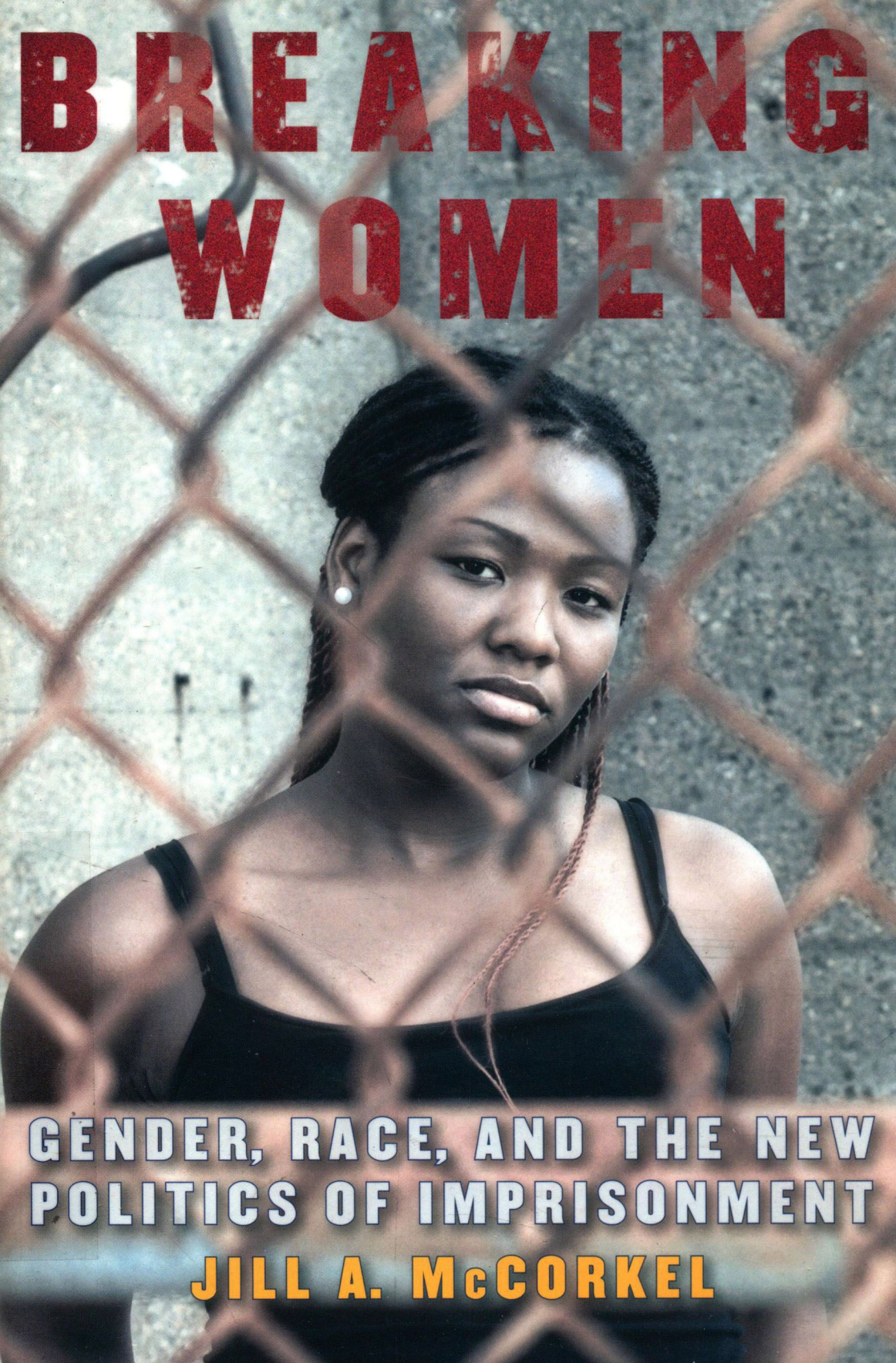
BREAKING WOMEN



GENDER, RACE, AND THE NEW POLITICS OF IMPRISONMENT

JILL A. McCORKEL

Breaking Women

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BREAKING WOMEN

In loving memory of my grandfathers,

John C. Turnbull and Franklin "Mack" McCorkel

PREFACE

In January 2009, then governor Arnold Schwarzenegger announced plans to close a $19.9 billion budget gap in California.[1] His proposal to make massive cuts in social services like health care and welfare-to-work programs had all the familiar markings of the Republican Party's brand of fiscal conservatism—with one radical exception. Schwarzenegger took direct aim at prison expansion and overcrowding, promising a constitutional amendment that would prevent the state from spending more than 7% of its annual budget on corrections and plans to reduce the size of the state's prison population by forty thousand persons over a period of two years. Schwarzenegger's proposal was certainly a logical one given that much of California's budget troubles are directly linked to the state's commitment to "getting tough" on crime by incarcerating more people, even those convicted of minor drug offenses, for long periods of time. What made it radical was that in the course of the last three decades few politicians, certainly none of Schwarzenegger's prominence, were willing to risk their political careers by offering anything less than enthusiastic support for the law and order campaign to "lock 'em up and throw away the key." While Democrats and Republicans alike have sought to reduce government spending by gutting social welfare services, they have simultaneously (and unironically) continued to spend staggering amounts of money on prisons. California's budget crisis is the tip of the iceberg. Across the country, states are now scrambling to find solutions to myriad problems associated with costly and overcrowded prisons.

For the first time in nearly thirty years, Americans are rethinking what it means to punish and to incarcerate. Much of the debate has focused on nonviolent drug offenders, since they represent a significant proportion of the increase in the size of the nation's prison population. Proposals include sentence reductions for drug crimes, expanded use of drug treatment programs in prisons and community-based correctional settings, and granting the private prison industry an even greater role in the management and control of prisoners. As a sociologist who studies prisons, I am encouraged by efforts

to rethink incarceration, but I am concerned that some of what is being proposed creates a new host of problems and exacerbates existing ones. It is this concern that prompted me to write this book now, a decade after I concluded my research study of an experimental, privately run drug treatment program in a state prison for women located in the Southeast. The program was one of the first of its kind in the country and, with an emphasis on treatment, it appeared to be moving in a decidedly different direction than the usual punitive policies. It was a program I wanted to like and, more important, one I hoped would prove successful in helping women overcome the problems that prompted their involvement in drugs and crime.

Over the course of my research, it became clear to me that the program neither helped the women it claimed to serve, nor did it provide a meaningful alternative to more traditional forms of incarceration. In many respects, its confrontational and coercive tactics effectively collapsed the distinction between treatment and punishment. This was embodied in the program's stated goal of "breaking down" drug offenders whom it claimed suffered from "diseased selves." The program fundamentally destabilized how women understood their experiences with poverty, violence, and social marginalization, and it shattered their sense of themselves as "good" and "respectable" people. In so doing, it left most women worse off than they would have been had they simply done their time in the main prison. They returned to the same streets and neighborhoods without job skills or an education, without the confidence to pursue either of those things, and without a safety net. Not surprisingly, many resumed the same criminal hustles that landed them in prison in the first place.

Although I wrote a few scholarly articles based on this research, I hesitated in writing a book. In the politically charged climate of the nation's War on Drugs, I worried that any critique of a treatment program would be read as a ringing endorsement for mass incarceration. And although I was convinced that this model of drug treatment was a failure, I wondered if what would follow in its wake would be even worse. In the years I had spent in the field, I came to know many of the women very well. I met their friends, families, husbands, boyfriends, girlfriends, baby daddies, and children. I witnessed firsthand their struggles in prison and on the streets. I learned something of what they were up against and how very high the stakes were. I did not want to write anything that would leave them and women like them any worse off. Further, even though the program and the private company that ran it became influential actors within the women's prison, I assumed that officials in the Department of Correction would cut funding if the program proved ineffective in reducing the likelihood that prisoners would resume

criminal activity and drug use upon their release. As it turns out, I was wrong. The program survived and prospered even though state-sponsored studies showed that its coercive treatment practices had no effect on prisoner recidivism and relapse rates.

Today the program remains an essential component of correctional programming in the women's prison. Perhaps not coincidentally, the state now has one of the highest incarceration rates of women in the country. This program and others like it continue to gain in popularity in women's prisons and in community-based, alternative-to-incarceration programs across the country. Ultimately, I decided to write the book in order to explore the appeal of a treatment model that aims not to rehabilitate women drug offenders but to "break them down." I argue that coercive therapy is not an alternative to "get tough" policies but a gendered extension of them. It is a failure only if we believe that its purpose is to curb crime and reduce drug use. I aim to show that there are other agendas, beyond crime control, that are at play. This program was born in the same historical moment that poor, African American women were vilified by politicians and media outlets as "crack whores" and "welfare queens." In 1995, for example, former secretary of education William Bennett proclaimed that "if you wanted to reduce crime, you could . . . abort every black baby."[2] Racist stereotypes that took aim at Black women's parenting skills, sexual practices, relationships, and labor market participation obscured how increases in urban poverty, and Black poverty in particular, were a product of shifts in the broader political economy. In essence, such stereotypes turned poverty into a moral problem rather than a political one. This, in turn, undermined whatever sympathy poor families might have garnered from the public and made it possible for politicians to simultaneously dismantle welfare while beefing up the prison system. This paved the way for the prison system to become the primary institutional site for managing and controlling racial minorities and the poor. Treatment programs like the one I studied capitalized on these stereotypes and, by claiming that women offenders were "diseased," added to them. Such claims, in fact, opened up new markets for the private prison industry. I offer this book, then, as a cautionary tale. My intent is not to oppose alternatives to traditional forms of incarceration or to romanticize past systems of control. It is to call for greater interrogation of punishment in all its guises.

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This book has been a long time in the making and I am grateful to everyone who has encouraged, inspired, and supported me along the way. My first and largest debt of gratitude belongs to the women incarcerated at East State whose experiences and observations serve as the heart and soul of this book. The questions they asked of the circumstances they found themselves in are what motivated this study. They trusted me with their stories and I took that trust very seriously. One of my greatest regrets is that confidentiality guarantees prevent me from thanking each of you by name. I hope you will recognize yourselves and your contributions in here.

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stories. I would particularly like to thank the students and alums at Villanova's "satellite campus"—the Pennsylvania State Correctional Institution at Graterford. Thank you guys for the encouragement and for sharing your own experiences and analyses of incarceration with me. Thanks especially to Charles "Mubdi" Coley for reminding me to always keep punching. I hope this book does all of you guys proud.

Books, of course, are not just born of academic endeavors. They are also the products of personal lives. My friends helped me overcome various obstacles along the way and gave me the confidence to sit down in front of a blank screen and write. I am grateful to be surrounded by such an inspiring, talented, and dedicated group of people. My partners in crime, Kevin Brown and Albert Yee, were always willing to indulge my desire for new adventures and were vigilant about reminding me when it was time to settle down and work. Shawn "Shizz" Charles gave me good advice when I needed it and managed to return me to calm when panic set in. The "entourage" crew (Jamie Blau, Jenny "Hollywood" Perkins, Dawn Eichen, and Anna Smith) kept me sane, kept me laughing, and kept me dancing throughout the last grueling months of writing. Khalil Asad Muhammad (Ervin Davis) was my sounding board throughout much of the writing process—he offered advice, encouragement, and reminded me regularly that he is "always on [my] side." Brittnie Aiello, Kara Baker, Sarah Becker, and Jamie Blau are the living, breathing embodiment of the aphorism "sisterhood is powerful." Whenever I needed them, they were there. I am forever in their debt.

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INTRODUCTION

Searching for Red's Self

I'm lost. I've had to surrender my self.
—Red, on the eve of her release from prison

What must one know about oneself in order to be willing to renounce anything?
—Michel Foucault, "Technologies of the Self"

"I'm lost, I've had to surrender my self." As Red says this, she curls her fingers into a loose fist and raps her chest as if to indicate the part of her that has gone missing.[1] We are sitting in a shaded corner of the prison's recreation yard awaiting word on whether her release paperwork will be processed in time for her to return home to celebrate her son's fourth birthday. She learned the day before that she had successfully completed all five of the "transformation phases" of an experimental, intensive drug treatment program that was housed in a separate wing of East State Women's Correctional Institution.[2] The program, known as Project Habilitate Women or PHW for short, was the latest in the prison's arsenal of measures designed to curb chronic prison overcrowding, high rates of inmate recidivism, prison disciplinary problems, and spiraling economic costs associated with the state's War on Drugs. PHW was the creation of Prison Services Company (hereafter the Company),[3] one of the largest for-profit providers of prison health care services in the country. Beginning in the early 1990s, the Company began an aggressive campaign to corner what continues to be a booming market—drug treatment services for correctional populations. PHW was one of the first in what would become a growing chain of such programs in prisons, jails, work-release facilities, and halfway houses across the United States.

Red was one of PHW's most celebrated participants. In the twelve years leading up to her present incarceration, she made a decent living by selling drugs and engaging in small-time hustles like prostitution and petty theft. When her appetite for using drugs exceeded her income from selling them, her criminal activity took a dramatic and some would say "masculine" turn. She developed a penchant for carjacking and armed robbery—crimes that remain almost exclusively a man's game.[4] It was her second armed robbery, the stickup of a convenience store, that landed her in prison. Like previous stints, this one initially seemed to only deepen her involvement with drugs and crime. She began her prison term surreptitiously smoking the crack cocaine she had smuggled into the facility. Her decision to enter the drug treatment program was purely strategic. She was facing a sentence of eight to twenty-seven years on two counts of robbery in the first degree and a prior drug conviction. Successful completion of PHW held out the possibility of a significant sentence reduction.[5]

After nearly four years in prison (two of which were spent in PHW), she seemed well on the way to turning her life around. She had racked up an impressive array of accomplishments, including getting clean, earning certification as a nursing assistant, gaining weekly, supervised visits with her son, getting approval to work outside the prison at a local sanitation facility, and earning credit toward an early release from prison. During PHW's graduation ceremony, she described herself as a changed woman—one with goals, "positive" relationships, and a new outlook on life. She spoke of these changes optimistically and emphasized that she did not regret abandoning the person she once was—a person she described as little more than a "liar, thief, and manipulator." Red's characterization of her "old self" corresponded to the description that company executives and state officials used, although they often punctuated their account with a host of clinical sounding terms like "addictive personality," "codependent," and "criminal thinker." Red's story—particularly her lengthy criminal history and bumpy road to redemption—was one that state actors, from prison administrators to correctional officers, liked to tell. The fact that Red had not yet stepped foot outside the prison as a free woman was beside the point. In these retellings, she was more political allegory than data point. Specifically, they used her story to make two points. The first was that women offenders had changed. They claimed that the incoming tide of prisoners were more aggressive, drug-involved, manipulative, and prone to commit crime than were previous ones. The second point was that the ideology and structure of control in the prison also had to change in order to manage this new population effectively. State officials, in particular, argued that Red's history of recidivism and drug relapse was facilitated, in part, by

the limitations of a gendered system of control that had its origins in the 19th-century women's reformatory movement. To overcome this, the Department of Correction closed the old women's prison, a reformatory-era building that dated back to 1929, and replaced it with a new, state-of-the-art facility that resembled, in both appearance and effect, prisons for men. Barbed wire crowned perimeter fences, metal detectors and various surveillance devices were installed in housing blocks and main thoroughfares, and a control unit was built to deal with inmates deemed dangerous and unruly.

This did not mean that gender disappeared as an organizing strategy of control in the prison. It persisted in different forms. Administrators and line staff held fast to the belief that while incoming women prisoners were different from previous cohorts, they were not men. Thus administrators resisted the idea that the women's prison should entirely morph into its male counterpart—an austere, isolating environment designed to warehouse prisoners for the duration of their sentences. They remained committed to the principle that prisons for women should prioritize treatment over punishment. To respond to the challenges presented by inmates who were thought to be more dangerous, drug addicted, and crime prone, administrators worked with executives from Prison Services Company to launch Project Habilitate Women, an intensive, confrontational form of drug treatment that was based on the therapeutic community model.[6] Sociologists have characterized this model as "strong-arm rehab" because it is considerably more coercive than popular self-help programs like Alcoholics and Narcotics Anonymous.[7] PHW made a similar distinction, referring to their system of control as "habilitation" in order to contrast it from "softer" and "more lenient" rehabilitative models. Habilitation is a set of social technologies that mobilize surveillance, confrontation, humiliation, and discipline for the purposes of "breaking down" a self that is thought to be diseased. It is guided by a philosophy of addiction which holds that the self is the ultimate source of social disorder (in the form of crime and poverty), institutional disorder (in the form of prison overcrowding and inmate recidivism), and personal disorder (in the form of drug addiction). According to this framework, women like Red get addicted to drugs and become dependent on criminal lifestyles because they are believed to possess diseased and incomplete selves—selves that are further eroded under the weight of addictions, poverty, and "bad choices." The appeal of this program to prison administrators was that it embodied the spirit of the state's efforts to make prisons tougher and more secure, while simultaneously preserving the logic of gender difference in the application of carceral control. Ultimately, administrators and state officials hoped to alleviate the problem of drugs, crime, recidivism, and overcrowding by engineering nothing short of an institutional takeover of unruly selves.

At the time of our interview, Red had done two major stints in prison, the first beginning in 1989 and the second (and current one) beginning in 1995. Her experiences in prison straddle the divide between the classic rehabilitative system of control and the more coercive system of habilitation. Her first term was spent in the old, reformatory-era facility. She told me that she "slid" through her time there and attributed this primarily to the fact that prison staff were relatively lenient and functioned like quasi-parental figures: "They told us to be good and to read our Bibles." Her current term took place in the new prison. In contrast to her description of her first term as "easy," she characterized her experiences in the new prison, particularly her time spent in PHW, as "intense" and "hard":

RED: [The old prison] never got in-depth. Inmates will say, "Prison is prison is prison." Well, it's not. I've been around. Prison is one thing—this is another, you know? In here [PHW] they get in real deep. They're in your head and so it's hard time—it's a real tough adjustment. They break you down.

JILL MCCORKEL (HEREAFTER JM): Why do they do that?

RED: Because addicts—addiction fucks with your head. You don't think right, you don't act right, you know? Addiction is my life, it affects my life and so, to get a new life, I've got to surrender my self to their process.

As we talk, I watch one of the PHW counselors moving across the yard to meet us. She's got release paperwork in her hand. The counselor informs Red that she will be transferred to a community-based, work-release program within the month. She won't make it out of prison in time for her son's fourth birthday, but provided things go well in work release, she'll be back home after having served just over half her minimum sentence.[8] As the counselor disappears back into the prison, I remark to Red that she must be happy to have earned an early release from prison. She looks at me blankly and shrugs. "Most people say that prison robs you of time, but this—," she gestures to the green building where PHW is housed, "this is a new kind of punishment. This robs you of something else. When they take away a person's dignity, a person's self-respect, what is left?"

* * *

At the time of my conversation with Red, I had been an ethnographer in this women's prison for nearly four years. It was not the first time that I heard a prisoner pose the question of what this "new kind of punishment" meant for

their sense of self. From the start, prisoners had been asking whether habilitation was a form of "brainwashing," designed to make them into something they were not sure they wanted to be. State officials, company executives, prison administrators, and line staff were similarly consumed with the subject of prisoners' selves, though they did not frame this in quite the same terms. For them, the diseased self was a social problem that required immediate intervention. Their questions frequently centered on how best to identify and diagnose the "real" selves of prisoners for the purposes of institutional management and social control.

It is important to emphasize that everyone from prison staff to state officials to prisoners themselves approached the self as if it were a real, empirical thing. That is, they believed in the existence of a "real self," a coherent entity within a person that serves as a sort of inner core from which everything else (e.g., emotion, cognition, behavior, beliefs, attitudes, morality) flows.[9] Where they differed was in their representations of what this self "really" was. Prisoners struggled to be seen as more than drug addicts and criminals. Staff struggled to determine whether the things prisoners did and said were authentic representations of who they "really" were. For the purpose of this analysis, my aim is not to discover whether the staff were right when they diagnosed prisoners as diseased, nor is it to determine whether prisoners were being truthful in the narratives they told about themselves. Such an approach would be a dubious undertaking, particularly since the question of whether a core self lurks under the surface of public identities and managed impressions is a point of theoretical controversy within the social sciences. What is important for my purposes is the fact that individuals interact with one another, and institutions like the prison act on individuals, *as if* a core self exists. The self, in other words, is a socially constructed object.

The institutional preoccupation with the self took me by surprise. I began my fieldwork in this women's prison in 1994. It was at a moment when the "get tough on crime" movement and the mass incarceration it produced appeared to signal the demise of what sociologist David Garland calls the modernist project of penal welfarism.[10] The penal welfare system comprises an interlocking grid of institutions, agencies, and policies that make up the criminal justice system. These include indeterminate sentencing laws, presentence investigation reports that allow courts to individually tailor sentences, specialty courts for juveniles, social work programs for offenders and their families, early release programs from prison, educational and rehabilitative programming in prison, halfway houses, parole, and community-based programs that aim to reintegrate offenders in the social mainstream. The origins of the system can be traced to 18th-century Enlightenment philosophy