ENFORCING THE

CONVICT CODE

VIOLENCE AND PRISON CULTURE

REBECCA TRAMMELL

Enforcing the Convict Code

Violence and

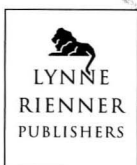## Prison Culture

Rebecca Trammell

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To my husband,
Hoke Trammell

Acknowledgments

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Violence Behind Bars

In fall 2005, I was interviewing men who are members of Public Enemy Number One (PENI), a skinhead gang, in Long Beach, California. All these men had shaved heads and many tattoos, including some swastikas. Two of them had the letters "PENI" tattooed across four of their fingers. My interviewees were former inmates who agreed to meet with me to discuss their experiences in prison. I met with them in a two-bedroom home that had clearly seen better days. The walls were covered with holes, and the carpet was stained and burned in many places. Their neighborhood was full of graffiti, litter, and angry-looking pit bulls chewing at chain-link fences. These dogs charged me and barked as I walked down the street.

There was a chemical smell in the house that made me think of crystal methamphetamine, and I wondered if they were cooking meth somewhere in the house. There were two holes in the front window, and the owner claimed they were bullet holes. PENI is known for drug use and violent behavior, so none of this surprised me. Over the course of several days, I met with four men in this home and conducted lengthy interviews. I interviewed them separately, but people often interrupted us by coming in and out of the house without knocking. Also, I went with them to a community meeting for former inmates in Compton.

Each of these men told me that they were converted in prison. They said that correctional officers originally told them they would hang out only with other white men. They were approached by members of the PENI gang and told that there is strength in numbers and that they should watch their backs. They were told that black and Mexican inmates would attack them if they did not have friends. They were also

warned about other skinhead groups who could not be trusted. These men joined the PENI skinhead gang and agreed to get tattooed in prison. They described people of color in racist terms and used racial stereotypes to justify their opinions. It seemed clear to me that they were angry young men. When we all met up to drive to Compton for the meeting, we had this exchange:

> LUKE: So what are you doing with these interviews?
>
> TRAMMELL: I am collecting my data to examine the causes of inmate violence. I conduct interviews with my informants and then use these interviews to show the readers what happens in prison and why.
>
> DANIEL: What the fuck did you just call us?
>
> TRAMMELL: That's just a technical term used by researchers.
>
> LUKE: We're not informants. Are we sure she's not a cop?
>
> TRAMMELL: I'm not a police officer. I'm sorry; I didn't mean that. It's really just research jargon. I can show you some books that explain what an informant is.
>
> DANIEL: I know exactly what an informant is; you can't call us informants. Judy vouched for you, and I found your information on the university website, so I think you're cool. Just watch your fucking mouth and don't ever use that term again.
>
> TRAMMELL: No problem.

As this conversation played out, I kept thinking about the fact that I was in a private home with four violent offenders, including one sex offender. I had just called them a snitch, and they were pretty angry. I also realized that spending time in prison had made them sensitive about their public identity. They were concerned about me being a police officer, but they were also concerned about being called a snitch. They brought this prison norm back into their community, along with their tattoos and opinions about people of color.

When we arrived in Compton, I had my second heart-stopping moment when I realized that I was entering a community made famous by the Crips and Bloods (African American gangs) with four skinheads. As we parked the car, Jake asked, "Are there a lot of blacks in this area?" When we all agreed that there were, Luke said, "Let's cover up," and they all put on jackets or sweatshirts to hide their tattoos. As we walked to the meeting, I asked them why they were covering up, and Luke told me: "There's no need to start trouble. We're here for a meeting, and we have you with us. Don't start trouble if you don't have to, right?" They

did this to avoid conflict and protect me. They were not interested in random acts of violence. Instead, they wanted to attend their meeting in peace.

These encounters showed me how these men control their public identity. Although the gang they joined is violent, violence is not always an option. They are more than willing to get tattoos that signify their alliance to the skinhead ideology, but they are willing to cover up when necessary. Identity and reputation are very important to parolees struggling to make a life for themselves after prison. The things they learned in prison were still fresh on their minds and meaningful for them. It is entirely possible that, as time goes on, they will shed some of these behaviors and beliefs. It is also possible that they will commit another crime and go back to prison. In any event, prison has changed these men. They are now a part of a growing number of people leaving prison after the recent mass incarceration era in the United States.

In 2008, the *New York Times* reported a study conducted by the Pew Center on the States, which found that one out of every 100 adult Americans is behind bars (Liptak 2008). There are now 2.29 million people in US prisons and jails (Glaze 2010). The vast number of people entering prison since the 1980s caused problems, including overcrowded facilities, violence, and the growing drug trade in prison. The current mass incarceration trend also inspired a good deal of research focusing on these and other issues surrounding the US penal system.

For this book, I use qualitative data collected in 2005 and 2006 in California to explore how former inmates (men and women) understand and explain prison violence and inmate culture. I allow these people to explain, in their own words, the social context of inmate violence. They also explain how they often avoid violence, especially riots. Many readers will be shocked at the type and level of violence described by these men and women and by their justification of these acts as a way to control fellow inmates. They told me that violence is sometimes necessary but almost always controllable.

California is an interesting place to study prison violence. This state has one of the largest prison systems in United States. As of December 2008, there were 171,085 people incarcerated in thirty-three facilities (California Department of Corrections and Rehabilitation 2009). Also, these facilities house some of the most notorious and violent prison gangs, such as the Mexican Mafia and the Aryan Brotherhood. As others point out, racial segregation is the norm in California facilities, and gangs are racially identified (Goodman 2008; Hunt et al. 1993; Tram-

mell 2009b). However, the US Supreme Court found that racial segregation in prison is unconstitutional; therefore, prison officials cannot separate prisoners by race (*Johnson v. California et al.* 2005). The Court's decision forced California's prison administrators to address this important issue. According to those interviewed for this book, the changes in prison policy also shocked and angered male prisoners who want racial segregation. These men often join prison gangs who fit neatly into socially constructed racial categories. In other words, this Supreme Court decision challenged the culture of racial segregation in California prisons.

Those interviewed for this book told me that forcing inmates to integrate their cells would result in mass violence, including race riots. Simply put, the men I interviewed do not want their informal norms challenged. These norms are deeply meaningful for prison inmates. While incarcerated, men use violence instrumentally as a way to maintain norms and gain power. Women interviewed for this book, conversely, state that they do not segregate by race. However, African American women were more likely to describe racial integration as beneficial for the inmates. This is just one example of how inmates describe the connection between norms, culture, and violence.

Prison Violence

Prison violence in California has been front-page news since the turn of the century (Austin 2007; Perry 2006; Risling 2006; Soto 2006; Warren 2004). Some articles focus on race riots and homicides (Austin 2007; Warren 2004), but others show how state and federal officials try to reduce violence (Perry 2006; Risling 2006; Soto 2006). For example, President George W. Bush signed the Prison Rape Elimination Act (PREA) in 2003, which details a zero tolerance policy for prison rape in the United States. Starting in 2006, the Commission on Safety and Abuse in America's Prisons collected data and held public hearings to discuss the current state of US prisons in order to make recommendations to reduce inmate violence, especially gang violence (Gibbons and Katzenbach 2006). Their report highlights the importance of safe, humane prison systems where correctional officers promote a "culture of mutual respect" in prison. They also find that prison culture cultivates violence, which puts staff and inmates at risk of harm or death:

Growing recognition of the role that institutional culture plays in running a safe and healthy facility has led corrections administrators and other experts in the field to seek concrete ways to make positive changes in the cultures of their institutions. . . . Culture change requires ongoing efforts to shift values and behaviors over time and must be understood as a continual practice, rather than any single event or program. (67)

Overcrowded facilities and dwindling rehabilitative programs created an atmosphere in which violence is common. Members of the commission believe, and I agree, that it is possible to reverse these trends. I hope to add to this discussion by allowing parolees to explain the direct connection between violence and culture. They also explained how they tried to avoid violence and institutional reprimands. They called this "doing good time," which could be roughly defined as avoiding trouble. The term also meant that they were "good" inmates who were not stigmatized by their crimes. For example, those convicted of child molestation are "dirty" inmates who could never do good time. They live at the bottom of the prison hierarchy and are often segregated from the general population (Trammell and Chenault 2009). Those who are smart or savvy and committed a more honorable crime rise through the ranks and sometimes become informal leaders. Those who follow the "inmate code" and enforce the rules of their subculture are "solid cons," and they always do good time.

Interviewees explained that troublemakers did bad time and brought unwanted attention to the inmates. They also increase the chance of a riot, which puts the prison into a lockdown. Therefore, men and women explain that they must control these people and force them to behave for everyone's benefit. In such situations, violence is used as a method of social control. In other words, male and female inmates believe that violence does not beget violence; rather, violence prevents chaos.

Research shows that prison staff do a good job of controlling prison violence (Fleisher and Krienert 2009; Useem and Piehl 2006). In fact, Bert Useem and Anne M. Piehl (2006:107) found that the total number of riots decreased in recent years: "The data are consistent with the position that political and correctional leaders made the institution more effective." For this book, however, I explore how inmates try to control their environment by curbing the disruptive behavior of others, thus positioning the inmate as an active agent in his or her social world. Also, focusing on inmates rather than staff gives us insight into the intricacies of inmate culture.

The Culture of Total Institutions

I define "culture" as a shared set of beliefs, symbols, institutions, artifacts, values, and norms transferred from one group or generation to another. Throughout our lives, we transmit symbols that allow us to share knowledge about our society (Charon 1998). The sociological study of prison culture often focuses on prisons as isolated facilities (Stowell and Byrne 2008). Prisons are a total institution (Goffman 1961) in which inmates are housed twenty-four hours per day. They must follow the rules created by administrators; however, they develop their own informal norms as well.

The earliest sociological work focused attention on the informal rules created by inmates (Clemmer 1940; Hayner and Ash 1940). They were socialized to follow a standard inmate code in which they must act tough, not interfere with other inmates, and not befriend correctional officers. Underground economies (i.e., dealing in cigarettes, narcotics) developed because of a lack of social freedom. Sex, consensual or otherwise, between inmates stemmed from the lack of available women rather than from homosexual urges (Sykes 1958). Therefore, prison violence is a byproduct of the social deprivation of incarceration (Cloward 1960; Tittle and Tittle 1964).

Later studies found that prison culture is sometimes imported from the outside world (Irwin 1970; Irwin and Cressey 1962; Schrag 1954). Victor Hassine (2007) argued that there is no official inmate code; inmates simply import their own norms, which are, many times, tied to criminal activity outside prison. Research also shows a link between street culture and prison culture, particularly with regard to drug use and distribution (Irwin 1970) and gang activity (Moore 1991). As underground economies grew in prison, inmate culture and the inmate code changed as some inmates used violence to maintain their businesses in order to make money in prison (Trammell 2009b). In general, scholars now agree that prison culture grows out of both street culture and social deprivation; these hypotheses are not mutually exclusive (Akers, Hayner, and Gruninger 1977; Pollock 1997; Winfree, Newbold, and Tubb 2002). For this book, I seek to update our understanding of prison violence and inmate culture by allowing those who lived in these facilities to explain the subtle nuances of prison norms and the social causes of violence.

My work draws, in part, from a theoretical perspective that focuses on culture in action (Sampson and Bean 2006; Stowell and Byrne 2008; Swidler 1986). According to Ann Swidler (1986:284), "Within estab-

lished modes of life, culture provides a repertoire of capacities from which varying strategies of action may be constructed. Thus, culture appears to shape action only in that the cultural repertoire limits the available range of strategies of action." In other words, culture is created and shaped through an interactive process. This theory posits culture as intersubjective rather than personal (Sampson and Bean 2006). Thus, the performance is not necessarily authentic but rather is based on the expectations of the existing culture. Yet the performance is very important. According to Robert J. Sampson and Lydia Bean (2006:25): "If we adopt such a performative notion of culture, then it makes no sense to ask if 'decent' people are truly decent, and 'street' people are truly street. It makes more sense to ask which audience people are performing for and in what venues."

As previous research shows, inmate culture is shaped by the isolation of prison, and inmates carefully follow the inmate code (Sykes 1958; Terry 1997; Trammell 2009b). In this interactive process, inmates perform for other inmates and develop culture. For the inmate, cultural performances would be especially hard to avoid because prison is a total institution and they have nowhere to go. Unless they are housed in a supermax cell or live in the administrative segregation unit (solitary confinement cells), they eat, sleep, shower, and interact with each other every day.

The culture-in-action framework offers a lot to the study of inmate violence. As Jacob Stowell and James Byrne (2008:35) pointed out, "It is certainly possible that violence—both individual and collective—is more likely in situations or encounters where the 'performance of identity' is challenged in some way." Those wanting to do good time must perform their role as a solid con worthy of respect. Their behavior must align with informal norms developed and maintained by fellow inmates. Those who are able to maintain a positive identity will do much better in prison: "We need to know much more about how the symbolic violence used by individuals to carve out a 'worthy' identity (compared to some unworthy other) results in higher rates of *physical* violence in certain social contexts" (Stowell and Byrne 2008:37, emphasis in the original).

Gender and Violence

For quite some time, we knew less about incarcerated women than incarcerated men. That was, in part, due to the fact there are fewer women

in prison than men; therefore, the research subject was typically male. As of December 2009, approximately 15 percent of people in prisons and jail were women. Statistically, women are more likely to be supervised in their community rather than prison (Glaze 2010). However, women are one of the fastest-growing prison populations (Blumstein and Beck 1999; Davis 2006; US Department of Justice 2005). Men commit more violent crime (sexual assault, robbery, assault, murder) than women (Federal Bureau of Investigation 2007). For example, men are almost eight times more likely to commit robbery (Renzetti 2006) and ten times more likely to commit murder (Fox and Marianne 2004; Greenfeld and Snell 1999; Renzetti 2006). Also, women are less likely to kill each other in prison (Harer and Langan 2001).

Sadly, the majority of women in prison have a history of sexual or physical abuse (57 percent), both childhood abuse and abuse that continued after they reached adulthood. Men in prison report less childhood abuse (14 percent); 5.8 percent of male inmates were abused as adults (Chesney-Lind 2002). Clearly, there are some differences between male and female inmates. In this book, I examine the similarities and differences in men's and women's descriptions of inmate culture and violence. I do so for several reasons. First, although there is evidence that some women hurt each other in prison (Alarid 2000; Greer 2000; Trammell 2009a), many researchers tend to focus on men because, quite frankly, they are more likely to commit violence. Women in my study mostly denounced violence as something that "men do." However, they also described acts of physical and sexual violence but minimized the harm done by violence by blaming the victim. In this sense, their stories were very similar to those of their male counterparts. Men sought to control others who were bringing unwanted attention to their activities. Women did that as well but often blamed women for breaching gender norms. In other words, the rules of gender are strictly enforced. Men described a hypermasculine environment, whereas women described behaving in a civilized manner. In either case, fellow inmates often controlled those who strayed outside their assigned gender roles.

Second, I compare men and women because doing so broadens our theoretical understanding about the behaviors of US inmates. As Jody Miller (2001:3) pointed out:

> For over a century, theories developed to explain why people commit crime have actually been theories of why men commit crime. Some contemporary scholars have thus been keen on the question of whether, or to the extent that, these theories can explain women's par-

ticipation in crime. Moreover, feminist scholars have posed the question: can the logic of such theories be modified to include women?

Historically, research on masculinity and crime ignored girls and women and used (the male) gender as a predictor of crime and violence. That approach "neglects the fact that women and girls occasionally engage in masculine practices and crime, and therefore constructs a transparent dualist criminology" (Messerschmidt 2006:29–30). Here, James W. Messerschmidt built on the work of R. W. Connell (2000), who argued that crime and violence are expressed (by men or women) as masculine traits. However, Messerschmidt called for going beyond a "dualist criminological" approach to understanding interpersonal violence. If violence is constructed as "masculine" behavior, we come to believe that there is something seriously wrong with violent women, which affects the type and level of punishment women receive. For example, L. Kay Gillespie (2000:126) found that women who are executed in the United States often "fail to portray the expected gender role of a woman." In other words, women who do not appear matronly or gentle have a higher chance of being sentenced to death.

Although men are more likely to commit violent crime, criminological studies now focus on both men and women. According to Messerschmidt (2006:29), "Not only is the importance of gender to understanding crime more broadly acknowledged within the discipline, but also it has led, logically, to the critical study of masculinity and crime. Boys and men are no longer seen as the 'normal subjects'; rather, the social construction of masculinities has come under careful criminological scrutiny." Overall, I found that women often compared their experiences to those of men. They said that they knew how men acted in prison and would tell me how their behavior was similar to or different from what men do. Yet, when I asked the men in my study if they knew what happened in women's prisons, they would often laugh or tell me that it was a stupid question. They explained that they had no idea what went on in women's prisons, nor did they care.

Third, interviewees also discussed the Hollywood version of prison life and compared their experiences to things portrayed in movies and on television. Of course, movies often show prison from a male perspective. Movies consistently portray violence and other criminal behaviors as acceptable masculine behavior (Eschholz and Bufkin 2001). In examining prison movies from the 1990s, O'Sullivan (2006:496) found that "In these films, women are either conspicuous by their absence and/or used in entirely conventional ways." Certainly, there is no

shortage of movies and television shows that focus on men in prison. For example, one of the more famous prison shows, *Oz* (which aired from 1997 to 2003), often depicted the brutal behavior of men living in a prison in New York. Those interviewed discussed these cultural references and told me that fictional stories about prison are exaggerated and mostly false.

What I find particularly interesting is the fact that women compared their experiences to men. The women in my study constantly explained how they were better and more civilized but were treated badly. There are several reasons why women made these comparisons. First, it is highly likely that these women felt stigmatized by their prison record and wanted to maintain a positive identity. In fact, they often told me that they were treated badly in and out of prison because they were women. Many claimed that judges yelled at them for being bad mothers, and almost all of them stated that they had a hard time getting a job because of their criminal record. They could distance themselves from the harsh stigma of incarceration by explaining that female inmates are not violent.

Second, they believed that the criminal justice system was not designed for women, especially mothers. They stated that they were not given enough rehabilitative services in prison because those programs were reserved for men. In 2005, the California Department of Corrections and Rehabilitation (CDCR) was put under federal receivership because of the lack of medical care in California prisons. A federal class action lawsuit, *Plata v. Schwarzenegger* (2001) was brought against the prison system, alleging that the lack of medical care violated the Eighth Amendment. Federal judges put the prison under federal receivership in order to bring the system up to appropriate standards. The fact that women, and some men, stated that they were not adequately taken care of in prison was not an exaggeration. However, one key difference was that women blamed men for using resources they wanted. Men, however, often told me that they had no interest in prison programs.

The Inmate Perspective

For this book, I allowed interviewees to describe these issues from their perspectives. This method humanizes them and helps us to examine how the inmates construct reality. Of course, giving them such free rein brought up questions about the accuracy and honesty of their statements. It was possible that they would downplay their own behavior or lie about