



STATES OF SIEGE

U.S. Prison Riots 1971-1986

▪ Bert Useem ▪ Peter Kimball ▪

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Most of the effort in this study was in collecting the details of the events under examination. But in collecting these details, we often found it difficult to know beforehand which information would be relevant to the final story. As a result, the first drafts were much too long. Fortunately, we were saved by critical readers who told us to shorten and tighten the entire work. For this, and much other perspicacious advice, we thank Richard Cloward, Frances Fox Piven, Jack Bloom, David Rubinstein, Patty Davies Useem, Natalie Star, Anthony Orum, and Helene Fine.

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Chicago, Illinois
August 1988

B. U.
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1

Introduction

Imagine a place with half a million people. Though it has twice the population of Iceland, it is not a country; though it has more inhabitants than Vermont or North Dakota, it is not a state. Though its residents are packed together much more densely than Clevelanders—whom they outnumber—it is not a city.

The residents are forbidden to own weapons; they are punished for peaceful protest. They are mostly destitute, often illiterate. And they are much more heavily policed than the natives of the most oppressive dictatorship.

Yet there are continual revolts. As often as several dozen times a year, the residents of one or another “neighborhood” will briefly drive out the forces of the government. They do so even though they know that the restoration of order is absolutely inevitable. Are they heroes, or lunatics?

The people in question are U.S. citizens; the “place” is the U.S. prison system. The revolts, over 300 since 1970, are commonly known as “prison riots.” Under that name, they are deceptively familiar to us. You don’t have to be a sociologist to have a theory about prison riots:

—There’s nothing mysterious about prison riots. Many or most prisoners are violent, depraved, or even insane. Naturally they go wild, kill, burn, and loot.

—There’s nothing mysterious about prison riots. Conditions in prison are miserable—overcrowded, dangerous, degrading, and filthy. Everyone knows that people revolt against miserable living conditions.

—There’s nothing mysterious about prison riots. Liberal judges have made it impossible to enforce discipline in prison. Guards are powerless to enforce order.

—Radical organizations stir up violence.

—Prisoners are crowded together like rats in a cage. Naturally their frustration builds up and eventually explodes.

—It’s all racial.

—It’s the work of gangs.

—It's the only way the prison inmate has of reaching out to the public. It's a "cry for help."

These are not stupid theories. Every one of them has been seriously defended by scholars or professionals in the corrections field. Every one sounds somewhat plausible. For every theory, you can find a riot that seems to prove it—and several others that seem to refute it. Questions arise, such as:

—If prison riots happen because conditions are bad—or, for that matter, because criminals are violent people—why do they happen in some years and not in others? In some prison systems and not in others? Prison conditions are unpleasant everywhere, and criminals are always known as violent and anti-social. Why aren't there riots everywhere and all the time?

—If prison riots are "cries for help," why do inmates make no demands in some prison riots?

—If rioting inmates are such anti-social people, why are some riots so businesslike and well organized? How can leadership arise which enforces order, protects dissenters, organizes first aid, shares and distributes food, and protects hostages from violent inmates?

Perhaps we should say what the term "prison riot" means in this book. In common usage, we think of "riots" as unorganized, maybe even mindless events. To most people, "riot" is one thing, "protest" something else. Protestors have slogans, political beliefs, grievances; rioters steal, burn, and destroy. "Riot" is a pejorative term; and this is why scholars who saw political content and significance in the urban disorders of the 1960s made a point of calling them "rebellions" or "uprisings," not "riots."

Interestingly, the usage among prisoners can be just the opposite. To them, a "prison riot" is expected to be rather organized and predictable: prisoners with grievances seize hostages and territory, win public attention, and bargain for reform. Such, one inmate told us, is a "real" riot; he went on to claim that the disturbance at his prison wasn't a proper riot at all, being just too anarchic.

We mention these contrasting uses of the term "riot" in order to advise the reader that we do not use either one. For us, a prison riot occurs when the authorities lose control of a significant number of prisoners, in a significant area of the prison, for a significant amount of time. It is just about the only thing the riots in our study have in common.

What prisoners do in that time and space varies *a lot* from riot to riot. Some are mere racial brawls among inmates; in others, inmate leaders consciously promote racial harmony. Others have no leaders at all. Some are good-natured looting sprees; others, the rationally calculated tactics of gangs. Some are highly ideological rebellions; others serve largely as a chance for inmates to steal from each other—or murder each other. Inmates may take guards hostage and torture them—or treat them kindly—or take no hostages at all. In cost, in casualties, in organization, they span the spectrum. Is there any pattern to all this?

We offer case studies of prison riots in five states, representing some portion of the spectrum of variation. This is in no way a "random" or represen-

tative sample of prison riots; it is an exploratory study, aimed at looking for new insights and giving old ones a rough test. We selected riots on which we were able to obtain information and which we thought were somehow "note-worthy." All were in men's prisons. There is a certain bias toward "big" riots. Smaller, more quickly subdued riots are common but give less of a chance to see how rioting inmates behave.

Actually, we can impose a certain degree of order on our discussion and comparison of riots by distinguishing five stages in the loss, then re-establishment, of control by the state.¹ First, we distinguish the *pre-riot* stage, the period preceding the riot during which prisoners and the forces of the state develop those material and cognitive resources which will determine the course of the riot event. This is followed by the *initiation*, the action by prisoners which first crosses the line into open rebellion; and the initial response by the state. Assuming the disturbance is not immediately crushed, a stage of *expansion* begins, during which the prisoners most often try to take control of as many human, material, and spatial resources as possible against the resistance or non-resistance of the state.

A more or less stable *state of siege* often follows, during which the prisoners control some territory in the institution, the state assembles its forces and concentrates its options for recapture, and bargaining may (but need not) go on among the state, prisoners, and other parties. The last stage is *termination or recapture*. This sparse framework will help to organize the case studies, and we will elaborate more on the characteristics of the different stages in the conclusion.

We believe that from the close study of these incidents in their contexts, some insights emerge—not only about prisons and prisoners, but also about the more general topics of revolt, violence, politics, and even human nature.

In the concluding chapter, we will argue in behalf of a theory with which we propose to predict when and where prison riots are likely. There are several existing schools of theory in sociology which attempt to account for collective action in one context or another, and the reader may want to bear them in mind and mentally test them on the case studies.

"Deprivation" theories argue the common-sense position that riots and protests come in response to bad conditions. Conditions may be objectively bad, or they may be bad in comparison with some frame of reference—how some other group in society is treated, for example. Theories which emphasize the latter point are "relative deprivation" theories.²

"Resource mobilization" theorists contend that everyone always can find something to complain about; the key factor enabling groups to take action, in their view, is the availability of material and organizational resources.³

"Breakdown" theorists believe that social peace is the product of social mechanisms which channel human desires and actions into "acceptable" paths. These mechanisms range from religion through law to the individual's socialization within the family setting. Riots, suicides, crime, and other disorderly behavior are signs that something has gone haywire with these mechanisms.⁴

"Collective behavior" theorists usually study more chaotic and random

phenomena, like fads, rumors, drunken mobs, panic in crowded theaters, and behavior at the scene of disasters. They emphasize the somewhat unpredictable selection of a behavior pattern by a group jostled loose from its familiar routines.⁵

Obviously this is the most cursory possible review of a whole sub-discipline within sociology. We describe the field in more detail in Appendix A, and we encourage interested readers not to stop there but to go on to the sources listed in our notes.

The only important pre-existing sociological theory of prison riots, that of Gresham Sykes, is a classical breakdown theory.⁶ Sykes believed that the peaceful prison is (or was earlier in this century) rather personalistic and corrupt. Cliques of inmates run the joint, getting a fat rake-off. They help the administration preserve order so as not to risk losing a good thing. Reform-minded administrators play snake to this Eden. Naively dethroning the inmate cliques, depriving them of their power to reward and punish, they actually take the lid off the kettle. Young punks see their chance to make a name for themselves, and start riots.

This theory has a lot of appeal to sociologists. It is squarely in the tradition of the discipline; its emphasis on the unforeseen dangers of modernization, which breaks up traditional forms of social organization, dates right back to Durkheim and Comte, the founders of modern sociology. This theory has been advanced as an explanation for the New Mexico riot of 1980.⁷ We will take up the current adequacy of this theory at the appropriate point.

In writing this book, we received a great deal of help and trust from all sorts of people, from governors to murderers. Correctional officials in Michigan, New Mexico, and West Virginia were remarkably openhanded with us, letting us interview inmates at will, with no assurance of how we would judge them or their systems. Guards were cooperative and communicative, even though university sociologists are sometimes suspected of being the liberal allies of criminals. Inmates told us their stories for hours, most of them with great frankness, even though they had no proof of who we were and their stories often contained evidence against themselves.

We are pretty confident that this book is of use to those interested in prisons and social conflicts. We would like to be as sure that it will improve the lives of all who helped us; but that may be a tall order. Inmates generally have high hopes that if the public finds out "how things really are in here," the majority would demand better prisons. Many guards are equally sure that an informed public would want them given more power and inmates fewer rights. Administrators may read this book as a manual for riot prevention and resolution. In the long run, knowledge improves human life. It's the short run that's troublesome.

I

PRISONS AND PRISON RIOTS IN THE 1970s



2

The Historical Context: 1950–1975

Prison riots change with time and place. They are shaped by the political events and issues of the day, the prevailing ideas about imprisonment, and the political struggles in and around prisons. To understand the Attica and Joliet riots, then, we start with a brief discussion of prisons and their context in the post–World War II years. We divide these years into two periods, which we term “confidence and rehabilitationism” (1950–1965) and “conflict and politicization” (1966–1975).

Confidence and Rehabilitationism (1950–1965)

In the first decade following the Allied victory, Americans felt confident of their institutions. The economy prospered, and American democracy seemed obviously superior to totalitarian socialism.

The crime rate also gave no reason for alarm. In 1960 sociologist Daniel Bell wrote that “there is probably less crime today in the United States than existed a hundred, or fifty, or even twenty-five years ago, and that today the United States is a more lawful and safe country than popular opinion imagines.”¹ Bell’s assurances were well founded. The crime rate was low in the 1950s, and declining for some types of crime. The murder rate, for example, fell from 6.9 per 100,000 persons in 1946 to 4.5 per 100,000 in 1962—a one-third decrease.²

The prisons, as well, seemed relatively trouble free and inexpensive. In 1950, state and federal penitentiaries held 166,000 prisoners, a decline of 8,000 from a decade earlier.³ The prison question stirred little passion in public debate. Further, among those concerned with prisons, there was a growing sense that prisons could contribute to the common good in a way they never had before. Prison reformers had long sought to make the “rehabilitation” of inmates the primary goal of imprisonment. Now they were joined by

lawmakers and prison officials around the country.⁴ Many states passed "indeterminate sentence" laws, which gave their parole boards the authority to tailor the length of an inmate's sentence to the time it would take to "cure" him or her.⁵ To underscore its commitment to therapeutic treatment, the American Prison Association in 1954 voted to change its name to the American Correctional Association. The association also counseled its members to redesignate their prisons "correctional institutions" and the punishment blocks in them "adjustment centers."⁶

Two developments, though, threatened the stability in and optimism over prisons. One was a tidal wave of prison riots—40 of them over an 18-month period starting in April 1952. This was more than had occurred in the previous quarter century.⁷ Although the disturbances did evoke academic and popular criticism of the prisons—for inmate idleness and poor housing conditions—the criticisms were narrowly drawn in two key respects. First, the riots did not shake the belief in the rehabilitative ideal. Indeed, the disturbances were cited as evidence that more resources had to be put behind the effort.⁸

Second, inmate rioters were viewed not as rational actors making serious demands, but as deranged thugs. One penal expert declared:

the ringleaders are reckless and unstable men who are not accustomed to weigh the consequences of their actions. . . . The unstable prisoners, of the type generally placed in the vague but convenient category of "psychopaths" and more inelegantly classified in prisons as "screwballs," are the most ready recruits for any riot task force.⁹

Of course, such "screwballs" could have nothing useful to say about prisons or prison riots. Accordingly, when Michigan officials investigated a major riot at the Jackson facility, they interviewed many guards and administrative personnel, and a few inmates who had opposed the riot, but none of the actual riot participants.¹⁰

Another development which prison officials saw, rightly or wrongly, as destabilizing was the growing number of inmates who identified with the Black Muslim movement. As black inmates grew in number—from 17,200 in 1950 to 28,500 in 1960—mosques in major cities around the country actively recruited them.¹¹

Prison officials responded harshly. The 1962 convention of the American Correctional Association passed a resolution denouncing the Muslims as a "race hatred" group unworthy of the special treatment given to bona fide religious groups.¹² Muslim inmates could expect to be denied access to Islamic reading material, visits by their ministers, and the special diets they requested. The warden of a federal prison in Terre Haute, Indiana, gained the notice of his colleagues around the country for having solved the "Muslim problem" which he had faced upon taking office, by breaking up their labor details and isolating them from one another.¹³

Muslim inmates filed hundreds of lawsuits, but with little success.¹⁴ Accord-

ing to the courts' "hands-off" doctrine, inmates experienced a "civil death" upon imprisonment. They could still challenge the fact of their imprisonment, but not the prison conditions, which were left to the discretion of prison officials. In the absence of legal protection, organized dissent by Muslims, or any other group, could not get very far.

In sum, the optimistic spirit of the the 1950s and opening years of the 1960s spilled over to thinking about prisons. It was hoped that new rehabilitationist policies would restore those who could not, through legitimate means, enjoy the fruits of a democratic, prospering society. A wave of prison riots tempered, but did not dispel, this hope.

Conflict and the Decline of Rehabilitationism (1966–1975)

The 1971 Attica riot had a far more profound effect. In part, this was because of the extensive media coverage given to the riot, including television broadcasts of the negotiations between the inmates and prison authorities. Also, the riot's 43 deaths were (and still are) unsurpassed. More important, however, the riot crystallized doubts about the purposes of imprisonment in America. Three broad forces—a revolution of rising entitlements, fear of public disorder, and a decline in confidence in public institutions—brought these doubts to the fore.

Rise of Social Entitlement

The "revolution of rising entitlements," as Daniel Bell has called it, has not yet run its course.¹⁵ Status groups have not ceased to present to the political and judicial systems their demands for a guarantee of equal treatment, for affirmative action, for benefits they claim that statutes, the Constitution, or the principles of fair play entitle them to. Racial minorities demanded the right to equal education; the poor claimed the right to subsistence and welfare benefits; mental patients claimed the right to treatment; the criminally accused claimed the right to a lawyer, to be informed of his/her rights; and prisoners claimed the full range of citizenship rights previously denied to them.

The federal courts have elevated many of these claims to the level of judicially protected rights. In 1953, the Supreme Court in *Brown v. Board of Education* struck down the "separate but equal" doctrine; in 1966, a federal district judge ruled that patients in mental hospitals have a right to treatment; in three rulings made between 1968 and 1970, the Supreme Court recognized the right of welfare recipients to public assistance.¹⁶

What the courts have not granted, Congress often has. The Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Rehabilitation Act of 1973, and a host of others are examples. Congress also reordered its spending priorities. In 1960, defense consumed 52 percent of the federal