

# Journal of Prisoners on Prisons

*... allowing our experiences and analysis to be added to the forum that will constitute public opinion could help halt the disastrous trend toward building more fortresses of fear which will become in the 21<sup>st</sup> century this generation's monuments to failure.*

*Jo-Ann Mayhew (1988)*

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## JOURNAL OF PRISONERS ON PRISONS

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# EDITORS' INTRODUCTION

## Fantasies of Rehabilitation and Imprisonment

*Justin Piché and Kevin Walby*

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Rehabilitation remains an important stated goal of imprisonment, even in jurisdictions where deterrence, incapacitation and “just deserts” are prominent (e.g. Page, 2011). Through work and schooling opportunities, moral instruction and adherence to institutional disciplinary regimes, it is claimed that prison time can transform prisoners into a law-abiding, productive citizens, while restoring their “dignity and privileges” lost as a result of being in conflict with the law (Mathiesen, 1990, p. 27). Conservative criminologists (see Cullen et al., 1988) have gone as far as to claim that the notion of a punitive public is a myth, the notion of punitive prison administration and guards is a myth and that rehabilitation is a noble idea. As more critical scholars of punishment note, therapeutic and risk-based approaches to rehabilitation continue to individualize, blaming prisoners for their plight (e.g. Polizzi and Maruna, 2010).

Given that the relative ineffectiveness of prison programming compared to community-based initiatives has long been established (e.g., LeClair and Guarino-Ghezzi, 1991), the counterproductive nature of carceral environments that privilege institutional security to the detriment of personal growth opportunities (Haney and Lynch, 1997), prisonization that sees prisoners “taking on in greater or lesser degree the folkways, mores, customs, and general culture” of human warehouses (Clemmer, 1958, p. 479), the debilitating pains of imprisonment (e.g. the deprivation of liberty, goods and services that give one a sense of their identity, desired sexual relationships, autonomy and security) that can trigger anti-social forms of adaptation to survive incarceration (Sykes, 1958), and the stigma associated with being a ‘criminal’ that stifles opportunities to proceed with one’s life after their criminalized transgressions have occurred (e.g. Munn and Bruckert, 2013), Mathiesen (1990) argues that rehabilitation in the prison context operates as an ideology. The rehabilitative ideology, like other ideologies, is a “unified belief system which lends meaning and legitimacy to one’s activities... To the extent that an ideology is not followed in practice, it masks reality” (ibid, p. 29), it becomes a fantasy.

For some, the promise of rehabilitation, of making efforts to abolish ways of thinking and acting that previously resulted in harms to others, along with taking steps to build new insights and skills in the hopes that they will

have an opportunity to put them to use outside prison walls, is just that — a promise kept on their end but reneged on by the penal system (Irwin, 2009). Changes to penal policy and to prison design and practice are deepening this phantasmagoric sense of rehabilitation (Pizzaro et al., 2006). Nowhere is the fantasy of rehabilitation, of having one's freedom restored through transformation, clearer than in the case of prisoners who have committed high-profile harms in their youth that have been trapped in prison until their deaths decades after. A notable example is past *Journal of Prisoners on Prisons* (JPP) contributor and widely published prisoner ethnographer Victor Hassine (see Gaucher, 2008), who died after being denied parole on several occasions despite working tirelessly against violence, including the violence that incarceration does to all of us.

Late in 2015, the JPP lost another one of our Editorial Board members, Dr. Jon Marc Taylor, who died of a heart attack in a Missouri prison nearly two years after suffering a crippling stroke during a stint in solitary confinement for being in possession of butter while in his cell. It is with great frustration and sadness that the concluding months of Jon Marc's life were beyond cruel, particularly when one reflects on his many accomplishments and contributions. As a young prisoner, Jon Marc turned to education to transform his life and compiled a series of higher education degrees via correspondence. Having benefited from the expanded horizons that education offers, he actively promoted its virtues (e.g., Taylor 1989) and shared his knowledge on how to gain access to college and university programs with other prisoners so that they too could benefit from it (e.g., Taylor and Schwartzkopf, 2009). He also spent the past 20-plus years of his 54-year life fighting for the restoration of Pell Grants for prisoners that provided them with subsidies to access college and university courses prior to 1994 (e.g., Taylor, 1997, 2008, 2013; Davidson and Taylor, 2004), as well as documenting other injustices related to increasingly harsh penal policy and practice across the United States (see Taylor, 1995, 1998, 2001, 2003, 2014). His work was widely recognized inside and outside prison walls, including through the receipt of The Nation / I.F. Stone and Robert F. Kennedy journalism awards. To some, Jon Marc was "the very ideal of reformation and rehabilitation" (Zoukis, 2016; see also Tammeus, 2016).

That Jon Marc Taylor was denied release from prisons numerous times illustrates how the pursuit of rehabilitation is time and time again relegated to grim fantasy, cruelly cast aside by state authorities in favour of continued

injustice and brutality. As with past issues of the *JPP*, contributors in this issue invite readers to take stock of the violence of incarceration (for an overview see Chartrand, this volume), which foists upon all of us the responsibility to radically rethink how we respond to social conflicts and harms that are criminalized at present in ways that are life-giving, rather than life-taking.

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# **The Time of Our Lives: Consumption of the “Hey-buddy” Social Currency**

*Gregory R. Webb*

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## **INTRODUCTION**

The “consumption site” chosen for this paper is a medium-security male prison in Victoria, Australia where the time of people’s lives is consumed by the prison-industrial complex as a “commodity” (Woodward, 2007, pp. 13-14; Wright, 2000, p. 19). In the process of conducting social research, I applied a symbolic interactionist perspective and incorporated an auto-ethnographic analysis of the topographical post-disciplinary prison I am held in.<sup>1</sup> In other words, this paper is based on my unobtrusive observations and descriptions of the environmental factors, semiotic cues and activities of the various actors encountered within the prison where I am held captive.

While describing the consumption space, I interchangeably refer to the self as a prisoner. Above all, I aim to demonstrate that “the social actions and social reality result from [individuals] giving meaning to events and objects, and agreeing about the meaning of these things and actions” (Bessan and Watts, 2007, p. 85). Specifically, I focus on the linguistic and non-linguistic communication, including the dialect, gestures and body position of the men within the social setting.

In doing so, I briefly explore the transformation of the birth of the prison from the eighteenth century to the present. The trappings of the contemporary prison disguised as an open campus community with therapeutic alternatives is then examined, followed by an analysis of the consumption space and its effect upon identity formation. Through the lens of the interpersonal “hey-buddy” behaviours and interactions with *others* in the consumption space, I consider how the prison and the public discourse impacts the imprisonment and society until their time behind bars is completed.

## **ACKNOWLEDGING THE PERSONAL, SOCIAL, LEGAL AND CULTURAL TOPOGRAPHY OF MY SITUATED-NESS**

An assumption guiding this work is that an objective view of material culture is not practicably achievable. Even if hidden from those being observed, the observer gazing out from their vantage point cannot help but have some preconceptions that cannot be shed (Goffman, 1990, pp. 234-

235). My particular social, legal, and cultural location and vantage point as a diachronic *being* is the product being consumed in the space that I observe — the prison. Due to this very fixed situated-ness, I must take a subjective view from where I am situated, and that view is of “an abnormally embodied self” in a system of consumers and the consumed (Leder, 2004, pp. 51-52).

As a particular “mechanism” of power, the prison consumes the “time” of a prisoner, while suppressing the underlying rules or deep structures of society that are enveloped by the hierarchical modality of authority (Foucault, 1991, p. 105). The significant social, cultural, and personal calendar of events throughout the year, for the most part, seemingly break down. Rather, the *mores* or conventions that embody the fundamental values of a group within a society are replaced by “distinctive material” objects and behaviours that become substituted for what is missing, serving as a mask to what is really being consumed — the finite time of prisoners’ lives (Baudrillard, 1981, p. 76). In other words, my broader point is that prisoners are compelled to work for a meagre wage in a variety of prison services, industries, horticulture and environmental management (Department of Justice, 2007, p. A1, 27).<sup>2</sup> The majority of prisoners are employed in metalwork and woodwork. Modern day slaves, utilizing their obsolete skills in the manufacturing sector that supplies the machinery and material for production (e.g., cattle gates, space bathes, first aid kits, etc.). Their bodies have become malleable, readily trained and used, transformed and improved through the modification of their individual behaviour (Foucault, 1991, p. 136).

The obedient prisoner is necessary for achieving meaningful activities at the prison. Programs, education, and work perpetually attempt to structure and consume the day by ascribing purpose and meaning to the fragmented self. As the product of a depthless culture, caused by the decline in intimate relationships, the prisoner could be described as a distinctly fragile and feeble object, prefabricated to become reliant upon instructions as opposed to being autonomous.

## **THE HISTORICAL AND SOCIAL CONTEXT OF THE SPACE**

The historical and social context of the birth of the prison is found at the end of the eighteenth century and the beginning of the nineteenth century,

when after decades of physical torture inflicted upon the flesh of the condemned, discipline was transformed into the psychological application of a “time-table” (Foucault, 1991, pp. 8, 149; Woodward, 2007, pp. 12-13). In addition, the transformation from the physical to the psychological did not eliminate the “horrifying spectacle of punishment”, not even in the twenty-first century. Rather, it has been removed from a “public exhibition” to a “private examination” in the “machine for altering minds” that now penetrates beyond the flesh to the limitless depth of the human soul (Foucault, 1991, pp. 8-9; Woodward, 2007, p. 13). Thus, as Illouz (2008, p. 3) suggests, “through therapy the Self is made to work seamlessly for and within a system of power”.

The post-disciplinary prison, structurally, remains a fortress. However, it does not fight off intruders. Rather the prison, as a socio-political mechanism, welcomes and “targets the enemy [of non-conformity] from within, trapped between the walls the prisoner may not escape” (Chauvenet in Chantraine, 1999, p. 65) until, at least, their time is consumed. According to Chantraine (1999, p. 65) “psycho-experts”, or qualified clinicians throughout the carceral archipelago, aspire to reduce “hyper-incarceration” (Simon, 2000, p. 288) by providing alternatives to thinking skills deemed to be inadequate via cognitive skills programs<sup>3</sup> (Heseltine et al., 2009, p. 23), which in theory cannot be put into practice until the ‘offender’ returns to the community. The logic behind this therapeutic methodology fails to deliver as mass incarceration continues, both locally and internationally (Victorian Ombudsman, 2015, p. 145; Wilkinson and Pickett, 2009, p. 155). My experience is that *there is no place for logic in prison* and that if rehabilitation is to be pursued, it must be a personal journey.

## MATTERS OF STYLE AND ENVIRONMENT

The philosophy of Marngoneet Correctional Centre is that of a holistic approach centred upon the structure of an “open campus” environment. With buildings that do not look too much like prison, it is spaced with green lawns and paths. The backdrop is picturesque, occupied by a large mountain range. Prisoners and officers are encouraged to interact with one another on a first name basis, attempting to break down the barriers between the two groups with the stated goal of ending the cycle of

recidivism. The name “Marngoneet” reflects the contemporary attitude of the post-disciplinary prison and is adopted with permission from the local Wathaurong community language and means “to make new” (Department of Justice, 2008, p. A1, 27). That is, “the name reflects the prisons focus on rehabilitation and offers a respectful gesture to the Wathaurong people. And it is supported by the Wathaurong Aboriginal Cooperative” (ibid).

On site is a Prisoner Shop, a commissary where prisoners are allowed to purchase a small selection of consumer goods, token and hobby items (Harper, 2014; LOP 4.10-1, p. 1) to make the consumption of their time less intense as they seek treatment for their criminalized behaviour. The Victorian Government says that Marngoneet is “the first therapeutic prison in Australia, in which all inmates receive high-intensity interventions and reside in therapeutic communities” (Heseltine et al., 2009, p. 64). However, combined with the architectural trickery of the “circular”, the “open campus design” is really about aiding the modalities of surveillance that are hidden in its architecture, while creating the appearance of community living, or in reality allowed “a single gaze to see everything” from any vantage point in the prison (Foucault, 1991, pp. 173-174).

According to scholar and prisoner Craig Minogue (2011, p. 193), there are clear parallels between the disciplinary power of the sixteenth and seventeenth century described by Foucault (1991) still at work in contemporary era prisons such as Marngoneet. For instance, the most obvious are “the psychological and administrative characteristics of disciplinary power” (Minogue, 2011, p. 192). That is, the “omnipresent ‘surveillance, categorization, classification, the time-table, [and] non-idleness’” (Alford in Minogue, 2011, p. 191). Put differently, a bureaucratic methodology for the management of each prisoner is implemented. Nevertheless, it is the unobvious that I am interested in and that Minogue (2011, p. 192) describes as “the sense of Self which emerges from disciplinary power” exercised upon them or the rejection of the *other* that I intend to focus on. This means, the majority of prisoners take on the labels associated with the three dominant treatment neighbourhoods (ibid, p. 187) as they transition and transform into what they come to perceive to be a normal existence. However, before I explore this lived experience I need to describe the context in which the research was conducted.

In 2011, Marngoneet, the machine for altering minds, was described by Minogue (2013, pp. 8-9), paraphrasing the promotional material, after he transitioned to the medium-security prison after twenty-two years in maximum-security facilities:

An intensive level of treatment and offender management activity [is provided] to prepare for a successful crime-free release from prison. There are 3 x 100 bed neighbourhoods (one protection and two mainstream) which function as therapeutic communities where all prisoners participate as members of the neighbourhood community.

Accommodation in each neighbourhood comprises: one 40-cell unit, each cell with a shower and toilet. The 60 other beds are in self-catering accommodation with: 2 lock-up accommodations of 6 cells which each have a shower and toilet; 6 flat-style accommodations with six bedrooms each and 2 shared bathroom facilities; 3 cottage style accommodations with four bedrooms and 2 shared bathroom facilities. All have a lounge area and kitchenette. The carpeted bedrooms have a bed, a desk, and a wardrobe the like of which could be found at an Ikea store.

Each neighborhood has a targeted clinical purpose: protection and sex offender; violent offender; and drug/alcohol offender. Prisoners cook, clean and manage [the] budget and their own hygiene in the 4- and 6-bed units (independent living/self-catering) and take responsibility for themselves and each other, working together with custodial, clinical, and vocational staff to achieve a safe, secure and therapeutic neighborhood.

At the time of his prison research, Marngoneet was considered the jewel in the Crown of Corrections Victoria. Recently, however, the prison system it is a part of has experienced a crowding crisis (Victorian Ombudsman, 2015, p. 4). There are now three 141-bed neighbourhoods at the facility with the addition of another mainstream parenting / educational focussed neighbourhood, a 161-bed neighbourhood, along with the modification of 40-cell units to accommodate 27 more bodies. Likewise, the self-catering accommodation with two lock-up accommodations of six cells each have been transformed into one lock-up transition unit of 12 beds and a management unit. In addition, the six flat-style accommodations with six

bedrooms have been ‘upgraded’ to accommodate nine men, while the three cottage style accommodations with four bedrooms now house five prisoners. As a result, there are a total of some 580 prisoners at a time when plans are underway to expand the capacity to confine in Victoria, Australia by two more prisons by the end of 2017 (Victorian Ombudsman, 2015, pp. 4, 13).<sup>4</sup>

## THE CONSUMPTION SPACE

Of the prisoner group observed, these men comprise a variety of cohorts, nationalities, languages and cultures. The socio-economic background of the prisoners varies as well, along with their level of education, and physical and mental health. Yet most are from disadvantaged communities (Victorian Ombudsman, 2015, pp. 7, 33, 146). All, however, are identified by their distinctive ‘prison clothing’ (green and loose fitting, but with some personal alterations that distinguish their personality, style and status outside of the walls), along with an identification card that locates them to a specific treatment neighbourhood that restricts their movement and access to certain ‘zones’ within the prison (Harper, 2014, p. 1; Norman, 2010, p. 2).

A handful of men in the consumption space ‘opt-out’ in their individual ways and are not so totally consumed, as are most, with the petty prison politics associated with the “hey-buddy” behaviour lifestyle and illicit trade. While the majority seem to ‘opt-in’ with the consumption of the buying and selling of goods and services.<sup>5</sup> Despite the differences in the cohorts, there is a commonality of what transpires in the space, a pattern to the public spectacle within the prison, and that pattern is in the form of symbolic messages. The message is aimed against the prevailing order, transmitted and traded upon as a social currency within the disconnected and distorted audience of men who fit the dominate pattern of recidivism — a pattern that seems to temporarily dissociate them from the reality that the time of their lives is being consumed with every prison sentence.

The symbolic messages are transmitted like brand names, logos and advertising in the world outside the prison. There are, however, no physical manifestations of brand names, logos and advertising inside the prison unless drawn upon specific artifacts or body parts. So, rather than having a brand name on one’s clothing, a logo on one’s fashion or communication accessories, ways of behaving and personal associations are traded and consumed by the majority of prisoners observed. As a result, this symbolic

behaviour has a similar effect upon the audience as do material objects in the community. The interaction with ‘someone special’, an affiliated ‘criminal’, that is known to acquire stuff (e.g. contraband), is transmitted by non-verbal communication — high fives, loud talking, aggressive hugging followed by backslapping, and territorial positioning in large informal groups within common areas of the space (Albrecht and Ropp, 1982, pp. 163, 167; Dwyer, 2013, pp. 34, 36-37). Their argot is fascinating and marked with phrases that automatically grab the listeners’ attention (e.g. “*hey-bruz-what’s up*”, “*give-me-some luv-cuz*”, “*hey-buddy-what’s-doin?*”). These expressions denote general greetings, but they are connotative of inclusion, fellowship, unity and a common purpose (Thwaites et al., 2002, pp. 65, 69-71) within a specific group following. The connotative message is all about “seek[ing] to establish or maintain relationships” and thus one’s social identity within the prison system as a good earner in the “real world” (ibid, p. 10). A message that subtly says “*I can get stuff if you need it!*”, rather than I am interested in befriending you and showing an interest in your life. Thus, the affiliated prisoner gains status within the group and is able to randomly move within time and space with a degree of arrogance.

An example of the benefit of the “hey-buddy” behaviour is seen when a non-acculturated prisoner, naïve of the dominate group’s claim to an area, tries to use the communal telephone. From a distance, the phone appears to the new prisoner not to be in use as the receiver is hung-up. Symbolically, this sign within the prison system indicates that the phone is reserved for someone of status to use it whenever required. The non-acculturated, however, may not decode this sign and fail to ask for permission to make a call. Suddenly, out of nowhere, an affiliated “hey-buddy” appears and claims ownership of the shared resource: “*Hey-buddy, I’m about to use that!*” The non-acculturated prisoner then attempts to “book” the next 12-minute phone slot, only to be told abruptly, “*Somebody else has booked it!*” Thus, once again the phone is hung-up and reserved for a member of the dominant prisoner group. Caldwell (1956, p. 659) describes an informal social group as follows:

... may be thought of as a number of persons possessing established patterns of social interaction, similar attitudes, social values, and group loyalties, mutual interests, and the faculty of cooperation in the performance of a natural function. Membership in informal groups may range from a

minimum of three persons to as many as twenty-five or more. Depending upon the needs and interests of the persons concerned, the members generally display similar types of attitudinal behaviour and adhere to the same set of social values. An important interest of informal groups centres around the cooperative performance of a natural function.

Put differently, the prisoner community is a dynamic and aggressive environment. Having possession over a simple material object, such as a communal telephone, becomes an opportunity to “proclaim progressive rights over another inmate” (McCorkle and Korn, 1954, p. 90). This means it is possible for a new prisoner to be manipulated by the informal prison group’s invisible power relations (Caldwell, 1956, p. 651) that exploit the unaccustomed at a crucial time in their sentence. This can range from, as noted above, gaining access to a telephone to reach family and friends in the evening when they are most likely to be home or acquiring non-prison issued clothing such as underwear and sports socks with a “real logo” embroidered on them (e.g. Calvin Klein, ASICS). Furthermore, trust is established between the non-acculturated and the acculturated prisoner, and money can be placed into either’s spending accounts for a small fee. Thus, a simple social interaction within the prison environment can lead prisoners in multiple directions, both positive and negative. In the case of the latter, these interactions promote unnecessary conflicts and problems.

### **AN ANALYSIS OF THE ATTEMPT TO CLAIM THE CONSUMPTION SPACE**

Goffman (1990) argues that actors play different social roles, with each one requiring a specific performance that is acted upon in a unique setting. These performances become facades that are part of the scene and become an automatic cue used to persuade the audience to accept the actor as being synonymous with the role they are playing (ibid, pp. 30-33).

In the prison, with a dearth of access to mainstream material symbols and objects, behaviours are more stylised and modified to “become saturated with meaning” for the particular sub-cultural group (Slater, 1997, p. 172). Symbolically, this “hey-buddy” behaviour includes or excludes individuals based on their appearance and performance in the system of trading symbols. Thus, their prison identity becomes interpreted as ‘cool’



and belonging to a specific masculine group that appears to control and consume the space (ibid).

The trading of the interpersonal “hey-buddy” behaviours is a prelude to the trading of material goods like drugs, shoes, tobacco, nicotine patches and other consumer items. Such material items, which can be traded by those “in-the-know”, are displayed symbolically within the interpersonal “hey-buddy” behaviours and symbols. Both displays are of belonging to the personal and material culture, and they are seemingly aimed at claiming *autonomy* and the appearance of a self-directed *will* in the space where the individual, conscious or unconscious, decides what and whom is consumed (Douglas and Isherwood, 1979, p. 37).

### COMPLYING WITH THE FIXED NODES OF CONSUMPTION

The consumption of the prisoner’s time is not subtle. Every day at set times, a sound comes from a public address system followed by verbal instructions that fills the space and reverberates through the mind of the prisoner (Harper, 2014, pp. 6-7). This noise directs and then elicits the attention and movements expected of prisoners, and their behaviour shifts to docile and compliant. The “hey-buddy” behaviour trading of the petty commodities moves into an intermission while the officers conduct a headcount to ensure that all prisoners are present. The restriction of movements for the muster ensures the consumption of the prisoner’s time, which in turn is momentarily masked by the men socializing in a way that is borderline acceptable, consisting of talk in small groups about sporting achievements, sexual encounters, violence against *others* and desires related to “getting-out-of-prison”.

The noise again sounds, this time indicating the resumption of “authorised” movements to the industries. With this, the “hey-buddy” behaviour and trading in material items resumes with a fevered pace seemingly aimed at beating the next set of announcements. The movements observed indicate the individual men are aware, albeit for a limited period, of the consumption of their time by the prison, and for an undetermined amount of “free-time” they have to make the most of what they think is their time to trade and interact within the niche market.

Investigating the informal groups of the prison is not a new phenomenon. Long ago, McCorkle and Korn (1954, p. 91) observed that prisoners possess a

unique and intriguing position, quite different from that of those outside prison walls. As a consumer-producer, each prisoner trades and lives in two economic worlds. On one hand, a barterer in the formal and illicit prisoner market and, on the other hand, a wage earner in the prison (ibid). While it is noted that this early research describing the prisoner social system was conducted in the United States in the mid-twentieth century, it still has applicability to post-disciplinary prisons regardless of location as evidenced by the prevalent and thriving material exchanges within them that I have observed.

### **THE MATERIAL CONSUMPTION CULTURE**

Without a sociological imagination and an understanding of identity formation, it may be argued that an individual is easily misled because of external stimuli (Bessant and Watts, 2007, p. 447). The male prisoners observed in my study appear to be largely unaware of the consumption of their time and adopt behaviours oriented around the pursuit of illicit goods in the prisoner market, one that occupies their time by trading and up-scaling from object to object, collecting and selling, talking and enforcing. A poor substitute for substantive two-way communication (Douglas and Isherwood, 1979, p. 38; Wright, 2000, p. 18), the market provides the signs and symbols necessary to be viewed as successful by other prisoners, while fostering violence.

According to Thwaites and colleagues (2002, pp. 2, 10), the metalingual function of a sender who purchases an object “produces various meanings” to the receiver of the message, which then plays a “referential function” in “its ability to invoke content”. The content which is being invoked in the prison by the sender is that of power, status, and knowledge of survival in an unfriendly and hostile environment, which is achieved by substituting the material features that have been deprived by the echelon authoritarian system upon imprisonment of individuals. Essentially, a false social identity received through these mediums ascribes purpose and meaning within the group about the events and objects they control (Bessant and Watts, 2007, pp. 88, 444) when a life imprisoned is often experienced as a life without hope or direction.

In other words, upon reception into a prison the individual is stripped of their “old ‘citizen’ self” (Tietjen, 2013, p. 77). They are, with the exception of gender, no longer characterised by social features, such as citizenship,

status or ethnicity that indicate membership of — or exclusion from — a group or category. Temporarily, if not permanently, the prisoner is denounced as a person, stripped naked before strangers and transitioned into prison clothing. The newly arrived prisoner reluctantly and often forcibly adopts the stigma and status of becoming a prisoner. From this point in time officers refer to ‘them’ by their surname or number. Thus, elements of *being* that once defined a person in the community are taken from them with their identities and dignity left behind on the dirty, cold cement, change room floor, stored in a property box, or simply discarded into rubbish bins for *others* to lay claim to and fight over.

### **WHAT IS LEFT IF WE SEE PAST “HEY-BUDDY” BEHAVIOURS AND THE PETTY MATERIAL CONSUMPTION CULTURE?**

Take away the material culture and the consumption of goods within the prison and what is left are immovable nodes of time, the headcounts which act as gravity-wells that signify the consumption of a prisoner’s life, five times a day, seven days a week, year after year, at specific intervals until the time is consumed. The consumption of time is captured in the fluent and prolific lyrics by Linkin Park (2000): “time is a valuable thing, watch it fly by as the pendulum swings, watch it count down to the end of the day, the clock ticks life away, it’s so unreal”.

Similarly, Scholl (2013, p. 5) states that when he is asked to describe what prison is he responds, “[i]t is a whole different world... like nothing people on the outside have ever known”.<sup>6</sup> Being labelled as an “inmate” has slowly penetrated “my psyche and become the defining characteristic of my being, changing me in a way that hurts my soul” (ibid). The public discourse associated with marginalized *others* has denounced the *self* as being worthy of esteem, of being considered ‘normal’. This then raises the challenge for the prisoner to convince “myself daily that my life has value, even when the rest of the world tells me that I am worthless” (ibid, p. 6). This conflict causes confusion and distress, a disturbance that threatens to take the form of a psychological death (Honneth, 1995, p. 135) that denounces the *self* as existing. When the dominant social group denies marginalized populations their moral rights and cause them feelings of shame, inclusion and status becomes restricted, both in the prison and the community.

## CONCLUSION

The prison is a self-sustaining object, woven into the social fabric of society, a symbol of power, discipline and justice (Foucault, 1991, p. 177; Wright, 2000, p. 20). The prison is intended to act as a deterrent in the eyes of its proponents, a sign to *others* of what punishment awaits them should they engage in deviance, idleness and non-conformity (Ransom, 1997, p. 32). Space and time are a given condition of an individual person upon their birth and material culture seemingly provides the necessary stimulus for a meaningful life. The essence of our lives in material culture has become one of consumption, a consuming of the time of our lives with every waking moment devoted to, or doing, or consuming something that constructs a memory of value that can, in turn, be traded on as denoting meaning. While work in prison varies, its basic premise is to facilitate an “inmate’s ability to make an effective noncriminal adjustment on the outside” (McCorkle and Korn, 1954, p. 92). The message sent by the prison-industrial complex seems to be one aimed at making prisoners docile through working, buying and consuming. That is, to become a citizen, the prisoner is required to adopt a conservative ideological perspective in a capitalistic, individualistic and fragmented world. In this context of keeping-up with our peers in a competitive and unfriendly environment as each *other* tries to outdo the *other* via the collection of material artifacts that tell a unique story in a familiar and bleak space, rehabilitation is a personal journey through every moment where *the clock ticks life away*.

## ENDNOTES

- <sup>1</sup> In 2012, I arrived at Marnong Correctional Centre. Imprisoned since 2005 for a serious violent offence, I have lived within the Flinders Peak, Violent Offenders Neighbourhood for four years, witnessing the violence and oppressive behaviour of the men from a distance.
- <sup>2</sup> Paid remuneration is at one of three levels depending upon the degree of responsibility, the complexity and demands of the task, the skills required and/or the hours of duty. This reflects the community’s standard of scaled remuneration.
- <sup>3</sup> The past two decades have seen cognitive skills training (e.g. Reasoning & Rehabilitation, Accredited Enhanced Thinking Skills, Thinking for Change, Think First, Stop & Think!) become a core fixture of prisoner rehabilitation in the United Kingdom, United States, Canada and, more recently, Australia. These programs employ cognitive behavioural treatment methods in a stated effort to improve decision making and problem solving, self-regulation and moral reasoning skills.

- <sup>4</sup> This was largely caused by harsher legislation after eleven individuals on parole or having just completed it committed murders (see Ogloff, 2011).
- <sup>5</sup> During my imprisonment, I have observed from afar the dominant attitudes of prisoners and attempted to make progress in a different direction. Since 2009, I have pursued the goal of completing a Bachelor of Arts with a double major in Sociology and Communications, as well as a minor in Philosophy. I plan to pursue postgraduate studies in the future.
- <sup>6</sup> Colin Scholl is a prisoner at California State Prison, Los Angeles County. He is pursuing a Master's in Sociology.

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# Justice in Gender-Responsiveness? Psychological Dominations and Internalized Oppressions at a Women’s Prison in the U.S. *Tara Perry and Colleen Hackett \**

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What better way to control inmates; instead of using force to control them, you just change their minds and their thinking.

— Comment from anonymous prison official,  
referring to a gender-responsive program  
at a women’s prison (November 2015)

Many prison officials in the United States (U.S.), much like the one quoted above, are acutely aware of the pressing need to legitimate their institutions to policymakers, the media, the public and themselves. The prison system is experiencing pressure to change those practices that are increasingly described as punitive, socially debilitating and psychologically harmful. From reducing reliance on solitary confinement and boot camps, to adopting so-called rehabilitative programming, the prison system in the U.S. is somewhat bending to the general call to “incarcerate less and rehabilitate the rest”. For example, in the last few years the federal system has released nearly seven thousand prisoners convicted of nonviolent drug offenses (out of approximately 205,000 total federal prisoners) and has *rhetorically* recommitted to expanding vocational classes and psychological services, (i.e. drug education and mental health counselling). Although reformers and prison abolitionists alike, both inside and outside the prison, welcome many of these policy shifts, we maintain that this “rehabilitative turn” in punishment is deceptive and does little to dismantle the racist, classist, sexist, and ableist systems of oppression that enable the prison state to exist. Rehabilitation in prison is another technology in the social control toolbox that serves to victim-blame and shame the criminalized, while evading any discussion of the structural inequalities connected to criminalization (McCorkel, 2013). The first author is currently incarcerated at a women’s prison in the Rocky Mountain region and the specific examples used in the second half of the paper will serve as a case study of how official definitions of rehabilitation are used to control prisoners *and* how those ideas are entangled with race, class, and gender. We hope this article will inspire readers to develop critiques of their own local prison or jail regime, and to similarly question how rehabilitation in these contexts might be superficially defined and limiting.

## INTRODUCTION

Women's prisons (and jails) in the U.S., much like those in Canada, England, Australia, and New Zealand, are filled with marginalized bodies and systematically excluded and oppressed peoples. These facilities contain a disproportionate number of Black, Latina, and Native or Aboriginal women, and hold a predominantly working poor or working class population. Between 1997 and 2014, the female prison population in the U.S. increased by over 800%, compared to a 400% growth in the male prison population (The Sentencing Project, 2016). The enforcement and intensification of drug policies (the so-called war on drugs) during the last four decades contributed to this astounding increase in women's incarceration rates (*ibid*).

Laws, policing practices, and sentencing disparities target and criminalize those who are excluded from dominant society, including drug-using women, as well as women who are economically disadvantaged, women of colour, and sex workers. This signals an ever-increasing trend to redirect women from the "social safety nets" of society to the expanding punishment system. Marginalized women are subject to surveillance and criminalization at the same time that they are failed by "helping" institutions. That is, marginalized women generally cannot rely on the police to protect their bodies or on social welfare agencies to meet their material needs. For example, Beth Richie (2006) documents the frequent abuses that women of colour experience when coming into contact with law enforcement officers, even when calling the police for help. This form of direct state violence is often inflicted because police (and the white publics) consider women of colour to be "transgressing racialized gender norms" or otherwise defying typical notions of ideal victimhood, usually reserved for middle- or upper-class white women (*ibid*, p. 143). Yet, the net-widening expansion of the war on drugs has resulted in disproportionate numbers of female prisoners of colour and female prisoners who are poor and lacking traditional education — a population who has higher rates of past and/or current abuse than their non-incarcerated counterparts. Roughly 75-90% of female prisoners have experienced physical and/or sexual abuse, leading some scholars such as Mary Bosworth (1999, p. 26) to comment that women's prisons contain a "community of victims rather than a collection of victimizers". The majority of people in women's prisons have experienced abuse as a child, as an adult, or both, and a great number of these survivors report receiving little to no help to address this trauma (Belknap, 2006).



Punishing institutions perpetuate and exacerbate structural violence against women. This structural violence disproportionately positions women of colour and poor women to bear the brunt of racism, sexism, classism, and ableism. These groups are much more likely to live in hyper-policed neighbourhoods, go to under-resourced schools, be unrepresented in political conversations, and face great obstacles in securing stable sources of income and health care (Price, 2012). The penal system removes systematically disadvantaged women from their communities and their families, and uses tactics of control and exclusion to “manage” these populations. Once criminalized, women are subjected to a battery of assessments and tests to identify and measure their “criminogenic risks” to create opportunities “to change or transform the offender into a prudent responsible subject” (Hannah-Moffat, 2004, p. 40). For criminalized people of all genders, state apparatuses seek to enact power upon its wards but also *through* them; governing prisoners (and ex-prisoners) becomes the most politically viable when the “criminals” themselves adopt rationalities and subjectivities that align with state logics (Foucault, 1991; Rose, 1999). More than physically managing and forcibly containing women in concrete cells, the prison system *also* employs more subtle ways of controlling and sedating its wards (Cohen, 1985; Kilty, 2012). A successful governance strategy in a liberal democracy involves influencing targeted subjects to believe that their behaviours and thoughts are “risky” or unruly and to transform according to the dominant correctional expectations (Dean, 2010). It is through these more subtle means of control that we wish to critique a popularized form of power that is exercised on and through women in prison. We specifically take aim at the relatively new therapeutic regime in women’s “corrections” known as gender-responsive programming.

## **GENDER-RESPONSIVENESS IN WOMEN’S PRISONS**

A new trend is shaping modern correctional discourses and practices, particularly as it relates to incarcerated or post-incarcerated women (or people identified by the state as women) — gender-responsive programming. Although gender-responsiveness could be applied to all genders, to date it has been limited to female populations. This practice, imagined and advocated by mainstream feminist criminologists, asserts that male and female offenders have different life circumstances, histories, behaviours,

and pathways to crime (Chesney-Lind and Pasko, 2004). Gender-responsive programming, as a recent stage in the evolution of penal reform, signals an intentional shift away from treating the criminalized “neutrally” according to their gender (Russell and Carlton, 2013). Paralleling the increasing number of women in prison over the past three decades, sociological and social work researchers have asserted the necessity of investigating the kinds of issues that criminalized women face before, during, and after their incarceration, on the basis that women have historically been ignored and made invisible by the social sciences (Belknap, 2006).

Gender-responsive intellectualism is informed by the “pathways” theory. Research on pathways theory demonstrates that the type, frequency and context of criminality are different for women than they are for men (Owen, 1998). For example, the most common pathway outlined by researchers, known as the “Street Woman” path, documents the typical criminalized woman as having run away from an abusive home as a child or young adult, and while enduring a life on the streets, she turns to drugs and/or alcohol to cope, and often finds herself in an abusive relationship and/or illegally hustling for money (e.g. sex work or petty economic crimes) (Daly, 1992). The research on pathways theory finds that the majority of women in the prison system have experienced emotional, physical, and sexual abuse as children and as adults (ibid). Although criminalized men *also* have high rates of past abuse, they have lower reported rates when compared to criminalized women. Studies on criminalized women’s histories of abuse find that girls and women use criminalized survival skills to cope with the abuse, like running away from home as juveniles, using drugs, and/or sex work (Chesney-Lind, 2002). Much of this research is focused on the social psychological consequences of abuse and criminalization processes (e.g. low self-esteem, self-harm, substance use disorders). But at its theoretical core, pathways theory critiques larger social structures such as the patriarchal belief systems that enable and perpetuate the systematic degradation of girls, women, and genderqueer and transgender folks (Wattapanorn and Holtfreter, 2014). Some of these patriarchal beliefs include the false notion that cis-gender men are biologically or mentally superior to other gendered bodies, and have the right to more power than women and transwomen, or that “criminal” women are somehow too manly or sexually deprived.

Yet gender-responsive practices in the criminal legal system often ignore the literature that points to these entrenched social harms. Unsurprisingly,

programs for women in prisons, jails, and/or reentry programs do not address issues of systemic power, domination, or structural oppression. Instead, these programs are operationalized through an individual therapeutic lens — that is, correctional practitioners focus on providing therapeutic “education” so that criminalized women can address their histories of abuse, fix their thinking (or their “emotional problems”) and therefore reduce their future likelihood of committing another crime (Pollack, 2005). A few key feminist criminologists and psychologists, such as Bloom and colleagues (2003), have insistently pushed for the incorporation of gender-responsiveness into the prison system in the last decade, and have demanded more than just research and recognition of the problem; they directly collaborate with correctional facilities by designing women-centered therapeutic programs and by providing costly training seminars for potential facilitators at prison facilities and reentry centers. Indeed, “gender-responsiveness” is now the latest buzzword in correctional circles. This means that the collusion between the psychological sciences and the criminal legal system is being strengthened.

In his analysis on the relationship between psychology and power, Nikolas Rose asserts that the “psy-sciences” are a political force in that they serve and/or constitute varied state apparatuses of control. As Rose (1999, p. 7) argues, governance requires knowledge about human behaviour and the mind, resulting in a partnership with the psychological sciences to provide a new set of vocabularies that “enable the aspiration of a government to be articulated in terms of the knowledgeable management of the depths of the human soul”. The state’s increasing use of therapy within the department of “corrections” is problematic because this management of the soul is attempted within a coercive context. In prison settings, subjects are coerced into accepting (or at least placating) the penal-therapeutic regime under threat of losing one’s parole or losing privileges, such as family visits. We refer to this dynamic as psychological domination, although we honour and acknowledge the ways in which prisoners actively resist “therapeutic governance” (McKim, 2008). Yet the state’s attempts to exert control, particularly in psychological terms, are part of a broader set of dominating technologies that we wish to critically analyze.

The marriage between the psychological sciences and U.S. corrections is long-standing, and “gender-responsiveness” is just the latest articulation of decades-old cognitive behavioural therapy (CBT) programming. These

therapies position “criminals” as guardians of their own destiny simply in need of a psychological toolkit that emphasizes “healthy” choices, better relationship decisions and getting rid of the “stinkin’ thinkin’” presumed to originate in the “criminal” mind. The assumption made by these programs and practitioners is that criminalized individuals, after mastering the art of appropriate decision-making, can freely choose the future course of their lives and are not affected by structural restraints, such as institutional racism or sexism — like employer discrimination, for example (Hackett, 2013). In CBT, individuals are stripped of their context and social positioning, while social inequalities are erased from institutional memory. Although we are not opposed to therapy or support groups, we are against the discursive erasure of structural violence that frequently happens in CBT. In both the practice of and in much of the scholarship on CBT and gender-responsiveness, inequalities and violence against marginalized communities become diluted or even removed from the conversation entirely (Pollack, 2010). Though it is useful to understand the ways that psychological harms impact prisoners, the implementation of treatment under the guise of gender-responsiveness in the penal system does nothing to address the varying ways that women are impacted and marginalized by overlapping oppressive structures. Prison therapy programs urge criminalized women to change their mindsets and behaviours, *instead* of working to unsettle patriarchal structures, misogyny and transmisogyny, racist and colonialist discrimination, and stopping gendered violence.

### **AUTO-ETHNOGRAPHIC METHOD: A PERSONAL VIEW OF THE “INSIDE”**

In writing about one’s experiences of being trapped inside the penal system, the method of autoethnography allows for the balance of both private reflection and academic analysis. Autoethnography, by nature, provides a framework through which personal crisis can be translated and transformed into useful research. As Sarah Wall (2008, p. 39) describes it, the method of autoethnography “offers a way of giving voice to the personal experience to advance sociological understanding”. For a writer in active recovery from prolonged institutional violence, the approach of autoethnography can lend the reach and scope needed to extend personal experiences into the world as both a professional process and personal therapy. “Story-as-scholarship” through the conduit of autoethnography legitimates one’s lived experiences as research.

Regarding social justice issues related to incarceration and prison culture, there is great value in the use of autoethnographic expression by individuals who are directly impacted by oppression in that it can spark discussions about the issue with rich, concentrated contributions. No writing is ever purely neutral or value-free, no matter how heavily framed it is by scientific analysis and external objectivity. Rather, it is influenced by the writer's own beliefs and worldview, which is shaped by their positioning in society. Academics and others who are members of dominant society produce much of the research and knowledges related to the penal state and project their own ideas on how prisoners experience prison. Knowing this helps us appreciate the way that autoethnography can eliminate the assumption that a writer's analysis is bias-free and furthermore can provide a deliberate space for the inclusion of human expression, emotionality, and subjectivity in a way that invites others to engage consciously in the lived experiences of prison.

Taking an autoethnographic approach with this topic, the first author documented her experiences, observations, and meaningful conversations through personal journaling.<sup>1</sup> These documents provided raw material for later reflection and analysis. During Tara's incarceration, writing was a way to cope with an otherwise unbearable condition. While her recordings of feelings, sentiments and interactions might not be considered "field notes" by traditional objectivists, over time they have accumulated into a useful supply of data for analysis. For example, while making herself emotionally, mentally and physically available to hold a space for the suffering of others around her, Tara found herself organizing the collective experience at the women's prison into something academically beneficial. She owes a great deal of respect and admiration to those she found herself suffering alongside. Therefore, it is her hope that she is able to help transform the collective prisoner experience into effective, positive social change.

Positionality plays a significant role in any research setting, especially in institutions in which isolation is substantial. After spending fifteen years in a relatively larger prison system of 900 prisoners located in a metropolitan area, Tara was transferred to a rural and geographically isolated facility that housed approximately 230 prisoners. She found herself grappling with the ability to relate to strangers, while also reshaping her entire perspective about "doing time", something she considered herself quite a champion at. Many factors made her both a part of and an outsider of her environment.

Tara was placed in a strange tomb where well-established relationships and processes preceded her arrival. Sentence length, amount of time one has served, and one's crime (e.g., "violent" or "non-violent") tend to be the biggest defining factors of identity and social standing behind bars, and Tara quickly found herself teetering on many different lines. Although she had already served fifteen years, she was starting all over again like a new fish even after dwindling down a 66-year sentence in another facility. She arrived at the facility with just three years remaining. She did not bond fully with other prisoners in the ways she had before and yet she could personally identify with something about each individual's situation. At times, other prisoners accepted Tara, but at other times she was not received well by staff or other prisoners for reasons that ranged from her "deviant" gender identity and expression to her resistance to and struggle against oppression. Captured in this research reflection are the realities of those simultaneous experiences of closeness and tensions.

The Rocky Mountain Women's Prison (RMWP)<sup>2</sup> is a facility that houses minimum, medium, and maximum-security custody levels and is located in a rural, isolated town in a Western state. The first author, after having served 15 years at a prison in her home state, was transferred to RMWP to serve her two remaining years before being released to parole. Her encounters and interactions at RMWP provide rich observations regarding systemic domination and oppression and serves as a comparative resource to the prison regime in her home state. The remainder of this article presents those experiences and observations that the first author collected over her time at the facility.

*The instant I was ushered through the gates of the RMWP I was acutely aware that I had just crossed the threshold from one form of institutionalism into a new vortex of systemic domination. Directly after I underwent the very naked, cold intake ritual of stripping and showering ("de-verming"), with no time to reorient myself, I was sitting in front of an intake caseworker's desk. Suffering from mental and physical exhaustion, as well as shock, here I was being asked a list of invasive questions such as the details of my conviction, my history of childhood sexual abuse, and of course my sexual orientation. Unbeknownst to me at the time that the answers to these questions would be the guiding factors of my "programming" for the remainder of my stay there at RMWP. (Tara's personal observations, March 2014).*

## **PSYCHOLOGICAL DOMINATION AT ROCKY MOUNTAIN WOMEN'S PRISON**

The “treatment” program at RMWP, based on gender-responsive CBT models, assigns women to one or more classes during their initial intake process. Based on an individual’s situation and background, a case manager will assign a cocktail of classes for each prisoner to complete. This “individualized” treatment assigns women to generic classes that cover issues such as trauma recovery, addiction and healthy relationships. Completion of these classes in one’s case plan becomes a determining factor in the correctional interpretation of the individual’s “progress” within the facility and once available, in their release options (e.g. parole or community/halfway house placement). The classes revolve around a series of workbooks with prompt questions or “statement and answer” sections. This bulk curriculum appears to be the easiest, most convenient and affordable programming for large groups of individuals — a package deal, so to speak, for the prison to claim that they are offering individualized rehabilitation services. Not only is this method prudent for the prison, but it also allows for a closer and more intimate supervision over each prisoner. There exists a lack of confidentiality with respect to what prisoners reveal during these therapy sessions. The same caseworkers that run group therapy classes also hold weekly meetings with institutional administration, influencing and making decisions about individual prisoner statuses. This includes everything from women’s housing and job opportunities to their community placement, making it unsafe to authentically disclose personal information in emotional processing groups. In this way, psychological domination is at work when women cannot find benefit in expressing themselves or fear that greater repercussions will be had if they say the “wrong” thing.

The content of these workbooks are geared toward changing women’s distorted thinking and choice betterment. Themes include personal reactions, thinking or feeling patterns, behaviours, and choices. Practitioners of gender-responsive therapy often focus on “fixing” women’s emotional problems and teaching them how to pick better, “healthier” relationships. Although this curriculum may give many women in prison tools to mentally and spiritually transform into their ideal selves, we argue that these therapies assume that criminalized women are emotionally out of control and suggest that women can choose whether or not they experience abuse. We argue

that this “blaming the victim” rhetoric avoids directing the critical gaze on the violent patriarchal structures that allow interpersonal and institutional abuses to happen in the first place. The curriculum mobilizes assumptions about women in general, but more specifically the thought that poor or racially marginalized women are loose cannons, irrational or unruly (Faith, 2011). Additionally, this approach has left little to no room for the reflection of social and circumstantial impacts on a person. When prisoners at RMWP encounter issues in the prison, such as staff mistreatment for example, caseworkers reiterate that women have the “personal choice” to act correctly and assert that it is not ill-treatment we are receiving from staff. Responsibility is wholly shifted onto the individual and relieves the institution of any wrongdoing (Cruikshank, 1999).

*I was one of a handful of women who received a write-up for breaking the “no talking in the hallway” rule. The rule itself and the handling of these bulk write-ups was blatantly arbitrary; the rule was not in the procedure book and a few of the write-ups just “disappeared” with staff intervention while several others were convicted heavily. I was in the latter category, losing my job and custody status as a result. When I communicated with my caseworker in a distraught state about my frustration over the issue all that I received was the same program-fed script about the very wrong personal choice I made to talk in the main hallway (to disregard the rules, essentially). There may have been some truth in that, however there was no rationalization regarding the disproportionality of the write up to the consequences, when, incidentally after filing an appeal against the write-up and the arbitrariness, the rule itself was completely repealed, resulting in staff no longer being able to use disciplinary action for anyone talking in the main hallway. Administration’s formal response to this was clearly inconsistent with the response of my caseworker when at the time I sought out some sort of support or reasoning around the issue. (Tara’s personal observations, October 2015).*

Prison guards and staff members at RMWP also enforce rules that are based on assumptions about the nature of the “female offender”, which emboldens the moralistic undertones of gender-responsive CBT. Women prisoners who are labelled as violent (either because of their conviction or because of physical altercations while incarcerated) and those who are



labelled as sexually “risky” are contained and physically separated from the general population. Women who act outside the bounds of gendered norms (e.g. acting aggressively, using violence or engaging in self-defence) and those who defy conservative heterosexual mandates (i.e., engaging in same-sex companionships) are likely to be penalized, shunned, and labelled as risky. Those who are housed in the most restricted hall at RMWP are placed there as a result of high levels of either violent or sexual “risk”. Receiving a high score for riskiness could result from a single write-up for a physical altercation or incident of sexual activity, whether it be during incarceration or *before* incarceration while at a halfway house. Additionally, the bar for receiving a write-up is very low:

*The fear of getting a write-up is so strong that it prevents us from engaging in meaningful interactions with friends. For instance, a close friend had lost her mother. Upon hearing this news, I stood there, awkwardly. I had the urge to offer my friend a hug, or at the very least, a hand on her shoulder. Doing so would have resulted in an automatic write up for a “sexual misconduct”. Living under these conditions causes many at RMWP to shut off their empathetic selves completely. It causes isolation and even symptoms of madness. Friendships, after awhile, feel like a foreign place. I considered making my friend a sympathy card, but giving it to her must be done with great caution; if caught we would most likely get a “passing and receiving” (or “loaning and bartering”) write-up. The impact for me would have been less severe, since I was the holder of several disciplinary actions, but risking trouble for my friend would only have compounded her grief. In many U.S. prisons, exchanging property or trading services is not allowed and can result in disciplinary action, though this seems to be arbitrarily enforced. (Tara’s personal observations, July 2015).*

This raises the issue of how different facilities adopt the praxis of gender-responsiveness, except in the important areas where gendered behaviour and social interactions differ. Policies that prohibit physical contact and also “passing and receiving” were originally established as anti-exploitation policies for mainly male prisoners. The “gender-neutral” universal enforcement of these rules within women’s prisons creates more harm than it does good, for example by cutting off expressions of empathy and loading up prisoners’ disciplinary records with frivolous infractions that

prevent progress. The formal marking of such infringements can remove a prisoner's earned good time and can greatly jeopardize the likelihood that a prisoner may earn parole, if eligible.

Additionally, the consequences of receiving a write-up at RMWP are extreme. A woman who receives a "risky" write-up receives a minimum of 60 months (5 years) on the restricted hall, so even if an individual makes personal progress or displays positive behaviour, they cannot escape the limitations of the restricted hall. *For a minimum of 5 years*, those placed on that restricted hall are stigmatized and withheld from general population activities, like shared gym time and religious services, and are kept separate during mealtime. This locks women from the restricted hall out of most programs or activities, and enforces extreme control over both individual choice and movement. Individuals restricted to this hall, although withheld from facility activities, are required to attend the CBT groups prescribed within their case plans, meaning the workbook-driven classes tend to be their main source of stimulation or social interaction outside of the restricted living area. Prison guards and staff members limit opportunities for women on the restricted hall to socially interact with others. Women with relatively shorter sentences on the hall may start with no incentive to try and advance. Incarcerated women with long-term sentences are likely to internalize the grave "mistake" they have made and express feeling "hopeless". These social abuses can result in depression, loneliness, isolation, anxiousness and escalated tension amongst housing "members". Those most vulnerable or in need of social outlets are the most restricted by residing in this hall.

## **PSYCHOLOGICAL HARMS AND INTERNALIZED OPPRESSIONS**

The psychological domination that happens at RMWP, as well as other women's penal institutions, includes authoritatively asserting what kind of relationships *are* appropriate for women — certainly excluding consensual relationships with other prisoners and also moralistically shunning queer relationships. For example, in some of the CBT classes, the stereotypical, traditional family structures are promoted. Women prisoners at RMWP are supposed to give a description of their childhood family dynamics or of the family they have made as an adult before entering prison and practitioners then compare it to the "traditional" heteronormative, nuclear family

structure. This can reinforce feelings of shame and inadequacy. Women are not affirmed by the fact that nearly *all* family dynamics have problems — which is normative, since most families experience various levels of abuse, substance addiction and other issues. Therefore, women prisoners are taught that they inherit a legacy of dysfunction and can even “pass it down” through their children. This iteration of the “culture of poverty” thesis — a school of thought asserting that marginalized mothers and/or family units instill cultural traits in children that are responsible for the perpetuation of poverty — presumes that poor, queer, or disadvantaged mothers are incapable of childrearing and fatalistically deficient (Lewis, 1959).

“Relationships” at RMWP are prohibited. Even if two people appear to be in a relationship or if staff members observe a relationship forming — even platonic ones — they use tactics to dissolve it, including exclusive observation, physical separations, intimidation, and negative repercussions for otherwise minor behaviours. Prison guards and staff members have asserted that relationships are not allowed because women are unable and ill-prepared to manage them, despite any growth prisoners might acquire as a result of working through such emotional and psychological processes. Yet being able to experience the dynamics of relationships provides individuals with the skill set to heal and evolve. Since the vast majority of incarcerated women at RMWP have survived intimate partner violence, they need to heal these wounds and patterns. When prohibiting survivors of abuse the opportunity to exercise truly autonomous decision making processes, their wounds can be stifled into dormancy, which might then be compounded by additional institutional oppressions and, without the opportunity to work out one’s process of self-assertion, women may be prohibited from empowering themselves through positive individual choice. A general sentiment among prison officials and therapeutic practitioners at RMWP is that they are making better people by forcing them to abstain from meaningful relationships and companionship. This strips women of a vital life-affirming process and experience. The consequences are evident in the way women at RMWP express feeling dead, shut off from emotional vitality, a feeling of “flatness”, intolerance, “just existing”, anxiety and a lack of empathy. Incarcerated women who deviate from the rules by developing a relationship have expressed feeling fully alive, despite the harsh treatment and grave consequences they receive from staff. Administrative and staff tactics can make the environment so intolerable and arbitrarily unbearable

for prisoners to maintain meaningful relationships that they may ultimately sabotage themselves or devolve completely. Correctional staff engage in these abuses against the women at RMWP for simply being human and engaging in human behaviour.

We acknowledge that the Prison Rape Elimination Act (PREA) requires facilities to enforce a “zero-tolerance” level of sexual activity, and to therefore penalize *any* incident of sexual activity. However, PREA guidelines do not require prison officials to harass or discriminate against individuals who build meaningful (platonic or otherwise) relationships within their confined environment. PREA was instituted to eliminate incidences of sexual assault, whether it is through coercion, exploitation, force, domination or any other means. While sexual coercion and violence is not absent from women’s institutions across the U.S., PREA was put into effect as a response to the prevalence of sexual violence within male institutions, and that of guards against prisoners in both men’s and women’s prisons. Institutions that use PREA as a platform for enacting extremely repressive social control strategies by enforcing restrictive environments are cutting people off from a highly beneficial part of their rehabilitation experience. Research demonstrates that women prisoners’ self-worth and positive interpersonal skills are greatly improved when they can build positive relationships with their peers (Pollack, 2005). Therefore, a facility’s preoccupation with, and fear of, the possible development of relationships interrupts this process and furthermore thwarts opportunities for growth and healing. It is clear that prison facilities are adopting gender-responsiveness programming for the sake of legitimating their institutions and disregarding the components of gender-responsive research that would conflict with their use of power and control. While relationships seem to be only a single aspect of institutional life, the overarching punitive response and attitude toward the core of this human element has observably become the driving force in creating an overall hostile, anxious, and oppressive atmosphere at RMWP and elsewhere.

In addition to regulating relationships, guards and staff members also restrict autonomous conflict resolution among prisoners. In CBT and in the prison regime, the assumption is that criminalized women are unable to resolve their own conflicts. Prison staff judge women as culturally deficient, which leads to their being heavily restricted from fully exercising their abilities to problem solve on their own. If staff members observe tension among women

or a conflict arises, individuals are solely allowed to communicate or interact with staff mediation. This results in the practice of incarcerated women turning to staff members and prison guards to facilitate communication if they are experiencing an argument or overwrought situation. Not being encouraged to work this process out individually robs women of their emotional and psychological autonomy, and vital life-affirming skills:

*After I arrived at RMWP I was shocked to realize that women couldn't even have a heated argument or blow off steam without being locked in their room on a temporary restriction order (TRO) and receiving an "insulting behaviour" write-up. I started to see that the fear of this consequence would incite women to prematurely involve staff in whatever the conflict was so as to either perhaps gain favor in their position or "get it over with" and get locked down. (Tara's personal observations, November 2015).*

This is a clear example of regulating and defining femininity; raising one's voice, for example, and defending oneself can be a valuable skill, especially since incarcerated women consistently have to navigate disempowering spaces in their everyday lives. Yet gender-responsiveness pathologizes that skill, and instead promotes universal deference to authority and promotes a "respectable" version of middle-class white femininity. In addition to physically caging individuals, these two control tactics — banning relationships and managing conflict — incapacitate prisoners' abilities to engage in life in a healthy way.

Not only does psychological domination through gender-responsiveness deny women their autonomy, but it also creates and reinforces social hostility *between* incarcerated women and hierarchies among them. We will outline some of the emotional harms committed by prisoners against other prisoners, but we want to squarely place the source of this problem on RMWP staff and the penal-therapeutic regime. Because RMWP employs moralistic therapy and attempts to teach psychological "lessons", some women use the strategy of accommodating themselves to the power structure. Some women at RMWP, especially those serving longer sentences, fear risking their favourable or positive positions with the staff, and so they mould themselves into "model" prisoners. We want to assert that these model prisoners are not immune from the oppressive power regime in the prison; the model prisoners also

experience great hardship by being incarcerated and are reacting to power in a way that might alleviate some of their burdens and gain approval in the process. A consequence of this accommodation, however, is that the model prisoners actively separate themselves from the deviants. In the study of prisoner categories and characteristic behavioural patterns, this upper echelon group of model prisoners is common within the prison setting. In the work of John Irwin and Donald R. Cressey (1962), this group is termed the “legitimate” subculture, since prison administrators characterize these prisoners as presenting few problems for the regime. These model prisoners conform to what they think administrators expect of “good” prisoners, maintain anti-criminal and anti-prisoner attitudes, familiarize themselves with staff, and subsequently become isolated from the rest of the prisoner population. This approach to doing time *may* result in accommodation, but it also has a problematic consequence regarding lateral oppression between model prisoners and other prisoners.

The model prisoners internalize the belief, to varying extents, that expressing one’s self through anger or engaging in a meaningful relationship while in prison is inappropriate, wrong, and shameful. As a result, they echo the status quo ideologies and shun the deviant prisoners in order to sustain a rapport with staff and to keep their privileges. For example, some model prisoners might react to another person’s write-up with a response like, “Well, you should stay out of trouble” or “You should do your time better”. Model prisoners also associate noisy or busy housing areas as “immature”, “obnoxious” or “negative”. Noise, to the model prisoners, represents defiance to the institutional regime and therefore silence, or remaining subdued and docile, represents “doing one’s time well”. Model prisoners corroborate the hegemonic CBT model by assuming that a person’s disciplinary action is of their own making, without contextualizing the problem as happening in an extremely restrictive and depraved prison environment that they are also subjected to. Moreover, they assert that relying on staff for conflict resolution is healthy and staff *should* be heavily involved in prisoners’ daily lives. When prisoners heavily and loudly advocate for themselves, for example, model prisoners view them as being manipulative and provoking prison staff. In this way, model prisoners become complicit in their own captivity. Model prisoners also avow an idealized version of white femininity by promoting “subdued” and “mature” performances — namely that women be agreeable, quiet, compliant, deferential, and orderly.

## CONCLUSION

The belief that prison therapy teaches prisoners how to be responsible, productive citizens in society is a disservice to those who are incarcerated. Furthermore, it might actually make them unprepared for “real” life once released. The institutional denial of meaningful prisoner relationships and of individual conflict resolution might mean that an ex-prisoner has a reduced capacity to deal with the unpredictable changes of daily life once released. Moreover, gender-responsive psychological programming does not dismantle the substantive material inequalities that continue to persist. Such initiatives might lead to further marginalize people who are already vulnerable by leading them to believe that they are pathologically deficient for being forced into making compromised choices within a racist and economically exploitative system. We wish to critique not only the physical incapacitation that comes from prison cages, but also the psychological entrapment that happens when a system seeks to *totally* confine and control those ungovernable souls who do not submit to a violent social order.

Despite the possible negative effects of psychological domination, the women at RMWP (and beyond), including those in the most restricted and oppressive housing areas, are finding opportunities to not only survive but to thrive and cultivate emotional, psychological, spiritual, physical, and social well-being. They are finding opportunities for resistance by developing solidarity and making positive social change — whether it be through participating in peer-based activities, sharing personal knowledge, assisting one another with communication or grievance forms, or by simply holding an emotional space for another by listening to their experiences of personal turmoil and triumph. We hope to see more analyses of the varied ways in which prisoners resist psychological domination. Even though total control may be the goal of the prison state, it will not and cannot ever achieve such a dystopian end. Resilient and even defiant prisoners continue to resist, in even the bleakest of situations.

As the U.S. moves towards a so-called rehabilitative model and reconfigures its carceral regime, we believe it is important to critique therapeutic modalities, particularly gender-responsiveness, in addition to the other ways in which the penal state controls its wards. As the U.S. subtly and slowly starts to decarcerate and rely on alternatives to incarceration, we might witness an increase in mandated rehabilitation.

And what might the greater implications be if entire swaths of marginalized groups are subjected to psychological programming and mental evaluations? Future research should be conducted into the types and consequences of the penal-therapeutic regime, including case studies and ethnographies conducted by prisoners. Therapeutic governance, including gender-responsiveness, is a cultural project that scrutinizes people and frames them as being disordered and pathological for existing outside of dominant ways of being. It blames individuals for being impoverished, for being subject to racialized social control and for being targets of gendered violence. We argue that state-controlled rehabilitation programs continue to ensnare marginalized populations into a net of social control that acts in conjunction with institutionalized racism, sexism, ableism and classism.

## ENDNOTES

- \* Both authors contributed equally to this article. We made the political choice to list Tara Perry first for two reasons. First, Tara is the most impacted by the prison system and its power regime. Second, we want to subvert the assumption that Colleen Hackett, the non-incarcerated author with greater institutional resources and formal academic legitimacy, has more ownership over the final outcome. Lawrence and Dua's 2005 *Social Justice* article, entitled "Decolonizing Antiracism", inspired this choice.
- <sup>1</sup> We retain the use of third-person narration for the sake of continuity, though the following two analytic sections are informed by and rooted in the first author's experiences and observations. We include first-person excerpts from the first author's field notes.
- <sup>2</sup> We use pseudonyms for all institutional names.

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## ABOUT THE AUTHORS

*Tara Perry* is from Colorado and is currently completing her bachelor's degree in Sociology and Business. This critique emerged while finishing the remaining two years of her 17-year sentence in an out-of-state prison. While in prison, Tara led and facilitated several anti-violence workshops, engaged in trauma work with her peers and became an expert dog trainer.

*Colleen Hackett, PhD* is a formerly incarcerated organizer, scholar and educator based out of the Colorado State University in Pueblo. Colleen facilitates a political education class at a woman's prison called Webs of Support and edits a prisoner publication entitled *unstoppable!* that is by and for U.S.-based prisoners who identify as women, transwomen, and gender non-conforming (*unstoppable!* publication, PO Box 11032, Pueblo, CO 81001 // [unstoppable.noblogs.org](http://unstoppable.noblogs.org)).

On a warm Saturday afternoon, in the Acute Care Unit of the Lemuel Shattuck state hospital for the poor, Doctor Donna Roy, M.D., held my hand and told me I had Hepatitis C.

“How did you get this?”, Dr. Roy asked. I lay in my bed, a tube in my arm. I said only, “I don’t know”.

I do not know how I got Hepatitis C. I do not use drugs, and I am not homosexual. I have used condoms for risky sex, and I am only a social drinker. But, for the past five years, I have shared prison cells with prisoners who are drug addicts and even some mentally ill prisoners who cut themselves just to feel something.

Dr. Roy held my hand. I told her about fights I had had where there was blood in the cell. I mentioned one cellmate in particular who cut himself and whom I had assisted in cleaning up the mess — without rubber gloves or any sort of hazardous material protection. She just looked at me like I was an idiot for doing anything that could cause me to get Hepatitis C.

According to a recent class action lawsuit filed in federal court,<sup>1</sup> “Hepatitis C afflicts over 1,500 of the Massachusetts Department of Correction’s 10,000 prisoners” (McGovern, 2015).

Sadly, the Department of Correction here in the Commonwealth treats only about two or three infected prisoners with current Hepatitis C drug therapy (Paszko, et al. v. O’Brien, et al., 2015). Ironically, today’s superior HCV treatment enjoys a nearly 100% percent success rate for eliminating the virus — but at a prohibitive cost. These miracle cures eliminate the disease in the body entirely within twelve weeks. In the past, a drug cocktail of Pegylated interferon<sup>2</sup> and Ribavirin was standard care; a painful nearly year-long process with spotty results (23 Mass. L.Rep. 101 *Malik v. UMass Corr. Health*).

In 2013 and 2014, the FDA approved new antiviral medications. These medications can now be taken as a part of an interferon-free regimen. The cost for the new state-of-the-art cure is \$90,000 per dose (Paszko, et al. v. O’Brien, et al., 2015).

Drugs such as Solvaldi and Olysio — each approved in 2013 — ushered in a remarkable cure rate for Hepatitis C when taken with Interferon and Ribavirin. But the real breakthrough came in October and December of 2014 with the approval by the FDA of Harvoni and Viekira Pak. Both Harvoni and Viekira Pak mark the arrival of the first interferon-free treatment regimen

to enjoy a nearly perfect cure rate in virtually all stages of Hepatitis C cases (Paszko, et al. v. O'Brien, et al., 2015).

In my sick bed at Shattuck Hospital, Dr. Roy held my hand and told me I would soon return to MCI-Shirley where I would meet a doctor who specializes in infectious diseases. What I was not told was that my chance of treatment was nearly impossible. Currently, the Massachusetts Department of Correction offers Hepatitis C treatment to just two or three infected prisoners (Paszko, et al. v. O'Brien, et al., 2015).

I was not angry. Rather, I was confused as to how I managed to contract such a hard-to-get blood borne illness.

Truth be told, I am a pretty dull citizen. But over the past few years, I have lived with addicts with AIDS and Hepatitis C. And, on more than one occasion, I have been forced to defend myself. Fights in a prison cell can get very bloody. Still, the chances for infection remain slim. "Blood to blood" is the way HCV is transmitted (Berkow, 1987, p. 864).

Hepatitis C is transmitted by infected blood. Considered a "silent epidemic", the U.S. Surgeon General in 2000 estimated that as many as two percent of the adult United States population had Hepatitis C. In 1997, according to one study, 29% to 43% of all people infected with Hepatitis C in the United States had passed through a correctional facility (Brunsden, 2006).

Here in MCI-Shirley, a prisoner hazardous material work crew, when instructed, will be ordered to clean rooms and cells. But prison cells in general population are rarely decontaminated. It is left up to prisoners. Only in rare instances will cells be washed down with bleach.

Prisoners tattoo one another, get into fights in cells and engage in sex. It is only the practice of cleaning these cells that is not universal. Prisoners are routinely assigned to cells that have never been decontaminated after bloody altercations, after a mentally ill prisoner cuts himself or after some other blood incident has occurred.

A prison cell is a lonely tomb with a heavy steel slider that, when closed, leaves convicts trapped to their own devices. A prisoner code of conduct discourages informing on fellow convicts. Often, prisoners in these cells must tolerate bad practices. Blood rituals are common, as is intravenous drug use (Brunsden, 2006).

I remained in Shattuck Hospital for just two days. I was swiftly removed to MCI-Shirley an hour after the intravenous drip was removed from my arm. After being released from the Acute Care Unit, I thought long and hard about how I must have contracted this lethal liver disease. I could only blame the prison and its administrators for their practice of assigning healthy prisoners with physically ill ones.

Meanwhile, my chances for treatment are pitifully low. Without treatment my prison sentence has just become a life term. I returned to MCI-Shirley, recalling Doctor Donna Roy holding my hand, and at the same time I remembered every fight and suspicious prisoner I have ever had to deal with. And, the silent epidemic continues.

## ENDNOTES

- <sup>1</sup> Rights Groups Sue For Proper Treatment of Hepatitis C in State Prisons, Press Release issued by Jonathan Shapiro, Esq. & National Lawyers Guild, and Prisoners Legal Service of Massachusetts, et al. June 10<sup>th</sup> 2015; Boston MA. Statement attributed to Ms. Leslie Walker, Executive Director, Prisoners' Legal Services.
- <sup>2</sup> Pegylated Interferon is a molecule consisting of a substance called polyethylene glycol (also known as PEG) attached to a molecule of the protein Interferon. PEG serves as a protective barrier around the Interferon, which assists cells of the body in fighting the Hepatitis C virus.

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## Prison Medical Checkup

*Victor Becerra*

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Today, I had to go to the clinic to get a medical checkup. My ducat was for 7:30am. I arrived at the medical wing at about ten minutes passed seven, anticipating an overcrowded waiting room.

The guard at the entrance checked me in and told me to take a seat in the waiting area, a cage smaller than a two car garage. Inside the cage were eight long benches. Each bench sat three men comfortably, but sometimes I had seen over thirty prisoners crowded in there. To my surprise, there was only one guy waiting there before me. He was complaining that he was there to check his blood pressure, but that the nurse was trying to take some blood tests.

“You ain’t gonna take some blood out of me like a vampire!” The prisoner was not mad; he found it funny that they had made a mistake. But he talked louder than normal, and the concrete walls and empty room made his voice transmit louder. The guard came to him to explain that it was not him who made the mistake; he had only read what the ducat said — “lab” — so he had assumed that it was for blood.

As they talked, it sounded as though they were arguing. They were both very loud, although they were only five feet away from each other. I sat down at the farthest corner. By 7:23am, the medical personnel (mostly women) were coming in to start their work shift. If they were supposed to start at 7:00am, they were late; if they were supposed to start at 8:00am, they were way early. My guess is that they were late. They work for the state, so there is little oversight.

A prisoner who has been working there for the last few years as a trustee kept cleaning around the entrance. He made sure to greet every female who walked in. In the time I was there, I counted over 35 women coming in and going out. The trustee said something suave to each of them. A few of them actually smiled back.

In one of the offices, I saw a female guard in her mid-50s looking through some boxes. She appeared to be tired. Those who did not know better might see her and think she looked tired because she had been working overtime. But when I saw her, I immediately remembered what my ex-supervisor, who used to work as a teacher here in the prison, had told me about her. She told me that her friend, the female guard, would cry and feel lonely because she had no man in her life, and that even though she had been having a sexual relationship with a co-worker (a sergeant) for over ten years, she knew he did not love her because he had

a wife and only paid her a visit when he wanted to have sex. At work, they did not even talk.

The female guard was certainly tired, but not of working double-shifts; she was tired of being alone in life, of knowing that her lover would never leave his wife to be with her. She was tired of the realization that at 56-years-old, she did not know what to do with her life. That is all my ex-supervisor and her talked about when they went bar hopping, hoping for a quick one-night romance, which they would manage to get every once in a while, mostly with “undesirables”, never a “keeper”, as she would say. But that is all they could get, so they took it whenever the need was there.

At about 8:10am, I was still waiting and there were already 24 other prisoners in the waiting cage. So it was louder. Some guys were analyzing the previous night’s basketball game. One prisoner was giving his professional opinion: “LeBron’s done! As the series gets going, he’ll start making more and more excuses... ‘*I couldn’t sleep, my elbow hurt*’, and the like. He’s done! Cleveland’s done!” Everyone in the waiting room was an expert.

The room was loud, with the occasional moment of silence every time a woman walked by the cage. The 24 men would stop talking in order to admire her beauty, as if enjoying a parade. Then, as soon as the woman was out of sight, most would go back to sports, but others felt compelled to make the obvious comments about the woman’s attributes.

A couple of men made different comments for every woman who walked by, speaking as if they were a combination of George Clooney and Denzel Washington.

“Man, she has a nice butt, but she’s too short”.

“...Look at that! She would be a’ight if she only lost a few pounds”.

“She’s not that pretty, but she’s got a nice body”.

“I like that one, but she’s too dark”.

“Ooh! She was probably fine when she was young”.

By that time the trustee was done with his female inspection. All the workers had made their way in, and seeing all the competition around, the trustee went to work at the specific areas where his moves could be more effective: the medical records office, the nurses area, the break room, and the like. He wanted to increase his odds of a one-on-one conversation. The biggest perk of working at the medical wing was having close contact with various women. A smooth talker playing the odds could win big, but if he’s not careful, he could get in a lot of trouble.



At 8:45am I was finally called. A lady in her mid-50s walked me to her office where a male nurse was working on some paperwork. Then she introduced herself as my new doctor (we are assigned by the last two digits of our prison number: 1-25, 26-50, 51-75,76-00).

I sat down as she checked my file in her computer.

“I see you had a hernia operation... right side?”

“Yes”.

After a few usual questions she checked my lungs, ears, nose, mouth, eyes, etc. Then, she said: “Okay, I’m gonna check your prostate, since you’re here. Drop down your pants and trousers for me”.

For a moment I did not register what was about to happen. It was not until I saw her put on some gloves and collect some small packages and creams from a couple of boxes that it clicked. I remembered how prostates are checked.

Suddenly I felt like I had taken a bite of an expensive dish I could not afford and that now I had to pay for. Confused, I looked at her and asked her where she wanted me to drop my pants.

“Right here. Face me”. She sat down on a chair in front of me. The male nurse was standing right behind her. I dropped my pants and boxers. She lifted my shirt and told me to hold it up. Then, she looked at my groin area. “Is this where you had your surgery?” She asked spreading my pubic hair to one side then to the other.

“Yes” I answered, looking up at the ceiling stains.

“Wow, look” she told the nurse, “you can barely see the scar. They did a good job”, talking about the hernia operation I had eighteen years ago.

Then she grabbed my penis and inspected it. I am not sure what she was looking for. Then she grabbed my right testicle, told me to turn my head toward the wall and to cough hard, twice. I coughed hard as fast as I could. Then she grabbed my other testicle. I did not wait for her instructions; I coughed hard four times before she let go. She was grabbing me kind of rough. I was hurting.

“Okay, you’re fine there. Turn around and bend over”, she said.

She rolled her chair around behind me and put her right hand up. Her nurse had some type of cream ready and put it on her latex glove, index finger. She checked my prostate for a few seconds. Then she put her hand up once more. The nurse applied more solution, that time on her middle finger. She checked my prostate once more. After that, the nurse had two sorts of cards; the doctor placed her index finger on one and her middle finger on

the other card, to put some of my bodily fluids there. All was done in a very rapid, systematic succession. They were fast and effective, indeed. I was glad they worked quickly.

Finally, she told me to pull my pants up. As I did that, she took off her latex gloves and deposited them in the trash can, washed her hands, and told me that my prostate was okay. Then she checked the cards and said she did not see any blood, so I was okay on that too.

It was 9:05am by the time I got out of there. When I got back to my wing, I felt tired, sweaty and thirsty. I took a shower and got in my cell. I decided I needed to take care of myself and watch what I eat. Those checkups are draining. I felt completely exhausted.

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## The Quest for Sanity in a Massachusetts Prison

*Charles N. Diorio*

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“Crazy people can make you crazy”, says a hard looking African American prisoner here in MCI-Shirley. “Don’t use my name”, I am told. His cautious words speak from nearly 37 years of experience doing time here in a Commonwealth Correctional Institution.

Here in MCI-Shirley, a distressed medium security prison camp located in eastern Massachusetts, mental illness thrives, and many say it is contagious. Prisoners suffering from mental illness litter this prison. Most live silently behind heavy steel sliders and their condition may only be discovered once it is too late.

I arrived here in MCI-Shirley in February 2014. During my time, I have witnessed conditions of confinement degrade. The physical plant is crumbling, plumbing failures leave cellblocks without hot water; prison policy changes daily; personal property is bit by bit being taken away; and prisoners are treated as little more than bodies husbanded, stalled, and fed.

Living among criminals convicted of various felonies is a fact of life in every prison worldwide. Sadly, prisons like MCI-Shirley have become default dumping grounds for surplus labour — mass incarceration — and the mentally ill.<sup>1</sup>

The melancholy result of housing mentally ill convicts alongside those confined for anti-social criminal conduct translates into unbearable misery, a misery that may violate Eighth Amendment cruelty prohibitions.<sup>2</sup>

Collateral damage from housing prisoners with the mentally ill in two man cells goes unnoticed, undocumented and often ignored entirely by prison officials. It is in the best interest of the institution to remain ignorant of the many ills confronting their general population, particularly where mental health is concerned.<sup>3</sup>

Over the past sixteen months living in MCI-Shirley, I have been assigned numerous bunkmates, some better than others. Recently, I was assigned a young man. He appears, at first blush, a well-adjusted twenty-three-year-old young man, shell-shocked from trial, conviction and removal to state prison. Shortly after living together — a matter of days — he began cutting himself.

I was forced to watch the ugly transformation. The young man began cutting himself with a razor, and talking about his recent suicide attempt while he had been detained in a local county jail. I was forced to watch silently as my cellmate mutilated himself, using razors to cut his fingers, bleeding all over the cell. Refusing medical attention, his ritual for cleaning

his blood from the cell appeared to be as important as the actual cutting. When I objected to his behaviour, we would argue. Overcome with anger and resentment, he would say, “You’re a fun sucker!” I was sucking the fun from his feeling of individual autonomy. In addition to cutting himself, he pierced his body — ears, nipples, and genitals. He engaged in an elaborate ritual of enlarging the gauge, adjusting the size of each insert, which he manufactured from pieces of wet toilet paper.

Prisons are complex social institutions built on firm rules of conduct. A fundamental element of the so-called convict code is to remain silent. “Snitches get stitches”, is a mantra in many state prisons. The prisoner who speaks to authorities about other prisoners is considered “a rat”. I felt conflicted and bound to remain silent. As a result of our daily crises, my relationship with the young prisoner degraded to the point that we stopped speaking with each other entirely.

Fortunately, he is well known to mental health services here in Shirley; he regularly visits psychiatric services. Certain aspects of his self-mutilation — body piercing, for example — have been controlled. Medication helps him sleep at night. He is also on a waiting list for the Correction Recovery Academy, an in-house drug and alcohol treatment program offered in this facility.

The Massachusetts Department of Correction lacks a proper mental health facility and places vulnerable mentally ill prisoners among violent prisoners.<sup>4</sup>

Not every prisoner serving a prison sentence is a violent monster. Many prisoners are first time felons eager to do their time and go home. To be subjected to serving a sentence with a mentally ill prisoner may represent cruel and unusual punishment.<sup>5</sup>

Lately, every day, the general population is subjected to the spectacle of a troubled prisoner,<sup>6</sup> a fifty-five year old prisoner who says “hello” to every prisoner he passes, addressing them by their first names. He yells his “hello’s” across the prison, the dining hall and the housing unit. He seems to know the first names of all the prisoners here in MCI-Shirley. Like a parrot, he listens to conversations, gathers names and loudly pretends to know each prisoner personally. Some prisoners find it amusing, others condemn it, suspecting it violates the convict code and is disrespectful.

Overcrowded conditions exacerbate many of the problems facing this institution. Built in 1991, Shirley medium was originally designed for a maximum capacity of just 760 prisoners. Today, it is home to nearly 1200 bodies.<sup>7</sup>

The loud prisoner is a fixture, a local loon, well known to prison officials. He is disciplined often. He is removed to segregation often. He resents having to share a cell with another person; he has attacked one celly, and has refused numerous other cell assignments. He is a frequent visitor to solitary, only to return days later to wreak further havoc.

In the 1980s a governor's panel explored the possibility of creating a comprehensive mental health centre. This proposal was never implemented.<sup>8</sup> In 2006, the chief psychiatrist for the University of Massachusetts medical school testified that the DOC had a "dire need" for a high security residential treatment facility as an alternative to segregation for prisoners with mental illness.<sup>9</sup> He went on to say that the number of mental health clinicians was inadequate.<sup>10</sup>

A diagnosis of mental illness triggers a grotesque rollercoaster ride through the Department of Corrections. *R. H. Mandeville v. Luis Spencer*<sup>11</sup> offers the public a vivid look at the start-to-finish process of commitment to Bridgewater State Hospital.

Mandeville sued then commissioner of the DOC, after he was diagnosed with mental illness by a clinician here in Shirley in 2009. His world was turned upside down. He was, at the time, a prisoner living in a single cell — an enormous privilege in any prison.

He was made to sign commitment papers. He refused. This refusal had him removed in handcuffs to solitary confinement, today a process called "segregation". No matter how modern Corrections dresses it up, "segregation" in a "Special Management Unit" remains a solitary confinement cell in a bunker-like housing unit. Reclassified, Mandeville was eventually transferred to Old Colony Correctional Center,<sup>12</sup> and finally to Bridgewater State Hospital.<sup>13</sup>

What escapes the public's view is the tedious horror in each step of this painful, deliberate process. Prison officials watch prisoners like him buzz around the compound, they lock them away in segregation for a variety of rule violations and medicate them. Yet, jailors do not necessarily want to be informed of a prisoner grievance or the collateral effect it may have on the general population of the institution.<sup>14</sup>

Prison officials are content to react to violence. The mechanism for writing disciplinary reports and sending prisoners to segregation is trained into each Correctional Officer. Less tangible is addressing the cause and effect of festering discontent.

Depression hangs in the air in these guarded, forbidden places. Prisoners react to the world around them, just as people in outside society

do. When prisoners see mentally ill prisoners act out, it takes its toll on the general population.

One warm summer evening, a group of prisoners taunted the older prisoner for kicks. This abusive tormenting is common amongst convicts. It is typical recreation for men with idle time to instigate fights in the prison yard. It is abusive when mentally ill prisoners, like him, are permitted to be used for such cruel sport.<sup>15</sup> This is the kind of behaviour prison officials shield themselves from. When emotionally handicapped prisoners are goaded to act out or fight for the selfish amusement of convicts, this horrible spectacle is not only sad, but pathetic. Prisoners who must live under these conditions become withdrawn and bitter. Depression sets in. Emotionally fragile prisoners become, over time and exposure, emotionally ill themselves.<sup>16</sup>

Lately, this facility has seen an upturn in violence, drug trafficking, extortion, gang violence and other ills which affect prisons. Prisoners do not live in a vacuum; we live in constant sensory overload, an overwhelming environment where amusement is often at the expense of another's misery. This shodenfreud — taking an unnatural pleasure from the misery of others — fuels much of life behind bars.

MCI-Shirley faces many challenges. Today, correctional facilities must do double duty, bridging their mission to manage convicts with human services and the special needs of the criminally insane. The quest for sanity is expensive. Correctional facilities must be adequately funded to face 21<sup>st</sup> century challenges. The Commonwealth and nation must revisit ideas about comprehensive health centres. New prison construction is advanced as a means to reduce dangerous overcrowding.

Today's opiate addiction crisis offers eerie similarities to this nation's war on crack-cocaine thirty years ago. In that wave, mass incarceration took hold. We live with the results. Heroin and illicit morphine based prescription abuse is this generation's next wave of prison expansion. Prisons like MCI-Shirley need resources. This institution is little more than an outlying island of social welfare adrift in a sea of social ill.

## ENDNOTES

<sup>1</sup> See: 18 F. Supp. 3d Cox V. Mass. Department of Corr. (March 12, 2014) Compare: Farmer v. Brennan, 511 U.S. 825 (1994): "Prison officials acted with deliberate indifference to prisoner health and safety".

- <sup>2</sup> The Eighth Amendment to the U.S. Constitution states: "...that excessive bail is not to be required, nor excessive fines imposed, or cruel and unusual punishment inflicted". Similar to Massachusetts Constitution, Declaration of Rights art. 26, provides: "...no magistrate or court of law, is to demand excessive bail or sureties, impose excessive fines, or inflict cruel of unusual punishments".
- <sup>3</sup> To succeed on an Eighth Amendment claim, a plaintiff-prisoner must demonstrate that (1) a prison's condition's of confinement present "a substantial risk of serious harm" and (2) prison officials act with "deliberate indifference" to prisoner health and safety. See: *Cox v. Mass Dep't of Corrections*, 18 F. Supp. 3d (2014) Compare: *Farmer v. Brennan*, 511 U.S. 825 (1994).
- <sup>4</sup> *Cox v. Mass. Department of Corrections*, (supra). Compare: 2001 The Massachusetts Superior Court rules that residents at the "Treatment Centre" a part of Bridgewater State Hospital housing sex offenders "must be kept separate and part" from prisoners, "at all times" in accordance with state law. *Durfee v. Maloney*, Nos. CIV. A 98-2523B, and CIV. A 98-2082B, (2001) Mass. Super. LEXIS 253, 2001 WL 810385, at 15 Mass. Super. Ct. (July 16<sup>th</sup> 2001).
- <sup>5</sup> *Ibid.* It should be noted that the Massachusetts Sexually Dangerous Persons Law was passed in 1947, Mass. Gen. Laws Ch. 123A \*\*\* 1, et. seq. The initial law was premised on the assumption that sex offending is caused by a severe mental illness which can be treated if the prisoner is given a one day to life commitment sentence at a mental health institution to participate in an intensive treatment regimen. By the end of the 1980's, the focus of treatment for sex offenders shifted. The Massachusetts Legislature in 1988 "concluded that the mental health approach to sex offender treatment was no longer effective because sexual violence is primarily a form of 'anti-social behaviour' which can be controlled but not 'cured'".
- <sup>6</sup> I first encountered the older prisoner at Billerica House of Detention where he was regularly removed to the solitary confinement unit. I witnessed him spitting at prisoners and spitting on the floor of his cell. He would yell from his cell all day and all night. He called the names of prisoners and staff asking loudly: "What's your name? Where you from?" He addresses prisoners and staff as "Asswipes".
- <sup>7</sup> MCI-Shirley encompasses two facilities housing both medium and minimum custody level prisoners. The majority of prisoners on 1 January 2014 were in medium security housing units (1,139) with 202 housed in minimum security. The two security levels were considered separate institutions until 2002 when they were combined as one, operating under one administration (Massachusetts Department of Correction Population Trends 2013; Institution Overview, p.5).
- <sup>8</sup> During a 1989 Massachusetts government panel, a comprehensive mental health center was proposed, but never implemented. Governor's Special Advisory Panel on Forensic Mental Health (1989).
- <sup>9</sup> Dr. Kenneth Appelbaum, Chief Psychiatrist for the vendor, Massachusetts Correctional Health Services, testified of a "dire need" for a high security residential treatment facility as an alternative to segregation for prisoners with mental illnesses and that the number of mental-health clinicians was inadequate. The Department of Correction maintains it offers "adequate" protection to prisoners with mental illness.
- <sup>10</sup> *Ibid.*
- <sup>11</sup> *R. H. Mandeville v. Luis Spenser* (July 2014).

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Massachusetts Gen. Law ch. 127 \*\*\* 32 requires prison officials to treat the prisoners with “the kindness which their obedience, industry, and good conduct merit”. This requirement, however, extends only to “those inmates who are not being disciplined”.

<sup>15</sup> I witnessed the older prisoner being goaded by fellow prisoners. He was ultimately encouraged to verbally harass an even older convict many years in the system. The former verbally abused the latter, who slapped him in the face twice. This occurred on June 13<sup>th</sup> 2015 during late recreation in the yard in front of numerous other witnesses. The older prisoner who slapped him said: “I didn’t want to punch him with a closed fist. I just slapped him to shut him up...but he’s crazy and nothing will shut his mouth, not even if I beat his head in”.

<sup>16</sup> New England Journal on Criminal and Civil Confinement: Summer 2014 “The Movement Away From Solitary Confinement in the United States”. “New York State on July 1, 2011 introduced the ‘SHU Exclusion Law’ mandating that prisoners with serious mental illness be diverted from solitary confinement units and instead be placed in residential mental health treatment units”. “In Main, a Bill prohibits mentally ill prisoners from being placed in solitary confinement units”. “There is little hope for those prisoners already suffering from mental illness to get better as the ‘stress, lack of meaningful social contact, and unstructured days can exacerbate symptoms of illness, or provoke recurrence’, etc”.

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**“With Liberty and Justice for All”?  
A Look at Criminal Justice in America when the  
Blindfold is Removed \***  
*Craig Muhammad*

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**INTRODUCTION**

This essay will provide a glimpse into a system of criminal justice that was founded on the egalitarian principles of integrity, rehabilitation and public safety. Nevertheless, as noble as the motives of the Quakers may have been when they devised the concept of the penitentiary, prisons have evolved into a behemoth system that is undergirded by the cancer of injustice, mass incarceration, over-incarceration, and corporate greed — based on race and income — at the expense of the most marginalized American citizens. Consequently, American citizens are incarcerated in unprecedented numbers that have never before been heard of in the annals of world history.

**AMERICA:  
WORLD LEADER OF INCARCERATION**

In 2007, America reached a milestone in its state and federal prison population with approximately 1.6 million men and women incarcerated (Office of Justice Programs, Bureau of Justice Statistics, Prisoners in 2009). The number of prisoners in America’s prisons and jails exceeded 2.3 million (Bureau of Justice Statistics, 2009). In addition, on any given day in the United States, at least 5 million people are on parole and probation (Bureau of Justice Statistics, 2014). Moreover, in 2013 there were 54,148 juveniles confined in placement facilities (Office of Juvenile Justice and Delinquency Prevention, 2015). In 2015, America’s prison population stands at an alarming 25 percent of the world’s prison population — even though the population of the United States is only 5 percent of the world’s human population (Hee Lee, 2015). The “land of the free” incarcerates more of its citizens than France, Belgium and England combined (International Centre for Prison Studies, 2015). And although China has a population that exceeds that of the United States by over one billion people, the prison population of the USA is greater than that of Communist China (The International Centre for Prison Studies, 2015).

## **PRISON VIOLENCE: THE CONSEQUENCE OF ABANDONING REHABILITATIVE STRATEGIES**

As a result of privatization and the disregard for rehabilitative strategies, constructive activities that a prisoner could employ toward rehabilitation and transformation are almost extinct. Consequently, prisons across America have become more violent as idleness and overcrowding increase.

In 2008, state Senator Verna Jones and Delegate Christopher Shank of the Maryland General Assembly submitted to Governor Martin O'Malley an interim report from a task force that was studying violence in Maryland prisons. The report was almost a year overdue and the recommended solutions were superficial (Jones and Shank, 2008). Approximately a year before the task force was formed, a corrections officer was murdered in the Maryland House of Corrections in Jessup (Morgan, 2006). In the months leading up to the officer's death, several other officers had been injured and at least three prisoners had been murdered at the same facility (*ibid.*).

In 2007, Chen and Shapiro conducted a national study on prison violence. Their study was titled: "Do harsher prison conditions reduce recidivism? A discontinuity-based approach". The conclusion of their research yielded results that continue to be ignored — that idleness, overcrowding, prolonged lockdowns, and a lack of concrete programming is the root of prison violence and the high rate of recidivism. These cuts have taken place even though many credible studies on prison violence and recidivism concluded that a lack of programming and other proactive measures encourage an atmosphere of violence and a revolving door policy (Chen and Shapiro, 2007). Moreover, while prison program funding has been drastically cut, program services run by volunteers (that are of no cost to taxpayers) are often discouraged by many prison administrators. Many proponents of this "lock them up and throw away the key" approach do not live in the inner city neighborhoods where many prisoners will be returning one day when they are released. For example, the majority of prisoners on Rikers Island in New York come from conditions so poverty stricken that they cannot even afford bail. In addition, the state of Maryland incarcerates more people from the blighted Sandtown-Winchester area of West Baltimore than from any other region in the state (Fenton, 2008). The Sandtown-Winchester area only consists of approximately 72 square blocks, occupies 0.406 square

miles. Within that small space, 34.4 percent of the residents live below the poverty level (Wenger, 2015).

## **PRISONS FOR PROFIT**

America's burgeoning prison population is fuelled, in part, by profit hungry corporations such as Corrections Corporation of America and GEO Group, Inc., leaders in the multi-billion dollar for-profit prison industry. Private prison corporations manage public prisons at a substantial reduction of costs to states and municipalities. However, Adam Gopnik notes, "the interest of private prisons lies not in the obvious social good of having the minimum necessary number of inmates, but in having as many as possible, housed cheaply as possible" (Whitehead, 2012).

Privatization is not relegated to entire prisons being co-opted by private corporations. Under the pretense of "saving money", many prisons have privatized sectors of their day-to-day operations such as the commissary and the medical department, which has resulted in skyrocketing prices for basic hygiene items and a decrease in the quality of medical care.

The private prison industry makes huge financial contributions to political candidates and exerts tremendous political influence. In the wake of the U.S. Supreme Court's decision in "Citizens United", those contributions are now unlimited "to make sentencing laws more severe with a clear intent to drive up the prison population", says former Kansas Secretary of Corrections Roger Werholtz (Whitehead, 2012). Despite the fact that overall crime in America has been on the decline, the nation's incarceration rate has tripled since 1980.

An ordinary person may see the for-profit prison industry as a typical case of capitalism at work. However, the industry is fuelled by inordinate greed that pollutes the integrity of the criminal justice system. For example, a 2009 criminal investigation of the Mid-Atlantic Youth Service Corporation revealed that the company paid two Pennsylvania judges over \$2.6 million to send juveniles to their private prison facilities. The two judges involved in the scheme, Michael Conahan and Mark Ciavarella, pleaded guilty and received 28 years and 17 years in prison respectively (NBC News, 2015).

Today, even homelessness is criminalized as governments across the nation pass more laws prohibiting begging, loitering and sleeping in public places that ensures more homeless Americans are arrested, prosecuted and

incarcerated. “No matter what the politicians or corporate heads might say, prison privatization is neither fiscally responsible nor in keeping with principles of justice. It simply encourages incarceration for the sake of profit”, says attorney John W. Whitehead, founder and president of The Rutherford Institute and author of “The Freedom Wars” (Whitehead, 2012).

### **RACIAL DISPARITIES IN SENTENCING PRISONERS TO LIFE IMPRISONMENT AND THE OVER-INCARCERATION OF PRISONERS SERVING LIFE SENTENCES**

Research indicates that as a prisoner gets older the chance of recidivism decreases tremendously (Justice Policy Institute, 2009). Research also shows that the likelihood of a released prisoner being re-arrested decreases with an increase in time served prior to release in the community with support (PEW, 2012). Of the 1.6 million men and women incarcerated in prisons, many of them are at least fifty years of age, have been incarcerated for at least three decades, and their propensity to re-offend is slim. The above category also includes prisoners that are serving life sentences — many of whom have redefined the meaning of remorse, redemption, transformation and rehabilitation. Over 160,000 prisoners are serving life sentences in the U.S. (The Sentencing Project, 2015). Those numbers also include a disproportionate number of African-Americans.

In 2009, The Sentencing Project reported that the percentage of African-Americans serving “life with parole” and “life without parole” sentences stood at 48.3 percent and 56 percent, respectively. At the same time, Hispanics serving “life with parole” and “life without parole” sentences stood at 17 percent and 7.4 percent, respectively. Out of all 50 states that presently have prisoners serving life sentences, southern states and Mason-Dixon states have some of the highest prison populations of persons serving life sentences (The Sentencing Project, 2009). Maryland, long considered to be within the orbit of southern political influence, has the highest proportion of Blacks serving life sentences than any other state in the Union (The Sentencing Project, 2009). More than three-quarters of the state’s lifers are Black (76.7 percent), compared to the national average of 48.3 percent. In 2009, the only state outside the immediate southern sphere with a lifer prison population above 65 percent was Illinois. The justice

system in Illinois has a history of being so skewed that in 2003, in a speech delivered at Northwestern University of Law in Illinois, Governor George Ryan outlined his plan to commute the death sentences of every prisoner on Illinois' death row. Governor Ryan felt duty-bound to take unprecedented action after scores of the state's capital cases had been reversed for a new trial or sentencing. In dozens of other capital cases, condemned prisoners were completely exonerated. The miscarriage of justice was so blatant that Governor Ryan, echoing Supreme Court Justice Harry Blackmun's words in a 1994 dissent against the death penalty said, "From this day forward, I shall no longer tinker with the machinery of death" (Death Penalty Information Center, 2003). The Sentencing Project (2009) also reported that 84 percent of Maryland's juveniles who are serving life sentences are Black. According to 2009 estimates, the overall top five states, by percentage, with juveniles serving life sentences who are Black are Maryland (84 percent), Alabama (84 percent), Virginia (81 percent), South Carolina (76.4 percent) and Louisiana (72.9 percent) (The Sentencing Project, 2009).

## **THE POLITICIZATION OF LIFE SENTENCES IN MARYLAND**

The public is unaware of the politics that stand between confinement and release of an incarcerated American citizen serving a life sentence, particularly in Maryland. For example, over 2,300 prisoners are serving life sentences in Maryland. However, Maryland is just one of two other states (Oklahoma and California) where an independent parole board can only recommend parole for someone serving a parolable life sentence. The final decision is made by the Governor (Maryland General Assembly, 1993). Consequently, "life with parole" sentences have become politicized into death sentences because no governor wants his political career to hang in the balance of a lifer being released from prison and possibly committing another offense — even though, nationally, prisoners serving "life with parole" sentences have the lowest recidivism rate of any group of released prisoners (The Sentencing Project, 2009).

A 2004 analysis by The Sentencing Project found that, historically, upon release people sentenced to life were much less likely to be rearrested within three years, compared to other groups of released prisoners (Mauer et al., 2004). The low recidivism for lifers is partly due to the average amount of

time that a lifer serves on a life sentence, which is 25 years. Nevertheless, as a result of the politicizations of life sentences, particularly in Maryland, hundreds of prisoners that have been recommended for release by the Maryland Parole Commission are languishing in prison. Their chances for release are bleak.

There is a gross misunderstanding surrounding prisoners sentenced to life terms. Most of them are serving life sentences “with the possibility of parole”. Meaning, that when a judge handed down their term of confinement, it was done so with the possibility in mind that one day there would be a merit-based movement towards the prisoner’s release on parole. Also, the public is often under the impression that prisoners serving parolable life sentences have been convicted of committing the most heinous and egregious criminal acts. In some case that is true and any crime committed against an individual or the community deserves punishment. However, there are thousands of prisoners convicted of committing similar crimes as a lifer, but are serving less than a life sentence. There are also many incarcerated citizens serving parolable life sentences because they refused a plea agreement for a lesser sentence, opted to exercise their constitutional right to trial, and were found guilty and sentenced to “life with the possibility of parole” as a consequence of being found guilty by a judge or jury. In many states, particularly in Maryland, statutory law and sentencing guidelines give judges no other recourse but to sentence a defendant to a life term if he/she is convicted by a jury of a crime that carries a maximum life sentence. In addition, many prisoners sentenced to life terms come from very poor economic backgrounds. Consequently, they could not afford to hire a private attorney. Unfortunately, state issued legal representation was their only alternative.

The Founding Fathers of the United States believed that mercy should be an integral part of the administration of justice. A case of mercy worth mentioning is the April 2010 sentencing of Washington County Judge W. Kennedy Boone III. On November 5, 2009 Judge Boone, with a blood alcohol level of 0.18, more than twice the legal limit, allegedly struck another vehicle that injured two people. A pregnant woman that was a passenger in the car that Boone had hit accused him of causing her to suffer a miscarriage. However, he was never charged in connection with the woman’s miscarriage. Judge Boone also had a prior conviction for driving while impaired, dating back to 1985. At his sentencing, District Court Judge Robert C. Wilcox stated,

“If we all had to answer for mistakes we did 20 years ago it would be a tough sell. We all make mistakes, sometimes stupid mistakes”. Judge Boone was given a sentence of three years probation and fined \$1,000. He ended up violating the terms of his reprimand (The Daily Record, 2011). Nevertheless, it is also obvious from racial and economic disparities in arrests, convictions, sentencing and incarceration that mercy is not granted to people of colour, the poor, and those who are politically weak.

## CONCLUSION

There are two symbols in America that are intended to reflect its uniqueness and greatness: The Statue of Liberty (which mirrors America’s unprecedented freedoms) and the Lady Justice who is arrayed in the glory of a simple blindfold (representing equality in the dispensation of justice). Lady Justice’s covered eyes are supposed to reflect a criminal justice system that is not prejudiced by the negative influence of politics, racism, economic bias and financial profit. However, America’s criminal justice system no longer reflects the values of its symbolic icon or the Founding Fathers. Nevertheless, with all of its imperfections, I believe American citizens have the potential, to once again make criminal justice in America a beacon of light for the world to emulate. Therefore, if mass incarceration and over-incarceration are to be eliminated, if racial and economic disparities are to disappear, and if prisons are expected to return to the rehabilitation model — then there is work for us to do. But, if criminal justice in America is allowed to persist on its present course, many marginalized incarcerated citizens will continue to languish in penal institutions in a country whose pledge says, “...with liberty and justice for all”.

## ENDNOTES

- \* Portions of this article are excerpts from the author’s book, *From Jericho to Jerusalem: Youth, Street Organizations & Community Development*.

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## RESPONSE

### **I'm Not Your Carceral Other**

*Vicki Chartrand*

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Gaining insight into the prison is an important and challenging enterprise. In the prison, power operates through physical space, control of movement, and the regulations and rules that organize the daily activities and exchanges of those who live and work there. Systems of reward and punishment, codes of conduct both written and verbalized, and mechanisms of surveillance are just a few of the confining and forming activities found within. Common parlance today focuses on the prison's disciplinary and repressive character. As the authors in this issue show, however, disciplinary power is not only punitive and restrictive, but attempts to limit and habituate us to narrow understandings of incarcerated persons, ourselves, and our sense of justice. These forming activities and strategies become even craftier when the grand narrative is built on the idea of "reforming" people — as if this is somehow a laudable or achievable goal. One cannot help but think of modern colonialism's assimilation, segregation and elimination policies that continue to haunt our nations when "reform" is on the agenda — logics and techniques that are found throughout our social world and intensified in the punitive microsites of the prison. Insight into the prison can only be cultivated with those with a situated knowledge and who can therefore illuminate these carceral logics. Situated knowledge reveals more about ourselves and our social world as the logics found within the prison are also expressed throughout our everyday lives (Bandyopadhyay et al., 2013, p. 29). Resisting both repressive and subtler regimes of power is not only important for those in prison, but for all of us as we struggle against systems of knowledge and technologies that attempt to shape our modes of thinking and ways of being, and that determine our "institutionally approved" behaviour. I'm not your carceral Other.

The carceral logics and techniques that proliferate our social world create and circulate so-called "criminal" populations through the segregation of lawbreakers, the deportation of immigrants, the containment of poverty, and the elimination of high-risk populations. As Craig Muhammed in this issue aptly points out, this framework in the management of populations is largely based on race, gender, class, sexuality, poverty and other intersections of oppression. Far from simply a disciplinary apparatus of control and repression, the prison is a mechanism to identify, differentiate,

classify, filter, and govern bodies and our beliefs through the perpetual practice of defining, shaping, and dividing the carceral Other. The carceral Other signifies a body that can be segregated, assimilated, immobilized, modified, eliminated, or saved (Chartrand, forthcoming), all the while convincing us of this necessity. Whole populations are marginalized and then inscribed using “criminal” titles, along with other configurations such as “anti-social”, “faulty thinkers” or “unadjusted”. This largely depicts the interned as socially vulnerable, risky, burdensome, unstable or undeserving — in need of reform.

This knowing and shaping of the carceral Other is achieved through hierarchies, labels, testing, surveillance, classifications, policing, and confessions — practices found throughout our social world and intensified in the micro-sites of a prison system. Charles N. Diorio and Victor Becerra in this issue reveal these dividing practices in their articles that explore the day-to-day indignities experienced in the prison in terms of physical and mental health. The authors highlight some of the more subtler, hidden oppressions of carceral logics that result in medical neglect and delays, inappropriate or ineffective medical visits, and a general disregard for personal well-being. These practices of the prison are not always so visible or easy to identify, but nonetheless have destructive cumulative effects. Similarly in this volume, Tara Perry and Colleen Hackett reveal the subtly coercive nature of the “therapeutic community” that constructs prisoners with “cognitive distortions”. As noted by Tara Perry while in prison, “I had the urge to offer my friend a hug, or at the very least, a hand on her shoulder. Doing so would have resulted in an automatic write up for a ‘sexual misconduct’... The model prisoners internalize the belief, to varying extents, that expressing one’s self through anger or engaging in a meaningful relationships while in prison is inappropriate, wrong, and shameful”. This highlights the invasive character of carceral logics that seek to reform our very situated selves. As the authors further note, prisoner writing such as auto-ethnography provides us with these important understandings. This point is similar to Mary Bosworth’s (1999, p. 155), who reveals how such subtle carceral logics are resisted by women in prison who find different ways to maintain their sense of identity — “women manage their experiences of imprisonment by drawing on their sense of self which they ground in their (feminine) identities as mothers, girlfriends, and lovers”.

In the prison, officials often view acts of resistance as a failure to comply, manipulative, a form of cognitive dissonance, anti-social behaviour, and other fictions of a system designed to deny agency and self-expression. This very act of defining resistance is embedded in the strategic relations that privilege institutional knowledge in its attempt to control the circumstances and what is considered acceptable, reasonable, rational, or necessary. Melissa Munn and Chris Bruckert (2010) reject such institutional definitions in their work and make visible the objectives, purposes, strategies, tactics, and skills that characterize both the processes and practices of prisoner resistance. They further argue that it is exactly looking at these often obscured processes of resistance that allow us to appreciate its density, the multiple ways it operates, and the significance of individuals' social, personal or political capital. Resistance can therefore be understood in its diversity such as with prison riots (Carrabine, 2004), hunger strikes (Welch, 2009), prisoner committees (George, 2006), writing (Rymhs, 2008), jail-house lawyers (Ben-Moshe, 2011), political theatre groups (Merrill and Frigon, 2015), court challenges (Jackson, 2002), or institutional complaints (Parkes and Pate, 2006). There are also the more subtle resistances such as feigning compliance, ignoring directives, developing personal codes of conduct and personal writing (Scott, 1990; McCulloch and Scraton, 2009). Carceral logics are not only resisted by rejecting or revolting against them, but also by making use of the institutional arrangements and discourses to recreate carceral space, experiences, and expressions of self.

In this issue, Gregory Webb points out the significance of self-awareness and expression in the prison and “[a]cknowledging the personal, social, legal and cultural topography of my situated-ness”. The author further points out that, with little else, prison identity often turns into a commodity that is traded and invested in relations, serving as a mask to what is really being consumed — time. This example reminds us how resistance is never outside an expression of power, but rather how our situated-ness also shapes our expressions of resistance in attempts to transcend the “walls, wires, and bars”. Where carceral logics endeavour to shape our understanding of self, the prison can also act as a mirror, not only for us to reflect upon ourselves, but the social world that stands behind us. Resistance emerges in the microsities of the prison where knowledge is in conflict with one another and within ourselves.

As demonstrated in this issue, incarcerated persons continue to challenge, work through, break from and partition the lines of force found behind the prison walls. Deena Rhym's (2008) argues that prisoners provide a narrative that deflects and reshapes the vantage point from where resistances exist and can occur. These valuable accounts not only tell us about the prison, but of our own social makeup and the many ways we limit our own understandings and expressions of self when punishment and reform are on the agenda. Despite our "advances" and "best intentions" in what is referred to as penal reform, carceral power will continue to mask itself without the insights of those with situated knowledge. The accounts in this issue provide an entry into new understandings and approaches into a politics of autonomy and awareness that reframes a discussion for anti-prison politics, one that investigates both broad and subtle carceral logics, including those of our own — I'm not your carceral Other.

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# PRISONERS' STRUGGLES

## Book Clubs for Inmates *Jaspreet S. Tambar*

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Established in 2009, *Book Clubs for Inmates* is a national literacy program aimed at improving the social lives of prisoners across the country. This registered charity has its root in an experiment performed by its now executive director, Carol Finlay. This experiment probably would not go by the name of novelty, nor thankfully by pity, but rather by civility, because while there was a precedent for Finlay's project in the form of a book club at a federal institution in Edmonton, that small and underfunded project only provided what is essentially children's literature to its members. Finlay's convictions to respect and moral honesty led her to a challenge, and for her first trial, at Collins Bay Institution in Kingston, Ontario, she assigned her small group to read *Angela's Ashes* (1996) by Frank McCourt. Since that day in August of 2009, *Book Clubs for Inmates* has grown to be composed of dozens of volunteers, engaging with the lives of many hundreds of prisoners, distributing thousands of books to penitentiaries from British Columbia to Atlantic Canada.

Respect and moral honesty are rarely to pecuniary advantage, and so one of the greatest hurdles to establishing a literacy program in prisons was the matter of funding. Organizations of kindred passions, like the John Howard Society and the Prison Fellowship of Canada, were in spite of their offers themselves in precarious financial situations. After registering as a non-profit organization, *BCFI* looked to private donors and found relief in a host of concerned minds extending generous hands. That the organization is funded entirely by private donors speaks to not only the clarity of Finlay's message, which has drawn such luminaries as the Rt. Hon. Adrienne Clarkson and Brian Greenspan to her board of directors, but also to the deeply fixed assumption of civil discourse for all members of a democratic society, which assumption *BCFI* has comprehended as its principal mission for those members of our society who have not traditionally been granted this dignity.

Because of its particular focus on literacy, *BCFI* is but one response to a disturbing desideratum in both the spiritual and social lives of prisoners, and the efficacy of the correctional facilities that house them. Last year, *BCFI* conducted a survey of its members and of those who responded, 90% reported an improvement in their communication skills, 93% reported that

they felt that the book clubs would help them from reoffending, and 56% reported an improvement of their conflict resolution skills (in Heathcote, 2015, p. 76). These results are consonant with the findings of academic research that has definitively concluded the benefits of literacy to prisoners' health and reintegration. A report published by the Correctional Service of Canada, citing a wealth of research that links literacy with improved social behaviour and mental health, states, "The costs of providing literacy training to adult offenders are far outweighed by the benefits — to prison management, prisoners, and society in general", and that "[i]t is in society's best interest to make the prison population productive. To do so requires making offenders functionally literate" (Ryan, 1991, pp. 17-23). Such efforts are rare in the Canadian penitentiary system and for *BCFT*'s endeavours its founder recently received the CSC's prestigious Charles Taylor award.

Literature, after all, is not just an escape from life that induces one to quixotically tilt his or her lance toward windmills, but, following the famous Horatian adage, it does have the power to both "instruct and to please". On the contrary to the notion of escape the humanist principles that define university education, an education that has otherwise never been afforded to the majority of prisoners who populate our prison system, literature is actually a way *into* examining and understanding life. Reading fiction develops not only our semantic vocabularies, but also our terms for comprehending and engaging with a multitude of characters and situations, at the end of which sympathy and understanding are not guaranteed but certainly made possible. Prose literature analysis thus entails problem solving, and both are vital skills of supreme advantage to any prisoner and thus also to the community into which he or she hopes to be released.

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## The Release of Aging People in Prison

### RAPP Campaign

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The Release of Aging People in Prison (RAPP) Campaign is an independent organizing and policy project that aims to establish a parole process in New York, Baltimore, and Washington, D.C. that is transparent, all inclusive, and fair, in which the state bases its parole decisions on legitimate public safety risk and individuals' demonstrated personal growth while in prison. Led by Mujahid Farid, a 2013 *Soros Justice Fellow* who was incarcerated for 33 years in New York before his release in 2011, the RAPP Campaign focuses on the rapidly growing population of aging people in prison — many of whom are long-termers convicted of serious crimes. Many of these human beings have taken responsibility for their crimes, have transformed their lives, and developed skills and abilities they lacked before incarceration, and could be released from prison with no threat to public safety. Yet many are denied release, often for political reasons, and needlessly remain imprisoned into old age.

Our campaign will seek fair and objective hearings for all individuals who come before the Parole Board. Significantly, our approach will not seek expanded release opportunities for certain classes of offenses by denying opportunities for others. In contrast, we will insist that decisions be made on a person's individual merits and experiences inside. This operating principle not only makes the RAPP Campaign unique, but also allows it to challenge a fundamental pillar of the mass incarceration crisis: *the reliance on a system of permanent punishment, a culture of retribution and revenge rather than rehabilitation and healing.*

The RAPP Campaign is mobilizing currently and formerly incarcerated individuals, their families, and other concerned community members in efforts designed to increase parole release rates for aging people in prison who pose no risk to public safety. RAPP is also partnering with the Drop the Rock Coalition, which previously helped lead efforts to reform New York's infamous Rockefeller Drug Laws, and is reaching out to other prison justice groups to join in carrying out this work. From this united base, we will work to (1) raise public awareness about the destructiveness of mass incarceration and the benefits to society in releasing aging people, including those convicted of violent crimes who do not pose a risk to public safety and (2) promote the use of key mechanisms for releasing elderly people including parole decisions, compassionate release, and policy changes.

## BACKGROUND

For 40 years the prison population in the United States has been increasing to where it has become an international embarrassment. While this has been acknowledged by federal and state governments, legislators, policymakers, and prison administrators (who face rising administrative costs amidst serious budget crises), and where incremental steps reduced some prison populations, there remains a strong reluctance to utilize available downsizing options as they apply to certain categories of people confined. The prison population will not be substantially reduced unless such options are used.

This project will seek to address mass incarceration through the “back end” of the criminal justice system, promoting the release of low-risk groups — especially aging people in prison, who make up a rapidly growing portion of the prison population. A recent Human Rights Watch report shows that between 1995 and 2010, the number of state and federal prisoners aged 55 and over nearly quadrupled to 124,400, while the prison population as a whole grew by 42%. The explanation for this can be found in sentencing policies adopted during the past 25 years (*Old Behind Bars: The Aging Prison Population in the United States*, 2012), but also in the failure of correctional and parole systems to utilize existing release mechanisms. Current conditions do not suggest improvement. The ACLU’s report, “At America’s Expense: The Mass Incarceration of the Elderly”, finds that by 2030 there will be more than 400,000 older people behind bars, a 4,400 percent increase from 1981 when only 8,853 state and federal prisoners were elderly.

New York State presents an even sharper example. Over the past 11 years, the New York State prison population has decreased by 21% — from 71,466 in 2000 to 56,315 in 2011. At the same time the population of prisoners aged 50 and over increased by 64% — from 5,111 in 2000 to 8,392 in 2011 (*Correctional Association* statistical sheet, “Elderly Prisoners and Parole Reform”).

Prison administrators know that older people who have served long sentences frequently serve as role models, facilitate most prison rehabilitation programs, and provide leadership, having found meaning in life through service to others. Moreover, the vast majority of released prisoners over 50 do not return to prison. Those who do return generally do so because of a technical parole violation (failure to report to a parole officer, missing work, or missing curfew). New York State policymakers are realizing that there

are alternatives to costly, unproductive incarceration when such violations occur (*2007 Releases: Three Year Post Release Follow-up*, NYSDOCCS). Consistently, the return rate of long-termers convicted of murder (most commonly people of advanced age) is the lowest (6.6%) system-wide, with only 1.3% returning for a new commitment.

Despite low recidivism rates, ample evidence of personal transformation and the significant cost savings that could be realized, political considerations too often prevent administrators from using available release mechanisms. The RAPP Campaign will utilize the voices of the key population of formerly incarcerated women and men, along with current elderly prisoners to show that they can and should be released with no threat to public safety. It will build a public base to encourage policy-makers, parole commissioners and correctional officials to accelerate release of the elderly through both new and existing mechanisms for release.

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## Forming *Gorilla Convict* Inside the Belly of the Beast

Seth Ferranti

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I had a 25-year sentence when I was 22 years old. That was crazy, being sentenced to more time than how old I was. It was a struggle for real, but I had to do something to secure my future. I was doing time, but like they say in the pen, “Do the time. Don’t let the time do you”.

I fancied myself a writer. And in the depths of the netherworld of corruption and violence, it is not like you can just fancy yourself anything. I had affectations to be Hunter S. Thompson or Henry Rollins or Jim Morrison. A rock-n-roll poet of epic proportions. But I couldn’t be who I was. Not in prison. You have to keep your guard up and put on the tough guy façade or else the predators will be on you quick.

Not that I was a tough guy or anything. I was middle-class and from the suburbs. As far from a criminal as I could be, I thought. I sold LSD and marijuana on the college circuit. No guns, no violence, no criminal organization. But the feds thought differently and called me a kingpin.

So here I was in prison left with nothing but my thoughts and my dream of being a writer. My dream of expressing myself from deep inside the prison-industrial complex. A dream that seemed so farfetched I didn’t even know if I would be able to accomplish it. But I saw that others had done it before me, so I figured why not? If I put the hard work and effort in I can potentially make anything happen. Even from prison.

Jack Henry Abbott, Mumia Abu Jamal, and George Jackson became my inspirations. If they could write books from the pen, why couldn’t I? I read as many books as I could from prison authors. I had a voracious appetite for literature and after I finished with the prison classics I moved on to the books on the Mafia guys. I was in federal prison on the East Coast so there were tons of mob dudes. I wanted to read their stories and find out who they were.

It was around this time that I started formulating my plan to be a writer. The first thing I did was start reading about self-publishing. I probably read thirty books on self-publishing. I didn’t want to go the route of vanity publishing. I wanted to form my own independent house. This was when urban fiction was blowing up and Teri Woods’ *True to the Game*, K’wan’s *Gangster* and Vickie Stringer’s *Let That Be the Reason* were making their rounds in prison.

I didn’t want to write fiction. I wanted to write about real life. The life I was living and the experiences of the men around me. I heard all kinds of

stories that you can only hear in prison and I was very intrigued. I knew I could tell these stories. I was on the compound with some very notorious dudes. I didn't want to write about the mob dudes though. I wanted to do something more cutting-edge.

In the mid-90s gangsta rap was very, very popular in the world, and in prison even more so. I used to watch the rap videos in the black TV room, and the rappers would namedrop the street legends from their respective hoods and states in their songs. I started catching conversations about the gangsters that hip-hoppers were mythologizing.

I found out that some of the more infamous street legends were on the same compound as me. That's when I got the idea to write books about them. I was very interested in reading about them and there were no books to be found. I used to go to the law library to read about their cases. I came up with a plan and outline, and approached some of the dudes I wanted to write about.

I couldn't offer them money for their stories, but I could offer them the chance to tell their side. I would research the court records, read the newspaper articles, and interview the subjects, and then write a concise, detailed story of their lives and journeys to the top echelon of the criminal hierarchy. I didn't glorify. I wrote a cautionary tale. Like this is what happens if you go this route.

I started putting books out in 2005, forming my publishing house and my website. I was also writing for various magazines and websites like VICE, HoopsHype, Don Diva and F.E.D.S. My niche was prison life, prison basketball and street legends. I was very lucky to have my wife to facilitate everything on the outside. Without her, *Gorilla Convict* would have just been an idea in my head and I would have been another frustrated writer that couldn't get anything done.

With my careful planning and her putting my ideas into motion, we built a publishing house and brand. It was a struggle and I always tell people that running a career from prison was like being handcuffed and trying to write, but I did it. I persevered and I didn't give up. I was relentless. I set the goal and I executed. That was the biggest thing for me.

I always tell people that my biggest talent is my ambition, my ability to work and get things done. I have tons of ideas, but I work on what I have a passion for, which allows me to finish the project and get it out to the world. We started having some success with the company and books. And when

I got out in 2015, I had something to walk into, work wise that is. When I started it was just something that I wanted to do. I wrote the stories and published the books because I wanted to. I didn't care if anybody bought them, but it was nice that they did.

## **CONTACT INFORMATION**

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## BOOK REVIEWS

**Betts, D. R. (2009) *A Question of Freedom: A Memoir of Learning, Survival, and Coming of Age in Prison*, New York: Penguin Group, 240 pages.**

*Reviewed by Jason M. Williams*

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*A Question of Freedom: A Memoir of Learning, Survival, and Coming of Age in Prison* is perhaps the quintessential prison memoir of the modern age. Betts was arrested for committing the crime of carjacking as a sixteen-year-old youth. As a result, he was sent to prison for eight years as a juvenile in the state of Virginia. He presents to his readers a vivid and all too familiar story, unfortunately, of his life as a young African-American adolescent and his eventual plight through the American prison system.

At the beginning of the book, he provides a complex introduction to his intersectional reality. He uses his life story as a framework through which to understand his story, while sometimes offering macro level analysis as well. Betts grew up in a lower-middle-class neighbourhood, raised by a single mother, had a tumultuous relationship with his absent father, and had never been in trouble before his carjacking conviction. From the beginning chapters, one ascertains that Betts was a good kid who got caught up in criminal activity. Cliché, yes, but true for Betts.

While Betts does not shy away from guilt, he rarely delves into the social context that made him ripe for committing the carjacking in the first place. It is important to understand and admit one's guilt, but Betts leaves a significant gap that needs to be contextualized. His inability to see beyond his micro-context, to some extent, signifies the degree to which people in society (including prisoners) are indoctrinated to believe in rational choice ideology — the idea that committing a crime is solely the choice of the individual. His failure to delve into this territory could also be due to his age and state of intellectual adventurism during the period of writing the book. The social context of the book is one that is all too familiar with many who live marginalized lives.

For instance, he also mentioned how he lacked an adult Black male role model. He states that his father was not around because he too was incarcerated. Sadly, this part of Betts story is predictable and predetermined like many other young Black males who end up in similar situations. He was brought up in a single home likely because of the social structure that induced his father into a criminal lifestyle as it has done for generations of Black males. This cycle of hopelessness inevitably predetermined Betts'



future. Like his father, he found himself incarcerated and damned further beyond the margins of society.

The best parts of the book are his memories of being in prison. He explains that the prison was the most diverse place he had ever been, but that it was flooded with marginalized bodies. It is clear that while behind bars his surroundings were much too complex for his young mind to understand, but he developed the ability to blend in and learn more about his surroundings and fellow prisoners. He eventually earned his high school diploma and even taught himself Spanish. He also illuminates the extent to which the prison is a microcosm of already existing racial power dynamics. He spends a great deal talking about racial identity and life within the prison, and how he was able to learn from these complex, intersecting experiences.

After being released from prison, Betts sought redemption. He attended Prince George's County Community College where he got involved in a lot of extracurricular activity. For the most part, things appeared to be going well for him. However, a moment of departure in his academic pursuits came when Howard University rejected him, a historically Black University on a scholarship which would have guaranteed him a full-ride had he been accepted. This incident was perhaps a profound moment of betrayal for Betts — being rejected by a Black school, of all possibilities. Nevertheless, this incident shows the extent to which society has indeed become hyper-punitive, even those venues that were traditionally designed to give marginalized people hope. Fortunately, he was subsequently offered a full scholarship to attend the University of Maryland.

Betts' story encapsulates the meaning of what it means to be a Black adolescent male ascending to adulthood in the margins of America. The social structure that compounds his reality, however, is what is missing throughout his memoir, which is perhaps to be expected given the non-academic style of memoirs. Nevertheless, he highlights the extent to which the state has increasingly become, via brute force, the sole parental entity over scores of Black adolescent males, a phenomenon that Rios (2011) calls the youth industrialization complex. Incidentally, many parents of colour have found themselves in losing battles against the state, as their children are ripped away from them for crimes that are preventable if social structures (root causes of crime) were only acknowledged and changed.

Unlike Betts, the vast majority of similarly situated young men are less likely to receive the second chance that he has deservingly received. Betts

has gone on to earn additional academic accolades, and is on track toward becoming a lawyer. Thus, his post-release experiences vary tremendously from others who will not be able to escape the criminal label and its post-prison collateral consequences. Yet his story is crucial because it shows the real cruelty of the system, and how it has increasingly targeted youth of colour. While some may capitulate to the logics behind adult targeting, the fact that the system now targets youth is more troubling given the long-term effects (socially, psychologically, and economically) that mass incarceration has on those who come into the system at early ages. As a result, these youth reach adulthood while behind bars and are essentially dumped back into a society where resources to remain productive are scarce. Now as adults, they are socially demoted to a second caste status (Alexander, 2010) at relatively early ages, having a great many years still ahead where they are unlikely ever to become successful because of structural *de jure* and *de facto* barriers.

Lastly, Betts' memoir forces readers to reconsider the extent to which the state *has* assumed parental control over a disproportionate amount of adolescents from the middle and poor classes. Racial disparities among youth continue to exist even among similarly situated youth of different ethnic-racial backgrounds, a topic spoken about in the memoir. While Betts' memoir is a perfect tale of redemption, many who find themselves in similarly situated paths will never be able to experience a restoration like Betts. Therefore, readers should feel compelled to question the highly punitive atmosphere within which youth are adjudicated today and work toward an abolition platform that will deconstruct prisons as the antidote for troubled youth. Moreover, readers should focus on the precarious use of the prison as a parental figure for decidedly disposable youth, predominantly derived from the middle and lower classes of society.

## REFERENCES

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## ABOUT THE REVIEWER

*Jason M. Williams, PhD* is a graduate of New Jersey City University (NJCU), Jersey City, New Jersey with a Bachelor's and Master's degree in

Criminal Justice. He subsequently earned his Doctorate in Administration of Justice from Texas Southern University (TSU), Houston, Texas. Aside from doing research for the academic audience, he is involved in many public research and information forums, such as the Hampton Institution where he serves as Chair/Editor of the Criminal Justice department. Prior to joining Montclair State University, Dr. Williams has taught a variety of Criminal Justice courses at NJCU, TSU, John Jay College of Criminal Justice and Fairleigh Dickinson University. His areas of expertise are race, ethnicity and crime, criminological/criminal justice theory, critical criminology, historical criminology, social control, criminal justice policy, social justice and the sociology of knowledge. He is also on the editorial board of a half dozen scholarly journals, including the *Journal of Prisoners on Prisons*.

*Jeannette Tossounian* is a life-long professional artist who spent two years in maximum-security at Vanier Centre for Women in Milton, Ontario. While in her tiny metal and concrete cell, she kept herself busy by drawing her cell features and jail-issue items with golf-sized pencils on plain copy paper. She also wrote nine books, two of which she has self-published since her release. While continuing to maintain her innocence, Jeannette is currently in the appeal process and active in fighting for reforms to the penal system. Her books can be purchased at [www.anklebonebooks.com](http://www.anklebonebooks.com) and her art can be viewed at [www.tossounianart.com](http://www.tossounianart.com).

Front Cover: “My Maximum Security Home”  
2013, white paper with black pencil sketch  
Jeannette Tossounian

“Apparently there’s a huge snow storm today. Of course I can’t see out my frosted windows, but there’s the shadow of snow on the ledge over a foot high. All programs were cancelled today and there was no mail.

I drew a picture of my bare bunk and the shadow of snow on the window sill”.

— Excerpt of a 8 February 2013 journal entry from the book  
*The Human Kennel* (Ankle Bone Books, 2016)

Back Cover: “The Human Kennel”  
2016, sculpture  
Jeannette Tossounian

The sculptural installation piece that is spawn from the book *The Human Kennel* reflects my experiences being locked up for two years in maximum-security in a women’s detention centre. The artwork shows where the justice system places those who are most marginalized. The jail cell becomes home.

Stick figures are used because they are not bias and could represent anyone of any age, colour, gender, ability, etc. The figures are wrapped with green cloth and yarn, which represents the green provincial institution uniform mandatory for incarcerated women in Ontario. The cloth and yarn

also represents skills often associated with women. However, because green yarn is used, the artwork could easily represent anyone incarcerated as the green stick figures could also represent the forest being caged as we are human beings, living creatures, trapped by concrete and metal, stifled from growth and slowly dying.





