

# Marking Time in the Golden State

Women's Imprisonment in California

Candace Kruttschnitt & Rosemary Gartner



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**CAMBRIDGE**  
UNIVERSITY PRESS

CAMBRIDGE UNIVERSITY PRESS  
Cambridge, New York, Melbourne, Madrid, Cape Town,  
Singapore, São Paulo, Delhi, Tokyo, Mexico City

Cambridge University Press  
The Edinburgh Building, Cambridge CB2 8RU, UK

Published in the United States of America by Cambridge University Press, New York

[www.cambridge.org](http://www.cambridge.org)  
Information on this title: [www.cambridge.org/9780521532655](http://www.cambridge.org/9780521532655)

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First published 2005

*A catalogue record for this publication is available from the British Library*

*Library of Congress Cataloguing in Publication Data*

Kruttschnitt, Candace.

Marking time in the Golden State : women's imprisonment in California /  
Candace Kruttschnitt and Rosemary Gartner.

p. cm. – (Cambridge studies in criminology)

Includes bibliographical references and index.

ISBN 0-521-82558-X – ISBN 0-521-53265-5 (pbk.)

1. Women prisoners – California. 2. Female offenders – California.

3. Criminal justice, Administration of – California. I. Gartner,  
Rosemary, 1952– II. Title. III. Series.

HV9305.C2K78 2005

365'.43'09794 – dc22

2004046569

ISBN 978-0-521-82558-0 Hardback

ISBN 978-0-521-53265-5 Paperback

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## Marking Time in the Golden State

In recent decades, the nature of criminal punishment has undergone profound change in the United States. This case study of women serving time in California in the 1960s and 1990s examines two key points in this recent history. The authors begin with a look at imprisonment at the California Institution for Women in the early 1960s, when the rehabilitative model dominated official discourse. To this they compare women's experiences in the 1990s, at both the California Institution for Women and the Valley State Prison for Women, when the recent "get tough" era was near its peak. Drawing on archival data, interviews, and surveys, their analysis considers the relationships among official philosophies and practices of imprisonment, women's responses to the prison regime, and relations between women prisoners. The experiences of women prisoners reflected the transformations Americans have witnessed in punishment over recent decades, but they also mirrored the deprivations and restrictions of imprisonment that seem to transcend time and place.

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## Acknowledgments

Without the generosity of David Ward and Gene Kassebaum, this book would not have been written. We are particularly grateful to David Ward for providing us the research materials from their study of the California Institution for Women (CIW) in the early 1960s; for his willingness to share his memories of CIW, its administration, and its prisoners; for his advice over the course of this project; and for his comments on drafts of the book manuscript.

We have benefited from the helpfulness and expertise of many other individuals and institutions over the nearly ten years since we began this project. We must first acknowledge the California Department of Corrections (CDC) and John Berecochea, Chief of the CDC's Research Branch; Warden Susan E. Poole at CIW, and Warden Lew Kuykendall at Valley State Prison for Women (VSPW) for granting us permission to conduct research at CIW and VSPW. Wardens Poole and Kuykendall also gave generously of their time by allowing us to interview them at length. Our research was facilitated by a number of administrators and staff at the prisons, including Ross Dykes, Chief Deputy Warden, John Lee, Associate Warden Operations, and Corrine Abspoel at CIW; and Bill Stebbins, Public Information Officer at VSPW. Judith Angell, at the Research Branch of the CDC, assisted us in a number of ways, in particular by compiling CDC data on women in prison in California. We are grateful to staff at CIW and VSPW who volunteered to be interviewed, especially Lt. Bob Sebald at CIW, who provided us with invaluable information about CIW during the 1970s and 1980s.

We are fortunate to have had the help of several excellent research assistants. At the University of Minnesota, Amy Miller and, in particular, Kristin Carbone-Lopez contributed to the analysis of the survey and interview data from CIW and VSPW in the 1990s. At the University of California, Santa Cruz, Julie Beck collected extensive historical and contemporary data on imprisonment in California. At the University of Toronto, Elizabeth Griffiths

compiled census data for women in California. At the University of California, Riverside, Doreen Anderson-Facile provided invaluable assistance in managing the logistics of the survey administration at CIW. Most of our interviews were transcribed at the University of Minnesota by Dena Sanford.

Our work has been improved by the generous assistance, advice, and encouragement of colleagues at various universities. At the University of Minnesota, Ross Macmillan guided us patiently and carefully through the analysis reported in Chapter 6; and Jeylan Mortimer made a number of useful comments on early drafts of our survey. At the University of Toronto, Mariana Valverde and Kelly Hannah-Moffat read and commented on early drafts of some of the material in Chapters 2, 4, and 5. At the University of California at Riverside, Robert Nash Parker provided us with assistance through the Presley Center for Crime and Justice Studies. Barbara Owen, at California State University at Fresno, smoothed our introduction to California's newer prisons for women in Chowchilla. Alison Liebling, Cambridge University, offered very useful and detailed comments on a draft of the entire manuscript. We also thank David Farrington and Al Blumstein, editors of the Cambridge Studies in Criminology series, for encouraging us to submit this manuscript to them and for helping it through to publication.

We have benefited from comments from colleagues who attended presentations about our research at the Department of Sociology, University of Iowa; the Department of Sociology, University of California at Davis; the Faculty of Law, University of Victoria; the Department of Sociology, Pennsylvania State University; the Department of Sociology, University of Minnesota; the Department of Sociology and the Centre of Criminology, University of Toronto; and the Institute of Criminology, Cambridge University. We are grateful to both the Department of Sociology at the University of Minnesota and the Centre of Criminology at the University of Toronto for their collegial and supportive environments.

Financial assistance for this research was provided by the National Science Foundation (grant #SBR-9617285); the Graduate School of the University of Minnesota; the Life Course Center, University of Minnesota; and the School of Graduate Studies, University of Toronto.

We owe a particularly deep debt to the seventy women serving time at the California Institution for Women or Valley State Prison for Women who agreed to be interviewed and to the thousands of women at the two prisons who completed our survey. Without their cooperation, their openness, and their insights, we could not have attempted this research, let alone completed it. The officers and representatives of the Women's Advisory Council at both prisons were not only enormously supportive and encouraging, they also gave of their time by commenting on early drafts of the survey, by publicizing the survey to their housing units, and by meeting with us

at different points over the course of our research to discuss findings and interpretations.

Finally, and most importantly, we owe the most to those who have remained closest to us throughout this process. CK thanks Tom, Erica, and Lindsay for the tremendous support, love, and encouragement they offered at every phase of this project, even when she couldn't be with them. RG thanks her parents, Jeanette and David, and, in particular, Jim Phillips, for their love, faith, and encouragement. They have contributed to this book in ways that cannot be captured in words.



**Marking Time in the Golden State**

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## Introduction

THIS BOOK DESCRIBES a study of women's imprisonment in California in the early 1960s and the late 1990s, bridging a period that many scholars argue encompasses some of the most significant changes in penal policy during the last century. Although punishment in general and prisons as a central site of state punishment have long been subjects of both popular fascination and debate in democratic societies, this has been particularly true of the last few decades (see e.g., Beckett 1997; Garland 2001; Pratt 2002). In the United States, this period witnessed the fading of the rehabilitative ideal and the attendant view of the deviant as a product of poor socialization; the politicalization of crime – or what Simon (1997) calls “governing through crime” – and the widening of the criminal justice net to include not only a correctional apparatus anchored in community settings but also increasingly severe custodial sanctions (Bottoms 1983; Cohen 1985). While debate continues as to the precise nature and causes of these transformations in state control, and the most effective way of capturing or understanding these developments (Garland 2003), there is a consensus among scholars that the landscape of criminal punishment was very different at the end of the twentieth century than it had been only four decades earlier.

These changes, both in policy and in practice, have had profound consequences for female offenders. Historically, long-standing assumptions about criminal women and normative femininity have tended to shape both judicial responses to women's law breaking as well as the restrictions imposed on them in carceral settings. As a consequence, women's imprisonment, until recently, was characterized by numerical stability and continuities in forms and ideologies that seemed to transcend political fads and fashions. However, in the last quarter of the twentieth century, women were swept into jails and prisons in record numbers. Between 1965 and 1995 the female imprisonment rate in the United States increased sixfold and at the start of the

twenty-first century more than 166,000 women were held in U.S. prisons and jails (Kruttschnitt and Gartner 2003). While in absolute numbers the imprisonment binge had a larger impact on males than on females, the rate of growth has been more dramatic for women and it has had a more profound effect on the composition of populations of state prisons for women than prisons for men.<sup>1</sup> As a result of the war on drugs, over the past fifteen years the proportion of women imprisoned for drug offenses almost tripled, while the proportion imprisoned for violent offenses decreased. By contrast, the proportion of men incarcerated for violent crimes has remained relatively constant since 1986 (Kruttschnitt and Gartner 2003: table 3).

These dramatic shifts in both the numbers of incarcerated women and the types of offenses for which they were imprisoned have been accompanied by efforts to alter perceptions of female offenders and the models for their imprisonment. The media and some scholars have placed an exaggerated emphasis on the danger posed by female offenders, constructing their specific incarnation – from the violent outlaw to the pregnant crack addict or teenaged gang-banger – to fit the latest moral panics (Faith 1993). These commentators, however, generally ignore the actual women convicted of crimes – often homeless, impoverished, and addicted – who are more in need of social assistance than social condemnation. Such depictions are also inconsistent with how prison administrators have seen their charges even as new structures of control, different organizational objectives, and carceral spaces for women developed. The maternalistic philosophy that guided women's institutions for most of the past century has been systematically dismantled in favor of ostensibly less gender-stereotypic regimes. The domestic orientation, reinforced through cottage-style architecture and therapeutic management, has been gradually replaced in many jurisdictions by industrial-style modular institutions, gender equity in programming, and regimes that view women offenders as agents responsible for their own rehabilitation (Hannah-Moffat 1995, 2001; Shaw 1992a; Carlen 2002).

As we will show these shifts in imprisonment were particularly evident in California, a state that is known for setting all manner of trends, including those affecting crime and punishment. The sheer scale of the criminal justice system in California, the largest in the free world, means that any innovation in punishment not only has a large net effect in California (Zimring, Hawkins, and Kamin 2001: 17) but also that it often sets precedents for change in other states. Not surprisingly, then, it was California that led the nation in the rehabilitation movement after World War II; it was California that subsequently led the nation in the prisoners' rights movement, racial

<sup>1</sup> Of course, the relative growth in women and men's imprisonment rates are affected by their initial base rates. Because women's initial base rates are substantially smaller than men's, changes in their rates produce larger proportional increases.

antagonism and violence in prisons, and, subsequently, in a host of reforms (Irwin 1980: xxiii–xxiv), including those that have now been characterized as central components of the “penal harm movement.” These so called reforms include the passage of the nation’s most draconian “Three Strikes Law” and the notorious growth in California’s prison population over the last two decades (see Zimring et al. 2001).

Our research addresses this later movement, but it begins before it emerged. We start when the first large-scale descriptive studies of women in prison were conducted at the height of the rehabilitative era: David Ward and Gene Kassebaum’s study of the California Institution for Women (1965) and Rose Giallombardo’s study of the federal facility at Alderson, West Virginia (1966). Research on the male prison world was flourishing during this period, as scholars vigorously debated the merits of different theoretical perspectives – functionalist, situational functionalist, and importation – designed to explain prisoners’ adaptations to institutional life. The work of Ward and Kassebaum and of Giallombardo not only grew out of this “golden age of prison sociology” (Simon 2000) but also made a significant contribution to it, as the experiences and coping mechanisms of female prisoners, up until that time, were virtually unknown. Today these large-scale studies of imprisonment have all but disappeared from American sociology, although there are selected exceptions (Owen 1998).

The absence of research on prison communities, once viewed by sociologists as a central piece of “institutional analyses” (Jacobs 1977: 1–2), is surprising given both the unprecedented growth in the correctional population (Simon 2000) and the growing scholarly attention devoted to the “new culture of crime control” (Garland 2001), or what scholars have variously termed a postmodern trend in penology, the “new penology,” or the “new punitiveness” (Smart 1990; Feeley and Simon 1992; Reiner 1992; Pratt 2000). Addressing macrolevel changes in penal ideologies and practices, this new scholarship seeks to understand the causes and contradictions in the apparent reconfiguration of crime control during the latter part of the twentieth century. For example, from some scholars we learn that public opinion and values, influenced by a moral panic, have crystallized in a political culture of intolerance of offenders and acceptance of imprisonment as a first-order response to crime (Jacobs and Helms 1996; Caplow and Simon 1999). Others focus on the prison as an institution, arguing that we have seen the emergence of the bureaucratic prison over the last quarter of the twentieth century. Prison authority has been centralized in various departments of corrections that emphasize classification of prisoners and staff training while deemphasizing other methods of informal social control (Adler and Longhurst 1994; Irwin and Austin 1994). Still others cast a wider net, conceptualizing changes in penal policy and the treatment of offenders as a “new penology” evident in the discourse of risk and probability,



identification and management, and classification and control techniques that measure and assess risk (Feeley and Simon 1992).

Debate also rages over whether we are in fact witnessing a postmodern penal movement, especially among those scholars who study and direct our attention to the front lines of corrections (Haney 1996; Lynch 1998). In this debate, the emphasis has switched to the pragmatics of program implementation and the ways in which this new discourse has been realized, if at all (Garland 1997; Hannah-Moffat 1999; Riveland 1999). Penal sanctions are viewed as uneven and diverse, combining at once elements of discipline (e.g., in boot camps), rehabilitation (in prison industry/enterprise), and incapacitation (warehousing prisoners) (O'Malley 1992, 1999). The application of criminal justice sanctions reflecting this movement is also acknowledged to vary by actors' abilities to absorb new technologies and ideologies surrounding punishment (see e.g., Harris and Jesliow 2000).

We do not focus on this debate or the merits of various conceptualizations of the current changes in criminological discourse and the American penal system, although we see our research contributing to these.<sup>2</sup> Instead, in this study we direct our attention to what we see as an important omission – the question of whether and how shifts in penalty have affected the daily lives of prisoners, specifically female prisoners. This is where we begin.

## The Study Unfolds

The questions of primary concern to us are: (1) what can women's experiences in prison tell us about the practices of punishment over time and in different institutional contexts and (2) during the era of hyperincarceration, how do women do time and what are the relative contributions of their backgrounds and prison experiences in shaping their responses to prison life?

We examine women's prison experiences in three different contexts to determine whether and how shifts in penalty have translated into changes in the experiences of those subject to criminal punishment. These contexts are the California Institution for Women (CIW) in the 1960s, CIW in the 1990s, and Valley State Prison for Women (VSPW) in the 1990s. Our first context is circumscribed by Ward and Kassebaum's research at CIW in the 1960s. We were given access to the data they collected on the female prisoners at CIW in the early 1960s – transcripts of interviews, aggregate survey data, and various prison and Department of Corrections' publications. This provided us with a unique opportunity to conduct a temporal study of women's imprisonment, one that would replicate and build on Ward and Kassebaum's work. As such,

<sup>2</sup> For excellent discussion of how we might best characterize and understand contemporary penal developments, see Garland (2003) and Simon and Feeley (2003).