builds on careful readings of her aunt's diaries, interviews with family members, discussions with Jane's fiancé, and also conversations with the detectives who worked on the murder case. When I met Nelson, she had recently returned from a preliminary hearing. As it turned out, just after her book of poems was published, there was a break in this nearly forty-year-old cold case: a DNA match. This break in the case brought the poet into the courtroom where, for the first time, she saw the clothes her aunt was wearing the night she was murdered. As Nelson explains in her memoir, *The Red Parts*,[12] written after what became the murder trial:

> A sudden death is one way—a terrible way, I suppose—of freezing the details of a life. While writing *Jane* I became amazed by the way one act of violence had transformed an array of everyday items—a raincoat, a pair of pantyhose, a paperback book, a wool jumper—into numbered pieces of evidence, into talismans that threatened at every turn to take on allegorical proportions.[13]

I too am concerned about the transformation of such objects as evidence. I too am looking for a way to do justice to their stories. And in a different manner, having been trained in Holocaust studies, I am keenly aware of the power of physical artifacts like those Auslander writes about: the suitcases, eyeglasses, coats, and shoes on display in Holocaust museums and memorial sites. In those settings such objects are also in danger of becoming talismans because they both stand in for those whose lives were lost, the millions whose remains have otherwise vanished. Because these amassed objects were present at the scenes of so many crimes, they too serve an indexical function. They are palpable and compelling silent witnesses to the atrocities that constitute the Holocaust.

I had never considered the holdings in police storage before meeting Nelson. I also came to value this under-appreciated and vital piece of the criminal justice system: the labor that is custody. My interest in objects like Jane Mixner's clothing—the evidence of violent crimes, primarily rapes and murders, and especially those that go untried/unsolved—also had more intimate resonances. I came to these questions about clothing held in police storage with evidence of my own. I had been raped in November of 1989 and that night, the Atlanta police collected evidence from my home.

Like Mixner's jumper, there were pieces of clothing and linens that were once mine now housed in police storage. My own cold case propels my work. I wanted to learn about how such everyday objects, silent witnesses to violent crimes, become evidentiary objects that are stored for the long term and to what ends, especially in cases like my

own that remain unsolved. I also want to consider how these collected objects might help us imagine doing justice to these legacies especially since so few of these criminal cases actually ever make it to court. Given the growing importance of DNA evidence and the radical changes in state laws in cases of sexual assault, I have also sought to understand how law enforcement deals with such issues in cases like my own. Was there anything of mine still left in police storage?

In my engagement with the IAPE, I have come to appreciate how crucial the chain of custody is to making or breaking a murder or sexual assault conviction. I also continue to appreciate how relatively few of these cases are ever resolved. In response to this, I have been thinking about how the evidence held by police agencies might offer a different way of bringing justice to these cases. Not unlike Maggie Nelson piecing together the shards of her aunt's life, I imagine that the evidence held in police custody might help those who are grieving—or, in cases of sexual assault, recovering—to tell their stories. What I imagine is drawing new connections: What might those crime victims seeking to tell their stories learn from the work of curators and survivors at places like the USHMM that could then be applied to the police custody of their belongings?

A Modest Proposal: Doing Justice through Telling Stories

The Art and Artifacts Curator at the USHMM, Susan Snyder, in conjunction with the museum's media and public relations department, has created a virtual exhibit through a series of YouTube videos. Each video focuses on a particular object in the museum's collection. Through these videos, individual curators and, when possible, survivors (whose objects are the subjects of these videos), help tell their stories.[14] These videos constitute a kind of virtual exhibition of objects that often are too fragile to be on regular display. Each is, in a sense, a labor of love, the fruit of rigorous research conducted by the museum's curators. They use this venue to tell stories that might not otherwise be so readily available to the public. Many of these videos emerge out of curatorial research into the history of particular objects in the museum's collection, research that informs the extensive descriptions of every item in the museum's archival records and scholarly catalogs.

The video that spoke to me most profoundly in this context is devoted to a child's green sweater.[15] This sweater belonged to a young girl named Kristine Keren, who wore it during the fourteen months she spent in the sewers of Lvov, Poland, hiding from the Nazis. In the video, the curator introduces us to this sweater lovingly made by Keren's grandmother, explaining how it holds the story of this woman's survival. What moved me about this short video was how it made vivid the power of a simple object, how a single piece of clothing might offer insight into the story of a life. I began to think about what might happen if Maggie Nelson were able to narrate the story of her aunt Jane Mixner's wool jumper, the dress Jane wore the night she was murdered.[16] I also thought about what it might be like to tell a story about the clothing I wore the night that I was raped.

Fig. 2 Kristine Keren's sweater

No one need touch these objects or interrupt the chain of custody to make such a virtual exhibition. A photograph could be taken which might enable the telling of some of these crime stories. This would be especially powerful in cases that may never make it to court. By telling stories through these pieces of criminal evidence, we might begin to do some justice to the lives of some of these victims, a justice that has otherwise been elusive.

For me, doing justice is about enabling these stories to circulate, stories not unlike my own. This is not about a grand vision but rather a tiny intervention that aims to chip away at the devastation and loneliness that is living with such knowledge. To share such tales allows these pasts to take their rightful place in an ongoing present. And, if we are lucky, these stories just might speak to another person who is suffering in some of the ways that Maggie Nelson's work spoke to me.

The Anonymity and Intimacy of Objects

Returning to these musings after having spent some time at the USHMM, having been to the museum's off-site storage facility, and having talked with not only Susan

Snyder, the art and artifacts curator, but the museum's conservator and collection manager, I am reminded anew of the power of objects and the labors that constitute their care. I find myself stumbling as I consider what specific objects animate my work. At the heart of my larger project are ordinary items taken from my home the night of my rape. This evidence may have included bedding and clothing—a comforter and sheets, a pair of sweat pants, underwear, a tee shirt. At least this is what I remember. The point is that none of these items are particularly valuable. They were the stuff of everyday life that, only because they were there with me the night I was raped, became something else. They left normal circulation. They were arrested and subsequently held in wait, just in case there might ever be a trial. They were kept alongside other pieces of evidence in holding, including a rape kit. And because this crime took place just as DNA evidence was becoming a part of such procedures, I again do not know if the kit was processed or if it was ever deployed in any other cases. My rape, like the vast majority of sex crimes, remains unsolved. It is but one of so many such open criminal cases.

As I completed these words, I stopped writing and phoned the Atlanta police to check on the open records request that I had filed during the summer of 2014. This was nearly twenty-five years after I was raped. Strangely, in the middle of September 2014, I got through to an Atlanta police sergeant in the sex crimes division. She had my case file on her desk. She and her colleagues were looking for my evidence. To date, as she explained, evidence in police custody in Atlanta has, since 1989, been in three distinct locations. As of yet, they have not been able to find my things. They are also still looking for my rape kit to determine when it and any other DNA evidence was last tested. As this police officer explained, because such analysis has only become more effective over time in Georgia, if evidence is retested, the statute of limitations is opened for another fifteen years. And because of this innovation in the law, it just may be that my case is still open. I learned that the Atlanta police had in fact retested old DNA evidence in the early 2000s. I had assumed that the statute of limitations was up in my case and that nothing was left to find. I was shocked to learn that this officer had my case file on her desk and was working on my request. It had been merely a cold call that I made.

All of this has been difficult to process. I wanted to write that, to date, I had no evidence left of my own to write about, but that too is not quite true. Having expected to learn that nothing was left, I find myself in recent possession of my case file. I now have a PDF file including my testimony and photographs taken the night I was raped.[17] *There are pictures of my bruised face and wrist. I have not yet figured out what to make of these materials. Having written about photographs in the past, I find myself pondering the difference between these objects and those other pieces of evidence, the clothing and linens, and why it is that I do not feel the same way about the photographs as I do about those material objects. What I can say for now is that because these are photographs of me and not simply my otherwise anonymous possessions, I cannot imagine telling my story through them in the same ways that I might by sharing images of those physical items.*

Unlike the objects at the heart of my project, these photographs are neither silent nor are they witnesses. They testify to the crime against me after the fact. These are images taken by the police after the crime was committed. They constitute the inverse of the mug shot, the image of the victim as opposed to the alleged criminal. I cannot allow them to circulate. They are too specific. What strikes me about those material possessions taken as evidence, as opposed to these photographs, is the way that they are both intimate and anonymous. A comforter or a pair of sweatpants are so common and ordinary that allowing them to stand in for what happened to me, as witness to my rape, opens up a space for others to make connections to objects of their own, their wool jumper, their sweatpants. As such they are strangely vulnerable and intimate even as they retain a kind of anonymity that enables a form of identification. They remind us of the normal, the everyday circulation of such objects, our sweatpants as we wear them regularly even as we imagine them arrested in these moments of violation. These often tactile connections— a common brand of shoe, a familiar pattern of a sweater, the style of a dress—are compelling. They connect us to those who suffer in many of the ways Auslander suggests.[18] *They draw us into these terrible stories—tales we would rather keep at a safer distance—and allow us to more fully explore the violence that is already a part of so many of our lives. Such ordinary objects make palpable the ways these memories permeate our everyday lives.*

For me, this is the allure of such evidence—that wool jumper, that green child's sweater—they are familiar to lots of us, as ordinary objects even as they carry as well the specificities of these criminal tales. They invite a kind of vicarious touch, a haptic viewing. And so I imagine perhaps a Custody Corner where, at some future time, the Atlanta Police might photograph whatever they might in fact find in storage from my case. And with that image, I just might tell the story of that object, my sweatpants and what happened the night I was raped in a way that echoes how Kristine Keren and Susan Snyder talk about that green sweater or Maggie Nelson has described the life of her aunt Jane Mixner. This is something I hope I might be able to do in conjunction with the IAPE and the readers of MAVCOR. Perhaps together we might imagine an actual virtual place on the web, to animate these otherwise forgotten tales.

Citation Guide

1. 1. Laura S. Levitt, "Revisiting the Property Room: A Humanist Perspective on Doing Justice and Telling Stories," Mediation, in *Conversations: An Online Journal of the Center for the Study of Material and Visual Cultures of Religion* (2015), doi:10.22332/con.med.2015.1

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Notes

1. International Association for Property and Evidence, Inc., Last accessed March 3, 2015, perma.cc/5YTH-72VD; The Evidence Log, International Association for Property and Evidence, Inc., Last accessed March 3, 2015, perma.cc/2847-YTAT.

2. "Publication Page," *The Evidence Log*, 2013, no. 4 (2013): 2, Accessed March 3, 2015 perma.cc/67SL-XWCH.

3. In a Quaker memorial service, or when Jews sit shiva, mourners share their stories of the dead with each other. These ritual acts offer a form of solace and recognition. For more on doing justice by telling such stories, see Laura Levitt, "Evidence: Doing Justice," *The Bulletin for the Study of Religion* 41, no. 4 (2012): 11-15. doi:10.1558/bsor.v41i4.11

4. Laura Levitt, *American Jewish Loss After the Holocaust* (New York: NYU Press, 2007).

5. This notion of different losses touching individuals comes from Levitt, 2007, but is also in conversation with the broader argument made by Michael Rothberg on the relationship between post colonial and post Holocaust memory. See Michael Rothberg, *Multidirectional Memory: Remembering the Holocaust in The Age of Decolonization* (Stanford: Stanford University Press, 2009).

6. Leora Auslander, "Beyond Words," *American Historical Review* 110, no. 4 (2005): 1015-1045. doi:10.1086/ahr.110.4.1015

7. Ibid., 1016.

8. Ibid.

9. Ibid.

10. Ibid.

11. Maggie Nelson, *Jane: A Murder* (Berkeley: Soft Skull Press, 2005).

12. Maggie Nelson, *The Red Parts: A Memoir* (New York: Free Press, 2007).

13. Ibid., 120.

14. Susan Snyder, conversation with author, August 13, 2014. For more information on the larger online project, see "Curators Corner," United States Holocaust Memorial Museum, Last accessed March 3, 2015, perma.cc/3HK5-KTY2.

15. Susan Snyder, "A Cherished Object: Kristine Keren's Green Sweater," United States

Holocaust Memorial Museum Website, Last accessed March 3, 2015, perma.cc/LL4V-BLDK. For more about the various objects held at the museum and the museum's broader curatorial efforts in relation to commerce, see Cayo Gamber, "Designing the Holocaust at the Sites of the Shoah and Museum Stores," *Design Principles & Practices: An International Journal* 3, no. 6 (2009): 1-14. doi:10.18848/1833-1874/cgp/v03i06/37775 For a different approach to online Holocaust commemoration, see Paige Gibson and Steve Jones, "Remediation and Remembrance: 'Dancing Auschwitz' Collective Memory and New Media," *ESSACHESS—Journal for Communication Studies* 5 no. 2 (2012): 107-131.

16. In part, Nelson does some of this work in her memoir. See Nelson, *The Red Parts*.

17. I thank Byron Lee for asking me to clarify this point after reading an earlier draft of this essay. He asked if the file included an inventory of the items taken. His query prompted me to reopen the PDF file. I went in search of that inventory. Having not remembered any such list, I looked again. This time, I discovered a place for such a list on the official form but it lacked any entries. I also noted a series of boxes in the forms that asked about fingerprints and other evidence. They were all checked "no." I also noticed a photograph of what might be my sweatpants, although, that image, like all of the others in the file, is not identified. This data will require further investigation. Byron Lee, email message to author, March 11, 2015.

18. See Auslander, 2005 on the allure of such objects.

Suggestions for Further Reading

"Curators Corner." United States Holocaust Memorial Museum. Last accessed March 3, 2015. perma.cc/3HK5-KTY2.

"Publication Page." *The Evidence Log* 2013, no. 4 (2013): 2, Accessed March 3, 2015. perma.cc/67SL-XWCH.

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