

**The “Politics” of Incarceration: Representation, Riots, Hierarchy, and Hunger Strikes
in the California Penal System—a History of Inmate Organizing**

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Authorization to Submit Thesis

This thesis of Justin M. Smith, submitted for the degree of Master of Arts with a Major in History and titled, "The "Politics" of Incarceration: Representation, Riots, Hierarchy, and Hunger Strikes in the California Penal System—a History of Inmate Organizing," has been reviewed in final form. Permission, as indicated by the signatures and dates given below, is now granted to submit final copies to the College of Graduate Studies for approval.

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Abstract

Over the course of the twentieth century American prisoners became increasingly politicized, perhaps none more than those incarcerated in California. Historically, inmates and convict leaders established their own system of rules, producing hierarchical structures. Administrative efforts to co-opt prisoners for the purpose of communication and security established sanctioned inmate councils. These “self-governing” bodies began as an extension of inmate power during the Progressive Era. As detention facilities desegregated, the interactions of various racial groups and radical ideologies polarized prisoners. Simultaneously, inmate councils were stripped of their punitive powers, becoming “advisory committees.” Within a culture of violence, prisoners enacted unsanctioned, racially-based councils. “Politics,” which prisoners have termed their own system, impacts not only daily life behind bars, but historical events such as riots and strikes, as well as the creation of the California Prisoners’ Union. In the complex world of “corrections,” both the captor and captive write the history of incarceration.

Acknowledgments

I would like to thank the University of Idaho and the Department of History for their instrumental guidance in my formal education. A sincere thank you to Sean Quinlan, department chair, who, without his efforts and activism in our graduate program, my work would not have come to fruition as it has. Becky Jager, a mentor and advisor who, through her own positive example and by chairing my thesis committee, offered the tools for my project's success. Dale Graden, a wonderful professor, and friend, who has advocated the importance of my research. Brian Wolf I thank for his invaluable insights and assistance in assembling my work. Lastly, I would like to acknowledge the array of professors who have impacted my journey, and who, through word and deed, have left a lasting imprint on my life: Ellen Kittell, Rick Spence, Adam Sowards, Pingchoa Zhu, Lisa Carlson, Bill Lund, and Sandra Reineke.

Dedication

My research and life's work are dedicated first and foremost to God the father, creator and author of every gift and blessing. Stemming from this, my deepest appreciation and thanks go to my family, who have always been inspirational confidants, encouraging my success in all avenues of life. Thank you Mom, who, through years of struggle, brought your children from poverty into a position of opportunity. To my dad, thank you 'Pops,' for speaking to me on one knee as a young boy, telling me to make money with my mind and not my back, as you did. To my elder brother, Joshua, who in spite of disability, has taught me more of the world than any classroom can teach. To my younger brother, Jordan, I love you—Faith, Family, Freedom—forever. Finally, thank you Grandma Rosalie for supporting my education and dreams and having such devotion. And, great-Grandma Jenny, I am forever indebted to you and your love for putting a small sum into a savings account for me in 1989, that I might have the opportunity to do what no one else in our family was able: go to college and be a university graduate.

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Preface

I feel it is my duty as a scholar to inform you, the reader, as to from where this research hails? A question every author hopes to invoke yet fears to answer . . . at least in print. However, it is my deepest sentiments that this document, as a whole, offers you some intrigue, insight, education, or other positive application—because this research, and the events preceding its formulation, have offered me each. Therefore, in hopes of clarity and confidence, a complex personal biography is shared, in brevity, and intertwined in this public history and academic work.

The genesis of my thesis lies far removed from academia, in the grittiness of Southern California's urban sprawl that I witnessed as a child. It was not until after moving to rural Idaho at the age of ten, that I realized there lay a world beyond concrete—that helicopter patrols, drive-by shootings, gang warfare, rampant addiction, homelessness, and the like were not necessarily the norm of the American experience. I did know, however, that I would not see my family succumb to poverty; that was the promise I made to myself as I set my mind on college at the age of thirteen.

Upon my first time returning 'home,' to visit family in San Bernardino County, my mother, two brothers, grandmother, and I drove through our old neighborhood. My grandmother remarked at the sights: "This whole place is nothing but a ghetto." And there, in the backseat of my mother's station-wagon, every heuristic image of the American "ghetto" flashed through my mind, in tandem with memories from my own life—and the reality dawned on me in amazement: "I'm from the ghetto." It was now no wonder that Northern Idaho shocked me in both culture and environment. And, I realized why I, as a young boy, appeared so bewildering to a rural community—which I know today, blessed me with a safe environment to grow and flourish, away from the dangers of street life. Even so, I soon came to understand the vast array of details which collectively establish the unique experience of incarceration.

Later, at twenty years old, I had become a university sophomore aspiring towards a degree in political science, minoring in history, learning new words for old concepts, such as “culture shock.” I’d been in Idaho nearly ten years—my life was centered in time between polar opposites in the American experience—and I continually felt the tug of one home-state or the other. Christmas break was upon us again, and I was ‘home,’ in California once more, only this particular December changed my life irrevocably—as I found myself arrested for the first time, being arraigned on criminal charges, and facing life in prison.

The event prompting my arrest and subsequent prosecution, led me through a three and a half year engagement with the judicial system, all its processes and lived experiences, which, though filled with stress and uncertainty, afforded me new knowledge and wisdom—even becoming the basis for my desire to continue onward to graduate school. I had never been to jail before, and I found the whole experience of my imprisonment surreal—held captive behind the walls of a detention facility housing three-thousand inmates. However, as fate would have it, I did not endure the hardship of a prison sentence. Rather, I experienced eighteen months of court proceedings and eight and half months in county jail, with supervisory conditions throughout, resulting in a full dismissal of all criminal charges, granting me a new life, options and opportunity restored, along with all the civil rights afforded a citizen.

When I decided on grad school, I asked myself, “but what are you an ‘expert’ in?” Or, “what do you want to be an ‘expert’ in?” Pondering as rapidly as the thought appeared, I knew my past was the answer to my future. In which, I found that my collection of unique personal events fit into a wide-ranging historical narrative—namely, the growing history of incarceration. “Of course!”

“Incarceration,” the scholar’s choice in rhetorical device, adds a luster of eloquence to an otherwise opaque canvas of confinement, detention, solitude, the presumed abstinence of rights, and the prosecution which nears persecution of the individual. Therefore, I made my

choice in topic and discipline, turning my purpose toward any collective good which might be imparted from examination of the past, a past which is reoccurring daily for millions across America.

A reasonably objective voice is only provided by integrity. So in hoping to impart more information and insight than bias, knowing we all possess each, I offer these words; along with an acute perspective, having had the experience of both a scholar and an inmate. I have done my upmost to approach this topic with academic integrity. Having a duty towards objectivity, and in considering my reader, I inform you of the honest bias I hold, having experienced the subject at hand. Therefore, I unveil my own private, lived experience only that you might know what inspired this scholarship and that I might retain my audience's confidence, maintaining integrity through transparency. Gleaning both tone and title, I offer you this history in all sincerity, with goodwill towards the posterity—hoping this work may somehow aid in a better future, adding information and perspective to a wide-arching issue. Therefore, I purpose towards sorting meaning from the past, as I hope you will, passing on a collection of knowledge as I best understand at present.

Justin Michael Smith—May 8, 2015.

Introduction: Contextualizing the Topic and Research

The State of California is no stranger to the ebb and flow of *racial* tensions that pervade American communities; however, these *cultural* fissures manifest themselves in startling and profound ways within correctional facilities. Those incarcerated are among the most marginalized and disenfranchised social strata. In addition to the ‘security’ and structure of physical detainment, the removal of basic rights, freedoms, and privileges diminishes the dynamics of daily life, freezing inmates in their time and space—or so it may seem. In spite of this, a new system of social order universally emerges within correctional complexes; here, behind towering walls, the “society of captives” thrives, based in a flourishing criminal sub-culture.¹ Although not romanticized in the same fashion as the ‘gangster’ or ‘cowboy,’ the *prisoner* has become politicized and organized. Prison gangs, formed for protection, co-opt street gangs, and organize the inmate collective within their respective racial spheres by which the foundation of contemporary American prison *politics* are laid. The result is stabilization through a dual-penalty system in which inmates must adhere to two sets of rules; those of the administration and those of ‘politics,’ both of which hold penalties that include death. This militarization of prisoners began during the 1960s, evolving until the 1980s, recasting the “pains of imprisonment,” adding additional structure to an already rigid environment.² Mobilizing inmates in a militant fashion is perhaps a logical or even necessary step for prisoners to take, as incarceration (i.e. taking captives) has deep-seated roots in military history. Furthermore detention facilities and their employees are often entrenched with former military personnel and their distinctive culture, instituting fundamental features of, and day-to-day routines from, military customs and practices.

The contemporary, Californian inmate exists within an intricate hierarchy, based on racial solidarity, and maintained by the firm hand of organized crime. This system of rule, which prisoners themselves have developed is termed simply, “politics.” Militarized,

¹ Gresham M. Sykes, *The Society of Captives: A Study of a Maximum Security Prison* (Princeton, NJ: Princeton University Press, 1958).

² Ibid.

politicized, and eventually unionized, the inmates themselves have impacted corrections, altering the judicial process from within. For the ‘first-timer,’ a foreign environment, seemingly full of chaotic rituals, becomes a complex, but navigable system full of rules and orders, actions and reactions, commands followed by compliance or force. However, when collective dissatisfaction arises, prisoners express this through two primary means: riots or strikes, both of which require organization.³ Although the goals of these two administrative dilemmas may be synonymous, the principles and inspirations behind a riot or strike are contrary. Regardless of motivations or goals, inmate outbursts have long-since garnered media attention and public interest. Moreover, a central element of criminal subculture is violence. Thus, riots tend to occur more frequently than strikes. However, over the course of the twentieth century prison riots shifted in focus from being anti-administrative outcries towards inmate infighting, due to a refining, professionalized administration guided by more humane standards and centralized regulations, coupled with an increasingly militarized, yet divided inmate populous. Compared to insurrections in the public sphere, prison riots differ in setting more than approach. Additionally, contemporary correctional facilities have the added strain of racial politics and hierarchical inmate structures. Thus, inmate leaders, dubbed ‘reps’ or ‘shot-callers,’ reign as authoritarians within their racial apparatus; yet, representatives from each race meet collectively, exercising diplomacy, at times voting, and wielding power to foment violence or peace through verbal or written orders. This paper addresses convict organizing, self-government and representation in connection with the historical events of prison riots and inmate strikes in the State of California, demonstrating their complex, but intrinsic links. Administratively sanctioned inmate councils, racial politics, and the unsanctioned inmate hierarchy intersect, influencing order and disorder within correctional facilities. These interrelated prison riots, strikes, and convict representation in California led to the unionization of prisoners in 1971.

³ Class action lawsuits are a third means of expressing collective dissatisfaction, but are beyond the scope of this paper. A comprehensive study of such lawsuits may reveal much about inmate grievances and shifts in correctional policy.

Historians have tackled the topic of incarceration from various angles; however, most studies have a top-down approach that results in a missing out on numerous events and histories. Academics writing legal histories regarding laws, policies, and Supreme Court decisions gauge administrative efforts.⁴ The history and evolution of prisons as entities is analyzed by scholars.⁵ The historical origins of gangs and organized crime are addressed by many.⁶ Sociologists collect and analyze a wealth of knowledge regarding crime and imprisonment, the most pertinent of this information includes Donald Clemmer's 1940 study, *The Prison Community*, in which he coined the term "prisonization," arguing the process by which prisoners are socialized.⁷ Moreover, Clemmer documented the rise of leaders among prisoners as early as the 1930s.⁸ Gresham Sykes' 1958 classic, *The Society of Captives*, is also of significance. Sykes identifies the "inmate code," which regulates inmate conduct, describing the development of a prison society, defining the dilemma of guards wielding "total power," "the pains of imprisonment" (i.e. stresses) which inmates face, and the development of prison argot.⁹ More contemporary scholars, producing a plethora of studies examining race, the over-representation of blacks and other minorities in prison, and racism within the judicial system, have generally overlooked the actual interactions of racial and ethnic groups within the correctional system. How can one understand the history of incarceration without understanding who has been incarcerated? As a result, the story of

⁴ Michael Grossberg and Christopher L. Tomlins, *The Cambridge History of Law in America* (Cambridge, UK: Cambridge University Press, 2008).

G. D. Beaumont and Alexis de Tocqueville, *On the Penitentiary System in the United States and Its Application to France* (Carbondale, IL: Southern Illinois University, 1833/1964).

⁵ Bonnie L. Petry and Michael Burgess, *San Quentin: The Evolution of a California State Prison* (Rockville, MD: Borgo Press, 2005). See also, Benjamin Justice, "The Transformation of the Prison: Educational Reform at San Quentin Prison, 1880-1920," *History of Education Quarterly* 40, no. 3 (2000): 279-301.

⁶ Frederic Milton Thrasher, *The Gang: a Study of 1,313 Gangs in Chicago*, 2d Rev. Ed, University of Chicago Sociological Series (Chicago: University of Chicago Press, 1936/2013). See also: Thomas Reppetto, *American Mafia: A History of its Rise to Power* (New York: Henry Holt & Company, 2004). See also: Martin Sánchez-Jankowski, *Islands in the Street: Gangs and American Urban Society*. Berkeley: University of California Press, 1991.

⁷ Donald Clemmer, *The Prison Community* (New York: Rinehart, 1958).

⁸ Donald Clemmer, "Leadership Phenomena in a Prison Community" *Journal of Criminal Law and Criminology*, 1931-1951, 28, no. 6 (1938): 861-872.

Undoubtedly 'leaders' have always existed among prisoners in some form or fashion. However, Clemmer was the first to take scholarly interest in, and document, the contemporary style of American prison leadership.

⁹ Gresham M. Sykes, *The Society of Captives: A Study of a Maximum Security Prison* (Princeton, NJ: Princeton University Press, 1958).

inmate organizing has a rich, yet untold history abounding in the vitality of criminal subculture.

Although riots and other disturbances remain a continual threat to prison administrators, academics outside of criminology have spent little time analyzing inmate rebellions, or strikes. Thousands of these events occurred in the last century, yet few histories exist on the subject. Scholars who have addressed prison riots approach the subject from different angles, but never establish the connection between representation and riots. This is curious because federal and state investigations in the aftermath of prison riots, such as the McKay Commission, continually allude to this connection for the prevention of riots.¹⁰ Analytical studies focusing on single events, such as the Attica Prison uprising (1971) or the New Mexico State Prison riot (1980) shed light on the events, aspiring towards riot prevention as well.¹¹

Other research examines the causes of prison riots, with most citing overcrowding as a major factor. Problems with prison administrators are also linked to riots.¹² Collective behavior, including racial antagonism and gang violence has been analyzed to some extent.¹³ Research also addresses environmental factors of imprisonment in relation to institutional conflict. Still others consider the causes of riots or conduct broad surveys of inmates.¹⁴ Explorations of work stoppages or hunger strikes are nearly non-existent in respect to

¹⁰ Officially, the New York State Special Commission on Attica, the Commission was chaired by Robert McKay, Dean of the Law School at New York University. The Commission found fault with Governor Rockefeller and prison authorities in both sparking and suppressing the riot. An open grievance policy and implementation of an inmate council was recommended to prevent future uprisings. The full record of the Commission is available online: see, McKay Commission, "Attica Revisited" (Talking History Project), Accessed 19 November 2013. <http://www.talkinghistory.org/attica/mckay.html>.

¹¹ Tom Wicker, *A Time to Die: The Attica Prison Revolt* (Lincoln, NE: University of Nebraska Press, 1994). Mark Covlin, *The Penitentiary in Crisis: From Accommodation to Riot in New Mexico* (Albany: State University of New York Press, 1992).

¹² John J. DiIulio, *Governing Prisons: A Comparative Study of Correctional Management* (New York: Free Press, 1987).

¹³ Neil J. Smelser, *Theory of Collective Behavior* (New York: Free Press of Glencoe, 1963).

¹⁴ Bert Useem, *Resolution of Prison Riots* (Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, National Institute of Justice, 1995).

Bert Useem and Peter Kimball, *States of Siege U.S. Prison Riots, 1971-1986* (New York: Oxford University Press, 1991).

California. Similarly, less research has been devoted to inmate representation, and much of what does exist is cited in the following pages. Beyond sanctioned inmate councils, academia has devoted no work to unsanctioned inmate representation. Unbeknownst to most, informal inmate councils facilitate ‘politics,’ the shadow government which administers daily life in jails and prisons in California, and across the United States.¹⁵

This study differs in approach and area of inquiry in that it examines inmates directly. In what manner do inmates organize? What are the influences, effects, and connections between inmate representation, riots, and strikes? What factors produce riots, hunger strikes, and work-stoppages? What are the repercussions of inmate organizing? Who wields power and authority within prison subculture and the inmate hierarchy? How do prisoners draw from the context of American society in their efforts for or against the institution? These are highly significant questions, because until the influence of inmates and their politicization is realized, detention facilities will remain vaguely understood institutions. This study does not claim to be a comprehensive account of prison riots or inmate organization, but it does point to the need for such research. Lastly, this research differs in that the contents of the document incorporate personal citations by the author, and that some of the information contained herein is drawn from lived experiences.¹⁶ Although personal biography is restrained, the analysis of sources and arguments rendered are not without insights earned through one year of incarceration, within two county jails, in Southern California.¹⁷

¹⁵ As of recent film documentaries have shed some light on the reality of racial “politics,” with inmates even making reference. However, this keyword in argot and the extent of what “politics” entail remain a mystery. Glossing over this crucial element of inmate organizing may be of no fault on part of the scholar, as silence is a central element of criminal subculture and the “inmate code.”

¹⁶ See, *Preface* for further details regarding the origins of this research and personal citations used. I note a unique perspective, although there are numerous others with similar experiences including scholar John Irwin.

¹⁷ Prior to the dismissal of all criminal charges I served time in both West Valley Detention Center (Rancho Cucamonga, CA) and Glen Helen Rehabilitation Center (Devore, CA); both facilities are county jails. West Valley is “one of the largest county jails in the State of California” having a bed capacity of 3,347. In contrast, Glen Helen’s capacity is 1,020 persons. “West Valley Detention Center,” San Bernardino County Sheriff’s Department, Accessed 1 March 2015.

<http://cms.sbcounty.gov/sheriff/CourtsCorrections/WestValleyDetentionCenter.aspx>.

“Glen Helen Rehabilitation Center,” San Bernardino County Sheriff’s Department, Accessed 1 March 2015.

<http://cms.sbcounty.gov/sheriff/CourtsCorrections/GlenHelenRehabilitationCenter.aspx>.

Americans can ill-afford dispiritedness in understanding this social problem, as the United States of America has the largest incarcerated population in the world, as well as the highest rate of imprisonment. As of 2013, there were approximately 2.23 million detained in the U.S. and 6.98 million persons under the authority of adult correctional supervision.¹⁸ Such statistics concern the basic American notion of liberty. California is of particular interest as it boasts thirty-three state prisons, dozens of county jails, and an elaborately developed inmate hierarchy which has impacted criminal subculture nationally, and even globally. Moreover, California was first in imprisonment until a 2009 federal court order to reduce the prison population by forty-three thousand inmates; California facilities were one-hundred thirty-five percent over capacity.¹⁹ The extensive issue of overcrowding raises constitutional concerns regarding ‘cruel and unusual punishment,’ factoring into the federal court’s decision. Furthermore, California remains a perpetual trendsetter in penology, corrections and criminal subculture. But how did California come to its current position in regards to corrections?

A Brief History of Incarceration and Race in California

Prior to 1849, California had a mere six county jails.²⁰ When the State of California joined the Union, the 1850 legislature enacted a penal code defining crimes and their punishment.²¹ The offenses outlined were the basic felonies: murder, arson, larceny (which could carry the death penalty for cattle and mine thieves), and bigamy. Through this Act every county jail became a state prison until an actual facility could be erected. Convicts were swiftly put to work by sheriffs. A problem immediately emerged as county jails filled, jumbling overnight minor-offenders with violent career-criminals. Additionally, jails were

¹⁸ Lauren E Glaze, “Correctional Population in the United States,” Bureau of Justice Statistics, U.S. Dept. of Justice, 2011, Accessed 11 December 2013. <http://www.bjs.gov/content/pub/pdf/cpus11.pdf>.

¹⁹ Carl J. Williams, “Federal Judge Orders California to Release 43, 000,” Los Angeles Times, 5 August 2009, Accessed 1 December 2013. <http://articles.latimes.com/2009/aug/05/local/me-prisons5>.

The federal order to reduce California’s prison population came as costs mounted and issues of overcrowding allowed plaintiffs’ to argue unconstitutionality in terms of ‘cruel and unusual punishment.’ Following the 2009 court order, Texas became the state housing the largest prison population in the U.S.

²⁰ The jails were located in Los Angeles, San Diego, Santa Barbara, Monterey, San Jose, & San Francisco.

²¹ The 1850, the California assembly looked towards New York as a model for their new penal code. Increasingly strong socio-political ties existed between New York and California as Progressive Era thought advanced westward.

constructed of flimsy materials and inadequate at detaining any determined escapee.²² In May 1851, prison inspectors and the commissioner of public buildings selected Quentin Point for the site of California's first prison. On July 14th, 1851, the first convicts arrived by boat to begin construction of the prison.²³ Inmates were housed on a prison ship, the *Waban*, until the first cell blocks were erected. In the early years of California's prison system inmate revolts revolved around escaping. Unlike today, no tangibly organized inmate collective existed, nor a highly structured prison administration. In 1851, ninety-eight to one hundred and fifty-three inmates escaped, of which only forty-one were recaptured. One administrative report notes, "Quite a number have been killed in attempt to suppress revolts."²⁴ San Quentin is California's oldest prison and currently houses the state's only death-row for male prisoners.²⁵ For nearly a century, escape attempts were the norm, while actual riots were few and far between, and strikes were non-existent.²⁶ However, riotous behavior increased with the onset of racial strife a century later, amidst civil turmoil over civil rights.

During the Progressive Era, the key-word in regards to imprisonment was not 'corrections,' but 'penology.' The issues of 'rehabilitation' and 'reform,' were central to progressive aspirations. Since the Prison Act of 1851, a confederation of prison authorities existed: the Department of Penology, the State Board of Prison Directors, the Bureau of Paroles, and the California Crime Commission—all without a sole executive office to unite and direct the branches. Rather, the various elements interacted, vying for power with individualized policies and politics, amid the patronage system, with only the governor or

²² The historical record is tattered with account after account of escapes or attempts to escape.

²³ Originally named after a Native American, Chief Quentin, and appearing in Spanish records as Rancho Punta de Quentin, it is uncertain who affixed the "San" on San Quentin. However, the prefix first appears on a May 1, 1852, act of the legislature. Bonnie L. Petry and Michael Burgess, *San Quentin: The Evolution of a California State Prison* (Rockville, MD: Borgo Press, 2005).

²⁴ Ibid, 35.

²⁵ Ibid, 40. See also: Benjamin Justice, "The Transformation of the Prison: Educational Reform at San Quentin Prison, 1880-1920," (*History of Education Quarterly* 40, no. 3 (2000): 279-301).

San Quentin has an extensive history of garnering public attention and media spotlight having housed the gamut of criminal types. In 2005, national attention was drawn due to the execution of Stanley "Tookie" Williams, co-founder of the Crips street gang, whose petition for pardon was denied.

²⁶ Ibid, 100.

high courts as arbiter.²⁷ Governor Earl Warren, seeking a more organized, professional, systematic, and presumably rehabilitative process of incarceration, commissioned the Special Committee on Penal Affairs on November 29, 1943. In accordance with the Special Committees' recommendations, a new centralized prison authority was created May 1, 1944, —birthing the Department of Corrections, though lacking the official title.²⁸ The organization of the new department was in a matrix fashion, with each branch being under the authority of a sole Director of the Department of Corrections. Originally, the Director oversaw the newly established Adult Authority, Board of Corrections, and Board of Trustees of the California Institution for Woman. The Adult Authority held wide-ranging powers from advising and recommending to the Director specific policy or procedures, to the transfer of prisoners, disciplinary actions, parole, and the implementation of inmate classification.²⁹ Moreover, the Director could also recommend or advise the Adult Authority in regards to policy, duties, and procedure. The Director, as the chief administrative officer, held jurisdiction over all four of the state, correctional complexes—San Quentin and Folsom state prisons, the California Institution for Men at Chino, and the California Institution for Women in Tehachapi, CA. Furthermore, a Correctional Industries Commission was established in 1947 to oversee inmate workers and “aid in the development of work programs.”³⁰ By the 1940s, a need for reorganizing the prison system was apparent and, when considering the goal of standardizing the process of incarceration towards the aims of uniform ‘correction,’ streamlined and centralized. Thus, ‘corrections’ outmoded ‘penology,’ giving way to the terminology of the

²⁷ An abundance of inter-departmental controversies, governmental glitches, and other difficulties arose from the un-centralized prison system, all incurred by conflicting jurisdictions; a lawsuit was even brought between the Department of Penology and the State Board of Prison Directors. *Correspondence, Penology vs State Board of Prison Directors and Secretary of State, 1852-89, 1915, 1939-40, series 24, F3717:1273-1276, California State Archives, Sacramento, Ca.*

²⁸ “Department of Corrections,” or DOC, was officially rendered in 1953. Prior to the 1944 reorganization the collective agencies dealing with imprisonment were termed the “California State Detentions Bureau,” although as a confederal organization the term is historically obscure.

²⁹ The establishment of a system of classification for inmates was a central goal of Progressive Era prison reform, a goal realized and enacted throughout the United States, having positive application for rehabilitation.

³⁰ “*Adult Authority-Minutes*,” Records of the Department of Corrections (Agency History), July 1955-March 1975, Vols. 17-104, F3717:1943-2030, California State Archives, Sacramento, Ca.

times.³¹ One can further understand the 1944 reorganization as following in the footsteps of the New Deal's centralization of power and foreshadowing America's prison-industrial complex.

In 1953, the Youth Authority (Y.A.) was established as a separate department to deal with juvenile offenders but was subsequently reorganized as the Youth and Adult Corrections Agency in 1961. That same year, a plan was put into effect to establish eleven major, new, correctional facilities by the end of 1976.³² By 1963, to address the growing social issue of drug-use, the Narcotic Addiction Evaluation Authority was created.³³ Within the historical context of 1961-1976, American society at large was undergoing monumental and furious change, inescapably altering U.S. culture. Marred by the struggle in Vietnam and pressured by civil protests at home, establishment fears regarding drug-use and its social implications stimulated new policies, including Nixon's 'War on Drugs' and the resulting increase in imprisonment.

However, since the late 1800s, the historical record indicates that it was not uncommon for wardens to ration both tobacco and whiskey, noting how this kept their prisoners complacent. Archival records also confirm the existence of illicit substances, including opium, cocaine, and marijuana within California prisons, paralleling society as a microcosm. By the early 1900s, with an influx of narcotics and drug addiction, amid other concerns, new laws transpired, regulating drugs, plants, pharmaceuticals, and other substances. Upon taking wardenship of Folsom prison, one warden proclaimed that he would stamp out the "dope ring" at Folsom, as soon as he got there—hollow words with little

³¹ Not until July 1, 2005, was the word "rehabilitation" affixed to the California Department of Corrections and Rehabilitation (CDCR) by Governor Arnold Schwarzenegger, emphasizing and renewing Progressive Era aspirations, if only rhetorically.

³² In the course of historical events California did not activate eleven additional prisons by 1976, rather they opened four new facilities from 1961-1969. In fact, no prisons opened during the 1970s. However, from 1980-89, eight additional correctional facilities were constructed, and one women's facility was deactivate. A subsequent eleven were constructed in California from 1990-1999 and two others opened in 2005 and 2013. "California State Prison Chronology," CDCR, Accessed 29 May 2013. <http://www.cdcr.ca.gov/Prisons/docs/CA-State-Prisons-chronology.pdf>.

³³ "Adult Authority-Minutes," Records of the Department of Corrections (Agency History), July 1955-March 1975, Vols. 17-104, F3717:1943-2030, California State Archives, Sacramento, Ca.

consequence.³⁴ Mind altering substances have long held a place within economies, even more so in criminal subcultures and prison environments, when obtainable and in spite of legality. Much like any tradable good, drugs equal currency during incarceration, holding monetary value and more.³⁵ Trading in illegal substances is a fundamental building block of criminal empires in America, as history explicitly demonstrates. By the 1960s, the Countercultural Revolution, snubbing establishments, showcased drugs during protests and as a form of protest itself. The advent of modern media outlets hastened publicity and public debate, politicizing judicial issues of Constitutional Law, race, civil rights, and their implications and consequences; prisoners and the institution surrounding them were of no exception. The proliferation of narcotics and other drugs became a mounting issue for Americans, including prisoners.³⁶ As new laws emerged, many citizens found themselves incarcerated and convicted of use or possession, disproportionately so among minorities.

Historically, American prisons were segregated, resembling society as a whole.³⁷ Wardens addressed racial diversity by keeping inmates of color in separate institutions or cell blocks, as was the case in California. They justified this practice on the basis that racial conflict would disrupt order.³⁸ However, by the 1960s, the social landscape and legal context of America was changing. Challenges to traditional arrangements within prisons were raised with the influx of African-American inmates. Although less publicized in the struggle for civil equality, lawsuits were filed against racial segregation during incarceration. Lower federal courts were swift to apply *Brown v. Board of Education* (1954), ordering the integration of prisons. Many wardens claimed schools and prisons were incongruent, warning that racial

³⁴ "Warden in Dope War," 1924, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

³⁵ Beyond monetary value illicit substances generate addiction and corollary indebtedness. By engendering debt, and in reparation for such, addicts may offer or be coerced into an array of exigent deeds.

³⁶ For further reading on drugs and crime, see: Samuel Walker, *Sense and Nonsense about Crime and Drugs: A Policy Guide*, 3rd Ed. Contemporary Issues in Crime and Justice Series (Belmont, CA: Wadsworth Pub., 1994).

³⁷ Marilyn D. McShane, *Prisons in America* (New York: LFB Scholarly Publishing, 2008).

³⁸ Kevin T. Smith, "State Prison Riot Prevention" (MCJ practicum report, Washburn, KS: University of Topeka, 2001).

integration would lead to a loss of control in facilities.³⁹ Subsequent court rulings upheld desegregation. *Washington v. Lee* (1966) applied the Fourteenth Amendment, declaring segregation in prisons unconstitutional and providing a schedule for integration.⁴⁰ Moreover, the 1966 court decision allowed prisoners to file class action lawsuits, a major tool in years to come.⁴¹ However, the ruling did not state that segregation was never permissible under any circumstances. The argument that desegregation would lead to racial tension and violence was also rejected by the court in *Wilson v. Kelly* (1968).⁴² The Supreme Court went on to rule in *United States v. Illinois* (1976) that the assignment of prisoners to cells solely on the basis of race was unconstitutional.⁴³ Not since the end of the Reconstruction Era (1877) had federal oversight been so active in litigating racial inequality in America.

Clearly, by the mid-1960s, the new social struggle focusing on civil rights and race relations reached the penitentiary. Radical social movements took hold across the nation and many disenfranchised minority youths picked up on the notion of violent struggle, as exhibited by numerous militant social activist groups, such as the Black Panthers, the American Indian Movement (A.I.M.), and the Brown Berets. All the while, a reactionary element of Caucasian inmates resisted integration in correctional institution, as demonstrated by the formation of the Aryan Brotherhood in 1964.⁴⁴ Contemporary inmate structures derive their origins from the encounters of newly integrated minority prison populations and white prisoners; integration resulted in individuals seeking safeguards and refuge from one

³⁹ James B. Jacobs. *New Perspectives on Prisons and Imprisonment*. (Ithaca, New York: Cornell University Press, 1983).

⁴⁰ *Washington v. Lee*, 263 F. Supp. 327 (M.D. Al. 1966).

⁴¹ Prior to the 1966 decision authorities gave little consideration towards the civil rights of inmates, as a felony conviction indicates the stripping of Constitutional rights and guarantees. For a recent look at how class action lawsuits by prisoner's impacts institutional corrections and prison environments, see: *Plata vs. Schwarzenegger* (2010), *Coleman vs. Schwarzenegger* (2010), and *Brown vs. Plata* (2011). See also: Johnathan Simon, *Mass Incarceration on Trial: A Remarkable Court Decision and the Future of Prisons in America* (New York: The New Press, 2014).

⁴² *Wilson v. Kelley*, 393 U.S. 266 (N.D. Ga. 1968).

⁴³ *United States v. Illinois*, Civil Action No. 76-0158 (S.D. Il. 1976). However, for the sake of security it is common practice to house cellmates of the same race together.

⁴⁴ John Lee Brook, *Blood in Blood Out: The Violent Empire of the Aryan Brotherhood* (London, UK: World Head Press, 2011).

another—with convicts utilizing radical ideologies in securing racial and cultural solidarity. Although official, institutionalized racial barriers fell, inmates themselves began to gravitate around racial and ethnic divisions. Conscious of race, legal proceedings, socio-political ideals, and the realities of incarceration, each racial group formed their own standards of inmate conduct and systems of protection. Just as neighborhoods and their gangs on the streets are often divided by race, ethnicity, and religion, so too are prisoners. Those racial factors that operate on the streets are reinforced during incarceration. Californian prisoners became increasingly organized since the first prison opened, corresponding to the increasingly structured system developing around them. The organization of inmates shifted from loose affiliations aimed at escape or personal protection into larger cliques. Then, hierarchical inmate structures materialized, often utilizing race for organization. This historic restructuring of prison populations by the inmates became a focused effort to exercise a measure of control, wherever possible, over the institution which imprisoned them.⁴⁵

⁴⁵ John Irwin, *Prisons in Turmoil* (Boston: Little Brown, 1980).

Chapter 1: Sanctioned Prison Councils—Historical Shifts in Inmate Authority

In an effort to quell the antagonism of prisoners and establish a better functioning and more rehabilitative environment, prison administrators began sanctioning inmate advisory councils. Inmate representation in North America dates back to 1793.⁴⁶ The earliest known reference to self-government amongst prisoners is found at the Walnut Street Jail in Philadelphia, Pennsylvania. The jail was the first to implement a system of self-governance among inmates. Although in-depth information has vanished with the passage of time, one thing is clear: inmates produced various rules to ensure harmony within the jail. A fascinating bit of historical continuity exists within one rule that is known to have been implemented by the Walnut Street inmates: no spitting anywhere, except the chimney.⁴⁷ This is fascinating because, today, in all California detention facilities, inmates enforce a no-spitting policy, except for in a single designated toilet for sanitization purposes.⁴⁸ Following the eighteenth century Pennsylvania endeavor, subsequent experiments were conducted in various states, officiated by wardens or superintendents acting alone, having varying degrees of success or lasting impact.⁴⁹

The origins of inmate representation in California are not found in the criminal justice system at all, but rather in the nationwide Progressive Movement. William Reuben George founded the George Junior Republic in 1896. The subsequent founding of the National Association of Junior Republics in 1908 influenced the establishment of California's first inmate council. George, along with his co-founders, Thomas Mott Osborne, who served on the Board of Directors, and Calvin Derrick, who served as General Superintendent, advocated

⁴⁶ J.E. Baker, "Inmate Self-Government," *The Journal of Criminal Law, Criminology, and Police Science* 55, no. 1 (March 1964): 40. The early influence of Quakers in Pennsylvania's penal system gave rise to the concept of 'inmate self-governance,' also suggesting that rehabilitation was an aim of imprisonment—along with religious enlightenment and the restoration of good morals, both of which took time and consideration on the part of the prisoner.

⁴⁷ J.E. Baker, *The Right to Participate: Inmate Involvement in Prison Administration*, (Metuchen, NJ: Scarecrow Press, 1974).

⁴⁸ Anonymous, Aryan Brother, Telephone Interview by Author, 2 November 2013.

⁴⁹ J.E. Baker. *The Right to Participate: Inmate Involvement in Prison Administration*. (Metuchen, NJ: Scarecrow Press, 1974).

inmate self-government.⁵⁰ In 1912, Calvin Derrick went on to California and became superintendent of the Ione Reformatory for delinquent boys.⁵¹ Central to Derrick's programs at the Reformatory was the inmate council for self-governance that he established. The system's sole purpose was to create a medium for the boys to "develop a civilization of their own," ideally mirroring the standards of the broader society.⁵² Not only was this the first experiment in inmate representation in California, but the first in the nation endorsed by a state government. Governor Hiram Johnson came to Ione and placed his official stamp of approval upon the program.⁵³ This occurrence is significant in establishing California's role as a trendsetter in corrections nationally.

These early experiments in inmate self-governance demonstrate the long history of such concepts in the United States. At their core lie fundamentals of American society and government: representation and democratic empowerment. Beyond the lofty idealism, a practical application also exists. Inmate councils serve in assisting the facility staff in fulfilling their objectives, namely—security, discipline, and a medium of exchange between captor and captive, all in an effort towards a more smoothly functioning facility. Additionally, councils lend themselves to self-improvement by offering a therapeutic attempt at rehabilitation and giving prisoners a real stake in the functioning of their environment.

However, these experiments also had their drawbacks as any pioneering endeavor does. As J.E. Baker points out, the "seeds of self-destruction" were twofold.⁵⁴ Inmates were engaged as disciplinarians, and the program's very existence hinged on a single sponsor. In

⁵⁰ Osborne, famed for his week of voluntary incarceration in an effort to better understand imprisonment, is often credited with introducing the instruments of culture and education to alter 'criminals' to 'citizens.' His efforts in New Penology and progressive reform took stage at New York's Auburn and Sing-Sing prisons. In 1914, as warden of Auburn prison, Osborne experimented with inmate representation using a system of representative bodies and inmate rules of discipline. J.E. Baker, "Inmate Self-Government," *The Journal of Criminal Law, Criminology, and Police Science* 55, no. 1(March 1964): 40.

⁵¹ Prior to the introduction of the Irish Reformatory system to America, in 1870, the Penitentiary or prison was solely used. The difference in the goals of these two diverging means of incarceration can be found in their root words: reform versus penance, correction versus punishment.

⁵² Ibid, 41.

⁵³ Calvin Derrick, Self-Government, Survey 473 (September 1917).

⁵⁴ J.E. Baker, "Inmate Self-Government," *The Journal of Criminal Law, Criminology, and Police Science* 55, no. 1 (March 1964): 42.

regards to discipline, this responsibility should be maintained solely by authorized and trained staff. As Baker notes, “the self-government idea became equated with the handling of disciplinary matters” causing many to shy away from inmate representation.⁵⁵ However, California’s official position on inmate councils remained favorable through the 1950s, noting their great “potentialities” as a device of the administration.

Following the example at Ione, the women’s prison at Tehachapi began an inmate council in 1929. In the aftermath of a major earthquake, Tehachapi reopened as a men’s prison in 1955, and a men’s council was set up in late 1957. San Quentin formalized their Inmate Advisory Council in 1944 with the creation of a constitution; the council was created from a more loosely structured group that previously existed. Subsequently, every prison in California independently established a council. Folsom prison set up a council following “management problems and severe escape risks.”⁵⁶ Soledad Prison created a council as each section of the complex opened in 1948, 1958, and 1970. Deuel Vocational Institution created a council in 1959; ironically, this is the same year and facility in which the Mexican Mafia was established. Between the mid-1950s and mid-1960s, each detention facility established its own form of inmate council to resolve prison issues, though no uniform standard or statute existed for their creation. However, the California Department of Corrections did issue a policy guide to all of their institutions in 1954 to aid in the creation of councils.⁵⁷

Effective October 25, 1954, a revised manual for Inmate Advisory Councils was issued, taking precedence over an earlier proclamation dated September 21, 1953.⁵⁸ Furthermore, no departure from the procedure was allowed without explicit approval by the Director of Corrections, who developed the policy with the Deputy Director-Classification and Treatment. The Director thereby gave discretion to each warden or superintendent to

⁵⁵ J.E. Baker. “Inmate Self-Government,” *The Journal of Criminal Law, Criminology, and Police Science* Vol. 55, No. 1(March 1964): 43.

⁵⁶ Ibid.

⁵⁷ It is worth noting that the CDC’s policy guide was issued the same year as *Brown v. Board*, perhaps in anticipation of racial strife, as the majority of warden’s believed desegregation would led to racial upheaval.

⁵⁸ “Policies, Organization, and Procedures for the Inmate Advisory Council,” 25 October 1954, Institutional Publications, F3717: 1832-1859, California State Archives, Sacramento, Ca.

determine whether or not to inaugurate a new council and declaring, “The primary purpose of the Inmate Advisory Council is to promote good will in the group life of the institution.”⁵⁹

In the report prepared at the behest of Director of Corrections Richard A. McGee, Inmate Advisory Councils (IAC) were examined and outlined. “What is the Inmate Advisory Council?” asked members of a California Department of Corrections report. Posing the question rhetorically in 1954, officials asserted, “the good prisons in democratic society are communities in which measures for the development of inmate personality have been planned thoughtfully by their leadership and staff.”⁶⁰ A community does certainly exist within prison, but, regardless of the development of thoughtful planning by administrators, the “inmate personality” is not solely nor totally in administrative hands. The report concedes this point, noting, “the inmate, however, even in the good prison, may still be merely a frustrated and discontented, passive participant in this community.”⁶¹ Therefore, administrators would seek “means . . . [to] be developed to encourage the prisoners to become actively interested in the advancement of the institution by contributing suggestions for the improvement of the conditions under which they live.” Such viewpoints were “in accord with similar practice in progressive business and industrial organizations.”⁶²

Even following the 1944 reorganization of the California prison system, administrators were harkening back to Progressive Era notions. The notion in this situation is that, “inmate suggestions . . . [should be] . . . accorded serious and thoughtful consideration by the prison administration.”⁶³ Furthermore, any “practical” idea of inmates should be permitted and their assistance given in implementation, in accord with policy, of course. To this end, “the Inmate Advisory Council represents one of the most satisfactory devices for encouraging the inmates

⁵⁹ “Policies, Organization, and Procedures for the Inmate Advisory Council,” 25 October 1954, Institutional Publications, F3717:1832-1859, California State Archives, Sacramento, Ca.

⁶⁰ The authors of this report included: Fred R. Dickson (Superintendent of CMI Chino), Norman Fenton (Deputy-Director of Classification & Treatment), and Alma Holzschuh (Superintendent of California Institution for Women). “*Inmate Advisory Councils*,” 1954, F3717:1477, California State Archives, Sacramento, Ca.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Ibid.

to think constructively about their own institutional environment.” Historically, systems of inmate councils or self-governance have been towards the end of securing a better prison system by including inmates in a constructive environment, with hopes of reducing tensions and therefore alleviating at least some breaches in security.

When organizing and conducting inmate councils, beyond a constitution and by-laws, IACs were to be advised and guided by a designated staff member, while council meetings were to be conducted in the Revised Edition of Robert’s Rules of Order. In common practice, advisory councils existed in two major organizational units. The first unit was the General Council itself, usually of between fifteen and thirty-five elected members, while the second unit was often an Executive Committee of seven members selected from the General Council. Sub-committees were also permissible for dealing with particulars ranging from food to religious programs, toy repair to barber shops.

Institutional oversight and discretion was left to individual facilities regarding councils, with each IAC being established by its own constitution and by-laws, which could include provisions regarding member selection and methods of voting.⁶⁴ The establishment of a council by constitution and by-laws which the inmates themselves drew up was intended to be, and is, an empowering feature in many respects and it also allowed for councils to vary to some degree based on their respective facility, catering to unique and often capricious situations. However, as a token structure within a total institution, IACs have been historically limited. During meetings, councilmembers are prohibited from discussing other inmates or staff. Thus, a focus towards conveying the collective sentiment regarding generalized problems became the norm. So, the degree of difference from council to council was, and is, more in the makeup of its elected members than in any constitutional creation by the inmates.

⁶⁴ Voting for IAC members is usually conducted by a free election by ballot which contains candidate names. Council members are selected to represent each unit or dormitory within particular yards. Furthermore, work or school groups may also be represented on the council.

A sample ballot was included in the Department's policy guide; the "successfully" used nomination petition included a candidate's pledge for the inmate representative to sign.

"I, _____, hereby pledge myself to represent my constituents honorably and also the inmate body as a whole to the best of my ability. I will attend all meetings possible for me to attend. I will refrain from engaging in personalities at the meetings, and do nothing to embarrass the council. Finally, I will not abuse the privileges that go with membership on the council."

Also noted, were term limits for representatives of six months. However, past councilmembers were allowed to be invited to attend meetings and contribute as non-voting guests or observers. Furthermore, institutions with subordinate units, like Reception-Guidance Centers, the barracks at Soledad, and the Chino farm unit at Tehachapi, were allowed to develop IAC's. However, IAC's were to never be concerned with prerogatives of the Director or the Adult Authority.

Towards the success of councils, the most accomplished were those that bore strong interests by the warden. The internal report of the Department of Corrections suggested that wardens and top management follow early successful examples by being, "sympathetic and permissive" and accepting inmates as "human beings worthy of respect and interest."⁶⁵ The report goes on to make the assertion that, if the warden cannot achieve the above objective, it is best to not introduce a council to the institution.

Administrators hoped to gain "enthusiastic help" and "advantageous changes" towards "improvement of the prison community;" and therefore such councils were intended as a means to, or method of, procuring inmate interest, involvement, and/or understanding of "problems involved in management of an institution."⁶⁶ No punitive or administrative powers were ever to be granted to prisoners. Rather, councils were encouraged to discuss the general

⁶⁵ "Inmate Advisory Councils," 1954, F3717:1477, California State Archives, Sacramento, Ca.

⁶⁶ Ibid.

welfare of the prison and its occupants and to inform of possible administrative dilemmas. The Department of Corrections noted that the ‘advisory’ nature of councils should be made clear to any institution forming one—a clear departure from the early progressive notions of self-governance. Apart from earlier council ‘experiments’ also, was the suggestion to limit the length of time that any council was assembled, thereby limiting the possibility of a small group usurping authority over time, as the institution was historically versed in such dangers posed by inmate councils—namely, rebellion or escape. The Department had a historic memory regarding cronyism with councils providing for an elite minority, and producing disinterest or worse in council systems.

“The Council may be one of the most effective means of anticipating and preventing disturbances in prison. It may be a safety-valve against the types of serious disorders which have kept the prisons in the headlines for many months.”⁶⁷ “Special programs for minority groups have been recommended and, after official approval, have been strongly supported by the Inmate Advisory Council.”⁶⁸ The value of IAC’s was clear when considering the service of councilmembers who advocated in-support of training, treatment, and educational programs is important.

The California prison system had expanded to include seven facilities by 1953, each having already delved into experiments with inmate councils. A subsequent twenty-four prisons would open their doors by the end of the twentieth century, each of which would develop its own councils. However, the policies and laws regarding inmate councils would undergo two major changes during the latter half of the century, one being the interjection of racially based sanctioned councils following the 1960s, and the second was a legal codification of such practices in the 1990s.

⁶⁷ “*Inmate Advisory Councils*,” 1954, F3717:1477, California State Archives, Sacramento, Ca.

⁶⁸ “*Policies, Organization, and Procedures for the Inmate Advisory Council*,” 25 October 1954, Institutional Publications, F3717: 1832-1859, California State Archives, Sacramento, Ca.

Those shying away from inmate councils included the Warden's Association of America, which in 1960 went on record opposing inmate self-government. Furthermore, many unsuccessful types of councils were undermined by corrupt members who sought their personal advantage over the collective and, in some cases, even used their position to attempt escape. Such problems caused the disbanding of the Chino council in 1966, "having lost the confidence of the responsible inmates."⁶⁹ Successful councils were used by administrators as devices of communication, conveying to inmates responsibilities and expectations, while, at the same time, conceptualizing for prisoners administrative challenges such as budgetary constraints—problems which might concern the inmates, but may be understandably ill-resolvable at the present. With regard to sponsorship, California was the first to break free of a singular warden's or superintendent's support, which allowed a continuation of inmate councils into the present day.⁷⁰

The procedure and practice of instituting inmate councils would be modified under circumstantial unrest caused by the racially-charged 1960s and 70s. Prison violence escalated in California during 1973. In response, prison officials set up token model councils or the "inmate catalyst" system.⁷¹ The goal was to maintain channels of communication between staff and inmates. The inmate catalyst enacted a system in which each major ethnic group selected a representative to assist staff in resolving the issues of violence. This experiment with racial representatives lived on with the creation of Inmate Advisory Committees (IAC). Not only do advisory committees act in partnership with the grievance procedure, they advise the administration on policy. Following 1973, inmate councils would mirror the race-based hierarchical structures of inmate politics as administrators attempted to subdue racial outbursts. Codified in 1991, the California Legislature amended their correctional policy statute, known as Title 15, to require all prisons to establish inmate councils whose

⁶⁹ J.E. Baker, "Inmate Self-Government," *The Journal of Criminal Law, Criminology, and Police Science* 55, no. 1(March 1964): 94.

⁷⁰ Ibid. 43.

⁷¹ Renee Goldsmith Kasinsky, "A Critique on Sharing Power in the Total 'Institution,'" *The Prison Journal* 57, no. 2 (January 1977): 56.

representatives are elected from the major racial and ethnic divisions of the prison.⁷² In this regard, prison officials co-opted inmate political systems in an effort to deal with administrative issues, acknowledging the need for inmate cooperation. However, officials maintained then, as they do now, “the inmates’ functions always remain advisory.”⁷³

Although officially labeled ‘Inmate Advisory Councils,’ these groups became known colloquially as ‘MACs,’ referencing Men’s Advisory Councils, and in female facilities as ‘Women’s Advisory Councils’ (WACs). The values of IACs were evaluated by the Department of Corrections as: 1) Providing a good medium for interchange of information about the prison situation in hopes of reducing conflict by connecting top administrators to ground-level prisoners; 2) Generating practical and constructive suggestions towards improving institutional correction; 3) Quelling rumors by posing direct questions to wardens or superintendents and delivering the answer to the inmate collective; 4) Improving prison relations with external agencies and organizations, e.g. inmate blood drives for the Red Cross and Army; 5) Quelling prison disturbances over food, housing, clothing, etcetera; and 6) Giving the inmates a chance to experience democratic government.⁷⁴

Constructive suggestions and changes have been made at the advice of councils for issues which may have otherwise eluded officials. Among the examples are improvements in athletic equipment, conservation of water, electricity, food and linens. In a particular instance, inmates recommended that towels should not be used for cleaning shoes, saving money on new towels and keeping inmates pleased with less-stained towels—simple comforts, often taken for granted in free-society, such as a clean towel or fresh linens improves morale greatly. Diet is also crucial in appeasing inmates; at the suggestion of another council, the methods of preparation for certain foods were changed, actually saving the institution money while improving prison menus. Additionally, clean-up committees were noted specifically as

⁷² State of California, Department of Corrections and Rehabilitation. *Title 15*. Section 3230 (a) (1).

⁷³ This quote is transcribed exactly as it appears in the Department’s policy guide, and is the only sentence highlighted by an underlining. “*Inmate Advisory Councils*,” 1954, F3717:1477, California State Archives, Sacramento, Ca.

⁷⁴ “*Inmate Advisory Councils*,” 1954, F3717:1477, California State Archives, Sacramento, Ca.

giving all inmates a part in maintaining sanitization and overall attractiveness of facilities. For the Department of Corrections, the IACs were, “A carry-over to prison of an educational device long in use,” namely, a positive exercise in civics and government, which the administrators likened to student-bodies. Although representatives are elected, “unfortunately, the term self-government has sometimes been used.”⁷⁵

Sociologist Norman Holt viewed the objective of shared decision-making with inmate representatives as better social control. Holt equaled inmate councils to British colonial management utilizing in-direct rule to “maximize use of indigenous power groups.” By allowing the governed some say in affairs, law and order are better maintained.⁷⁶ Sociologist Tom Murton identified three types of sanctioned inmate councils: token, quasi-governmental, and full-participation models. In the token model, which includes inmate councils, prisoners have influence on limited areas of the institution, such as recreation or laundry, with narrow powers and authority. Quasi-governmental models have an institution-wide influence with an increase in authority. These bodies regularly work with the administration on areas of classification or discipline, maintaining the major roles of communication and recommendation; their power is often diffused by bureaucracy.⁷⁷ The equality of convicts and civilian personnel in decisions and power is immense in a full-participation model, fulfilling what Murton called a “new prison community.”⁷⁸ However, no contemporary examples exist of a full-participatory model, and, in reality, most official councils are “token” by nature. Inclusion of inmates in the social control system of the prison reaffirms the existing power arrangement by merely co-opting staff and inmates in the disciplinary or advisory system.

⁷⁵ Ibid.

⁷⁶ Renee Goldsmith Kasinsky, “A Critique on Sharing Power in the Total ‘Institution,’” *The Prison Journal* 57, no. 2 (January 1977): 59.

⁷⁷ Tom Murton, “Shared Decision Making as a Treatment Technique in Prison Management.” (*Offender Rehabilitation* 1, no. 1 (1975): 17-31.

⁷⁸ Ibid, 29.

This may merely be an administrative attempt to redirect anger away from the institution and towards other inmates.⁷⁹

The problems that affect the democratization of prisons are perhaps due to the inherent contrast of an “open experiment within a closed rigid structural environment.”⁸⁰ Critical to the topic of inmate representation is the question, ‘what issues can prison councils address and to what degree should authorities uphold their decisions?’ Sociologists Renee Kasinsky asked, what is the objective of the democratization process?⁸¹ For most prisons, the aim is simple: communication and assistance by the prisoners in maintaining a stable environment. Through communication, the redress of grievances can be completed prior to an institutional outbreak of violence.

Indeed, the origins of contemporary inmate representation in California stem from periods of increased violence and riotous behavior. During the 1960s, California prisons began to experiment with localized, token models of participation within specific living units. During this period, staff in partnership with prisoners made administrative and disciplinary decisions. The problem with this system was that decisions made in individual living units were undermined by the policy of the large institution and warden. The difference in demands and the reward system undermined the inmate-staff coalition as it became replaced by the traditional military style of authoritative action.⁸² Because these councils were, and are, nominal structures that did not offer any real power, many inmates were indifferent to their presence, instead seeking objectives through informal channels. Furthermore, within a culture of violence, token-councils have no real power in the eyes of most inmates; being stripped of punitive powers leaves only the unsanctioned inmate hierarchy in place to redress grievances which cannot be brought to the administration.

⁷⁹ Frank Tannenbaum, *Osborne of Sing Sing*, (Chapel Hill, NC: University of North Carolina Press, 1933).

⁸⁰ Renee Goldsmith Kasinsky. “A Critique on Sharing Power in the Total ‘Institution,’” *The Prison Journal* 57, no. 2 (January 1977).

⁸¹ Ibid, 56.

⁸² Ibid, 57.

Prison administrators enacted sanctioned inmate councils, also known as advisory committees, as a tool of diplomacy during the Progressive Era, extending information and ‘open’ communication to the prison populous. These councils were germinated with the ideas of inmate self-governance, democracy, and representation, as promulgated by their original proponents, who saw such potentials for the rehabilitation of prisoners. Thus, institutions reached out to inmates using diplomacy, offering prisoners a tangible voice and real stake in their environment, presenting a formal route to implement positive changes. Even so, sanctioned politicking between the institution and their prisoners could not, legally, make amends with every aspect of institutional correction. Prisoners, often being derivatives of criminal subculture, import values from experiences in free-society, modifying them during incarceration in an effort for survival, and thus maintain equally rigid, organized, and effectual means of interaction and exchange.

Chapter 2: “Politics”—Race Based Political Leadership and the Inmate Hierarchy

In California’s correctional facilities, as elsewhere, there currently exist informal, but strict, racial “politics” regulating how inmates of different skin color may interact.⁸³ ‘Politics’ take precedence over all issues and function in socializing new prisoners.⁸⁴ Paralleling contemporary ‘politics,’ Donald Clemmer similarly described prisoners “taking on, in greater or lesser degree, the folkways, mores, customs, and general culture of the penitentiary.”⁸⁵ Penologists suggest that this process leads countless inmates to accept the values and norms of criminal subculture.⁸⁶ Thus, prisonization becomes central to understanding inmate subculture and prison history. Furthermore, these divisions, which appear to be strictly a racial construct, are in actuality ripe with social and political ideologies—as demonstrated by the Black Guerilla Family (Marxists separatists), Aryan Brotherhood (Neo-Nazi separatists), Mexican Mafia (monetarily-minded culturists), and Nuestra Familia (labor-minded culturists).⁸⁷ In California, during the second half of the twentieth century, these intransigent and progenitive organizations reconstructed the ‘inmate code,’ mobilizing and militarizing a vast and incarcerated populous, thereby reconstituting an inmate collective under the guise of racial solidarity.

Criminal syndicates control the ‘politics’ of each race during incarceration, mandating racial cohesion by unilaterally promoting unity, instilling order, and offering protection. At the top of the inmate hierarchy for each racial or ethnic group are representative-leaders derived from organized crime—which in actuality are prison gangs. Though originally formed within institutions, their members also operate on the streets upon release, having a defined obligation to support incarcerated members and the organization as a whole, even when freed.

⁸³ Anonymous, Aryan Brother, Telephone Interview by Author, 1 April 2013.

⁸⁴ I stress “precedence” in the sense as Common Law which is based in custom and tradition, both of which fundamentally, and historically, influenced correctional facilities and penal culture.

⁸⁵ Donald Clemmer, *The Prison Community* (New York: Rinehart, 1958): 299.

⁸⁶ Craig Haney, *Reforming Punishment: Psychological Limits to the Pains of Imprisonment* (Washington, DC: American Psychological Association, 2006).

⁸⁷ The CDCR terms each of these organizations, and many others, as Security Threat Groups (STGs).

For the African-Americans or “Brothers,” the Black Guerilla Family (BGF) is at the top.⁸⁸ They are militant, having a defined radical Islamic influence, drawing membership from both the Black Panther Party and Nation of Islam. The BGF seeks black separatism and promotes black power, with the organization as a whole drawing on Marxist ideology for inspiration.⁸⁹ White inmates or “Woods,” are headed by the Aryan Brotherhood who draw on Nazi ideology, including fascism, viewing themselves as the vanguard of the “white race.”⁹⁰ Although less politically inclined, the Mexican Mafia or “La Eme” endorses the ideology of La Raza and MEChA, using Aztec symbols and imagery to convey their racially charged sentiments—governing southern Hispanics.⁹¹ Neustra Familia, the antithesis of the Mexican Mafia, views itself as the guardians of rural Hispanic immigrants in Northern California and uses the flag of the United Farm Workers to show racial and political unity.⁹² When one considers an insular racially charged environment, teeming with political and social ideology tainted by criminality, it is not difficult to understand how animosities can provoke race riots. Even so, the inmate hierarchy and ‘politics’ also facilitate diplomacy through representatives.

The existence of highly organized prison gangs founded in racial solidarity contributed to the creation of the contemporary inmate hierarchy, divvying up the inmate populous as with turf on the streets. Defining the ‘inmate hierarchy’ requires the understanding that, during incarceration, there are superiors and subordinates. Each race has an established group

⁸⁸ The Black Guerilla Family (c.1966) is so influential that Crips (c.1969) and Bloods (c.1972) are under a ceasefire during incarceration—exhibiting the much heeded call for racial unity during imprisonment.

⁸⁹ Francis A.J. Ianni, *Black Mafia: Ethnic Succession in Organized Crime*, (New York: Simon and Schuster, 1974). See also: John Irwin, *Prisons in Turmoil*, (Boston: Little, Brown, 1980): 77. In December 2013, I chanced upon an aging BGF member at a street-fair in San Luis Obispo County, Ca. During our cordial exchange I noticed, and he later commented about, his neck-tattoo—“BGF.” However, when I told him about my research, asking for an “interview,” I quickly realized my misstep in word choice. BGF members are among the rarest gang-members, being a selective and intimately small prison organization.

⁹⁰ The term “Wood” is a derivative of “Peckerwood,” a common slur for rural, poor whites tracing its origins to the American South. “Peckerwood,” Hate on Display-Hate Symbol Database, 2015, Accessed 29 March 2015. <http://www.adl.org/combating-hate/hate-on-display/c/peckerwood.html>.

⁹¹ Thomas Barker, *North American Criminal Gangs: Street, Prison, Outlaw Motorcycle, and Drug Trafficking Organizations* (Durham, NC: Carolina Academic Press, 2012). The Aryan Brotherhood and La Eme maintain a working relationship; thus white and Latino prisoners are generally allied against African-American groups. Anonymous, Aryan Brother, Telephone Interview by Author, 1 April 2013. See also: John Irwin, *Prisons in Turmoil*, (Boston: Little Brown, 1980).

⁹² Thomas Barker, *North American Criminal Gangs: Street, Prison, Outlaw Motorcycle, and Drug Trafficking Organizations*, (Durham, NC: Carolina Academic Press, 2012).

of superiors who hold membership in prison gangs. Members of prison gangs, regardless of facility, demand respect from fellow prisoners, commanding authority within their racial sphere by virtue of violence—most having killed in order to secure their membership in the organization. Thus, less devoted prisoners and newly entering inmates submit to the authority of established convicts; after all, prison is their ‘home,’ often for life. So, inmates who are not counted among the ranks of hegemonic prison gangs became ‘soldiers’ under gang direction; this is a compulsory component of the inmate hierarchy. Nevertheless, prison gangs are selective in choosing who receives membership. Receiving an invitation to join the gang is usually the only way in; in regards to selectivity, street gangs differ from prison gangs greatly. However, prison gangs cannot, in all practicality, station their members in every dormitory, unit, and facility in California.⁹³ But, they can, through violence, fear, and the jailhouse grapevine, maintain an active presence within every dorm, unit, and facility in the State. Therefore, power is relegated to subordinates of the prison gang, i.e. any able racial counterpart deemed worthy, upon which the title ‘representative’ is given. The ‘rep,’ as they are more commonly known, must maintain and enforce the gang’s code of conduct, standards, rules, or other mandates—as the penalty for non-compliance with the prison gang’s system is physical, often lethal, force. This is true for each racial or ethnic group, as each of the big four prison gangs operate on violence and racial precepts. Therefore, the inmate hierarchy is first divided by race, with prison gangs leading their subordinate factions; the next tier are ‘representatives’ who are given authority by or through prison gangs to enforce the ‘inmate code;’ and lastly, the general population of inmates sit at the bottom of the hierarchy as soldiers of their ‘rep,’ subsumed by and dependent on a rigid environment.

Inmate leaders, i.e. ‘reps,’ can order a riot or call a council meeting at their discretion. Inmate meetings occur in two forms: either internally, calling a meeting among one’s own race, or interracially, with ‘reps’ calling a meeting with their counterparts of equivalent rank.

⁹³ Therefore, hegemonic gangs have organized the inmate populous by race, with each race being embodied by a “car,” a collective group of individuals, who share the same race or affiliations, and are unified under the ‘car’s’ label, and are in turn subordinate to their car’s leading prison syndicate.

Internal meetings come in two forms as well. Most commonly, a ‘rep’ calls together his constituent group which he oversees, informing the group of issues, orders, or other business and allowing discussion among members, as every person present is seen as a ‘soldier.’ The other type of internal meeting is when the unit’s ‘key,’ a superior of the dorm representatives, calls a meeting of the ‘reps’ whom he oversees, likewise informing them of orders, concerns, rule changes, or other ‘car’ business. During interracial meetings, representatives from each race meet, discussing matters relevant to the inmate collective, and resolving problems when possible. When representatives meet with one another, it is often called “going to church.” This terminology is derived from the fact that many inmate leaders are isolated from one another, except for in cases of religious worship during which various dorms and units intermingle; thus, meeting to discuss politics may only be practical during a church service. During these meetings, reps come together to decide on matters for their own car, or reps of each car come together to collectively resolve an issue. As the result of various meetings and established customs, a series of traditions and rules have been created by the inmates.

‘Reps’ are empowered within the inmate social structures as an extension of the hierarchy created by prison gangs, although gang membership is not a requirement for leadership roles in lower-security units. ‘Reps’ socialize new inmates, maintain order among those of their own race, and redress grievances—usually towards the goal easing the “pains of imprisonment.”⁹⁴ Inmate politics in this regard play an important role in facilitating peace and order amongst prisoners, offering a certain air of security and unity. However, these representatives can also create instability, and, when diplomacy fails, violence typically ensues. Officially, inmate politics and racial divisions are absolutely prohibited by staff and state law; however, convicts are not generally concerned with such trifling prohibitions, though they go to great length to maintain anonymity.

⁹⁴ Anonymous, Aryan Brother, Telephone Interview by Author. 1 April 2013. One should also note that, part of a ‘reps’ role, and a central duty, is to look out for their subordinates, this includes ensuring they are not being taken advantage of by others and offering supplies to incoming inmates who may be without hygiene products or other commissary items. In this regard, ‘reps’ both socialize new inmates and solidify bonds of loyalty. ‘Reps’ typically maintain a stock of supplies for new members entering their tank, known as a ‘kitty’ in argot.

Although an individual's place of origin plays an important role in establishing that individual's persona within the criminal subculture, criminal charges and the institutions where a person has been incarcerated is of equivalent importance in establishing their status. For example, a prisoner with violent charges, such as assault with a deadly weapon or attempted murder, automatically receives more respect and higher status than a prisoner convicted of petty-theft or simple drug possession. Though informally assigned, rank and prestige, which demand respect, are also linked to the gradient of correctional facilities to which a person has 'done-time.' Those who have done a prison term (or terms) will have higher stature than those who have only been to jail; those captive in high or maximum security prison are above those in low or medium security.⁹⁵ At the bottom of this gradient is juvenile hall where mischievous children are sent for initial correction. Those youthful offenders who engage in more serious crimes and thus receive longer sentences are sent to juvenile prison, officially titled the California Division of Juvenile Justice (DJJ). Prior to this name change in 2010, the DJJ was the California Youth Authority (YA).⁹⁶ Those incarcerated in juvenile prison range from the ages of 12 to 25.⁹⁷ By many accounts, this stark contrast in age, highlighted by varying levels of mental and physical maturity, results in an exceptionally hostile environment. Although a proper analysis of juvenile incarceration is beyond the scope of this paper, it is worth pondering the effects these facilities have on future adult prisoners, considering that a multitude of career criminals have experienced juvenile correction. Attached to an offender's reputation is the amount of time an individual has spent at these facilities. Though there is not great prestige earned by time served as a juvenile, many of the motifs of incarceration and factors in inmate socialization occur here, thus familiarizing youth with what to expect from life on the inside.

⁹⁵ In regards to status, the inmate hierarchy and, jail-time versus prison-terms I offer the following example. For instance, a 'rep' who has only done jail-time is 'running' a dorm, then enters a new inmate who has served a prison-term, that prisoner can, if he chooses, appoint himself the new 'rep.' The action would generally be accepted as legitimate with the previous 'rep' having little to no recourse.

⁹⁶ Although an abbreviation, and now unofficial name, Y.A. remains the most commonly used phrase to identify juvenile prison within criminal subculture.

⁹⁷ State of California, California Department of Correction & Rehabilitation, "Division of Juvenile Justice," 2010, Accessed 23 February 2013.
http://www.cdcr.ca.gov/Juvenile_Justice/FAQs_About_DJJ/index.html.

The first tier of adult incarceration begins with county jail. However, it should be noted that most people brought into custody will first be booked at a municipal police station and placed in holding cells prior to transportation to a larger county facility. County jails are operated and safeguarded by sheriffs, who receive their initial training there in order to familiarize themselves with the criminal population and law enforcement procedure, and to prepare deputies psychologically for their more dangerous tasks on the streets. County jails range in size, detainment procedure, and accommodations depending on the county and individual facility. Variables impacting the particulars of a correctional facility are often based on what procedures and accommodations are mandated by the jail's administration to maintain order in correlation with the Department of Correction's policy, state and local laws. Other dissimilarities between facilities are due to the time of construction, facility purpose, and variations between units based on inmate classification.⁹⁸ Since the Progressive Era, detention facilities have utilized inmate classification to group similar inmates together, that is to say, those who have committed similar crimes or are of comparable stature within the criminal world.⁹⁹

The process of classification occurs in prison as well, but, instead of separating inmates in differing tanks and units, the terminology changes and prisoners are separated by yards.¹⁰⁰ Those of least risk and lower crimes are sent to low security, level I yards; those of medium risk are housed on level II yards; prisoners who have done multiple prisoner terms, who are of higher risk, or based on their standing in the criminal underworld are kept on level

⁹⁸ Select facilities have a focus on rehabilitation, offering drug programs or vocational training. County jails house a 'revolving-door' of inmates which fluctuate on a daily basis. Prisons lodge long-term convicts and more serious offenders, all of whom are felons.

⁹⁹ Known gang members and criminal leadership are often separated from non-gang members, aimed at lessening opportunity to recruit new members. Inmates who have served prison terms are generally separated from inmates who have not. 'High risk,' violent inmates, or those that may try to escape are placed in "high power" units. If these inmates are to leave their cell they are escorted by multiple guards, in full shackles and handcuffs which often contain GPS tracking devices. Sentenced inmates are often placed in 'trustee' units for work detail, kept separated from the general population. Frequently, those charged with murder are segregated to their own unit, i.e. 'murder bloc,' while parole violators are often placed with other parole violators, i.e. 'parolee tank,' and so on.

¹⁰⁰ Inmates commonly refer to dormitories/dorms as "tanks" due to the constant surveillance by guards, giving the feeling that one is in a fish tank.

III yards; and finally, level IV yards are maximum security units, often housing gang & organized crime leadership, and those with life-sentences.¹⁰¹ As the yard level increases, the structure and stringency of inmate politics increase. The most esteemed members within the prison hierarchy are termed ‘convicts’ by their fellow prisoners; these are the hardened veterans of incarceration and are often gang affiliated.¹⁰² Those on level III and IV yards, where true convicts are forged, operate on the strictest levels of racial division; common respect is essential due to the violence that will immediately erupt from any disrespect or breach of inmate rules. Once a prisoner has served time on a level III or IV yard, any future sentences will almost certainly result in their detainment on those yards. Thus, one can move up the unofficial inmate hierarchy by being officially classified as a higher threat-risk, but one does not generally move down the ladder in regards to security classification.¹⁰³ Within the politics of incarceration, those who have served prison terms hold greater status than those who have not, resulting in a system of seniority based on where an individual has served time. This is partially because different facilities and yards hold varying levels of racial politics and thus impact the socialization of inmates in different ways.

This process of inmate socialization, termed prisonization by twentieth century penologists, holds great significance in regards to the inmate hierarchy. Prisonization, “the process of accepting the culture and social life of prison society,” includes all changes a person undergoes during incarceration.¹⁰⁴ During prisonization, inmates begin to accept the lifestyles and values of criminals by assimilating, taking up the informal inmate code, and

¹⁰¹ “Entering a California State Prison—What to Expect,” The Office of the Ombudsman, 1 January 2014, Accessed 29 March 2015. http://www.cdcr.ca.gov/Ombuds/Entering_a_Prison_FAQs.html.

¹⁰² Of interest, in regards to which types of prisoners are considered ‘convicts,’ is that the Department of Corrections classifies and terms certain convicts as ‘corrections,’ considering these prisoners to be beyond rehabilitation and giving insight into who may qualify as a true ‘convict.’ Anonymous, Aryan Brother, Telephone Interview by Author, 22-23 January 2014.

¹⁰³ There are times when higher security offenders are able to be moved to lower security areas. One example of this is when prisoners are allowed to be transfers to the most coveted of correctional facilities, the “fire-camps.” For further reading on fire-camps and their creation, see: Volker Janssen, “When the “Jungle” Met the Forest: Public Work, Civil Defense, and Prison Camps in Postwar California,” *Journal of American History* 96, no. 6 (December 2009): 702-726.

¹⁰⁴ Donald Clemmer, “Leadership Phenomena in a Prison Community” (*Journal of Criminal Law and Criminology* (1931-1951) 28, no. 6 (1938): 861-872.

accepting these institutional features in an effort for survival. Penologists suggest that this process leads many inmates to accept the values and norms of criminal subculture.¹⁰⁵

The Stanford Prison Study demonstrates many of the concepts explored in this paper, revealing some of the psychology of incarceration. From August 14-20, 1971, Stanford University conducted an experiment to study the psychological effects of becoming a prisoner or prison guard. Professor Philip Zimbardo headed the study and played the role of superintendent. The experiment was funded by the U.S. Office of Naval Research who wanted to determine the causes of conflict between prisoners and military guards. Out of 75 participants, 24 were assigned roles at random; most were white, middle class students at Stanford. All participants went through pre-psychological evaluation to ensure they were mentally fit for the experiment. Moreover, students with criminal records were prohibited from participating. Zimbardo's hypothesis was that inherent personality traits of guards and prisoners were the chief cause of abusive behavior and conflict between the two. A mock prison environment was set up in the basement of the psychology building. Both the guards and prisoners swiftly adapted to their roles and went beyond the expectations of Zimbardo. The guards enforced authority, used psychological torture, and harassed the inmates. The prisoners began to unite against the guards and resist their captors, eventually becoming riotous. Zimbardo allowed the abuses to take place and encouraged the guards to disorientate, depersonalize, and de-individualize the prisoners as well as remove all privacy. At the onset of the experiment he told the guards to create feelings of boredom, fear, powerlessness and arbitrariness in the inmates in order to establish the fact that they have no control over their lives. Due to abuses, the prisoners rioted against the guards, barricading themselves in their cells. One guard suggested offering a privilege cell to those who were not engaged in riotous behavior; those offered a privileged cell denied it, choosing to remain as a cohesive unit with their other captives. Following the riot, inmates refused to eat, claiming they were on hunger strike. The experiment was abruptly ended after a mere six days, but the stated results are

¹⁰⁵ Craig Haney, *Reforming Punishment: Psychological Limits to the Pains of Imprisonment* (Washington, DC: American Psychological Association, 2006).

quite thought-provoking. The results, in regards to the guards, exhibited the impressionability and obedience of people when they have a legitimizing ideology and the support of an institution and peers. In regards to prisoners, the experiment seemed to show that the situation rather than the individual personalities of participants drove their actions.¹⁰⁶

Although the Stanford experiment employed only white students, the results did point to situational causes for the ‘prisoners’ actions. In real life scenarios, neighborhoods, gangs, and prisoners are racially divided. Hence, such situations also influence an individual’s beliefs and actions. This may give some explanation as to why criminals in the real world operate on racial motifs during incarceration, because many come from neighborhoods that are predominately of one race or another. Race being a socio-cultural construct, rather than a biological division, suggests that situational factors, such as those in the Stanford experiment, generate subcultures which may otherwise not exist.

While inmates informally, but rigidly, assign stature, seniority, and position to one another based on a variety of factors, the basic divisions of the inmate hierarchy are related to skin color and culture. Each race is embodied by a “car,” a collective group of individuals, who share the same race or affiliations, and are unified under the ‘car’s’ label. In other words, you are a member of whichever ‘car’ you ride in. At least four major cars or racial divisions exist in the State of California: the ‘Woods,’ ‘Brothers,’ ‘Paisas,’ and, depending on which part of California one is in, Surenos in the South or Nortenos in the North. Based on the rules, which the inmates themselves have created, every inmate is obligated to be a part of one of the ‘cars,’ by virtue of either race and/or gang affiliation. Additionally, the phrase, “run with,” is used to denote which racial category a person belongs.¹⁰⁷

¹⁰⁶ Craig Haney, *Reforming Punishment: Psychological Limits to the Pains of Imprisonment* (Washington, DC: American Psychological Association, 2006). See also: Haney, Craig, and Philip Zimbardo. “The Past and Future of U.S. Prison Policy: Twenty-Five Years after the Stanford Prison Experiment.” *American Psychologist* 53, no. 7 (July 1998): 709-727.

¹⁰⁷ For example, “I run with the Woods.” Or, “He runs with the Brothers.” The term “runs with” can also denote affiliations or alliances, such as: “The Woods and Surenos run together.”

The “Woods,” “Peckerwoods,” or “Woodpile” all indicate affiliation with the Caucasian-white car.¹⁰⁸ The Woods are the most homogeneous of the groups, consisting nearly exclusively of those from European ancestry, although occasionally someone of mixed blood will be allowed to run with the Woods, depending on the particular situation. To symbolize their affiliation, the number ‘23’ is used to represent the Woodpile, taken from the twenty-third letter of the alphabet, ‘W’ for white.¹⁰⁹ Under the broad category of Woods, there are subsets of whites. “Independent Skins” are whites who adhere to Nazi ideology but are not members of a particular skinhead gang, though they may be affiliated with certain cliques. Although they are not members of a cohesive gang, ‘independent skins’ are commonly referred to as ‘88’s.’ Each ‘8’ represents the eighth letter of the alphabet, ‘H;’ combined the double ‘H’s’ represent ‘heil Hitler.’¹¹⁰ It is very common for these individuals to tattoo ‘88’ somewhere on their body to signify their ideology—often a ‘14’ accompanies the ‘88,’ denoting their adherence to the fourteen-word slogans and eighty-eight precepts of David Lane.¹¹¹ However, a variety of white gangs operate on the street and in detention centers, and though many align with Nazi ideology, others do not. That being said, every white is counted among the ‘Woodpile,’ with all paying homage and taking orders from the Aryan Brotherhood.

The Aryan Brotherhood, commonly referred to as “The Brand” by its members—or simply by the initials A.B.— is at the top of the inmate hierarchy for whites.¹¹² The A.B. formed in 1964 within the walls of San Quentin Prison from a group of Irish bikers and/or the

¹⁰⁸ “Peckerwood” was a common slur for impoverished Caucasians in the American South, and is assumed to have carried over to slang in criminal subculture. “Peckerwood,” Hate on Display-Hate Symbol Database, 2015, Accessed 29 March 2015. <http://www.adl.org/combatting-hate/hate-on-display/c/peckerwood.html>.

¹⁰⁹ During my own incarceration I witnessed the usage of the number ‘23’ as well as other symbols, imagery, and argot which are widely used and universally understood with criminal and prison subculture. Often artistic renditions of racial unity are drawn, painted, engraved, or tattooed by inmates. However, vandalism, such as ‘tagging’ or scratching mirrors is generally frowned upon during imprisonment.

¹¹⁰ I encountered a variety of individuals with the symbolic numbers ‘88/14’ tattooed on them during my incarceration. Inquiring out of curiosity, I was swiftly informed of what the numbers denote. Furthermore, the “Skins” happily recited David Lanes fourteen-word slogan regarding the “white-race.” Interestingly, among the ‘88’ precepts of Skinhead ideology, one principle promulgates the abstinence of drug use.

¹¹¹ David Lane (1938-2007) was an American white separatist who gave voice to Aryan beliefs.

¹¹² Anonymous, Aryan Brother, Telephone Interview by Author, 1 April 2013.

Bluebird gang.¹¹³ Their formation was an act to counter the newly entering and rapidly organizing black prisoners, who would soon form the Black Guerilla Family. The Brand sought to protect white inmates from the variety of other gangs forming along racial lines. The Aryan Brothers function as a prison gang with most of its members serving life sentences. In order to join the A.B. one must first be invited and then pass the initiation, which requires the spilling of blood. Historically, all members were required to kill an enemy of the organization, although in recent years things have changed to some extent and a mere attempt on someone's life can often grant membership.¹¹⁴ Accurate approximations for the membership of any criminal organization are difficult to acquire; however, it is estimated that there are 20,000 Aryan Brothers nationwide. To place this estimate into the context of the prison environment, A.B. members are only 1% of the total inmate population, but are responsible for 18-25% of prison murders, giving some insight as to why they are a feared and respected organization within criminal subculture.¹¹⁵ In addition to the organization's home-state of California, they are known to be active in New York, Texas, Arizona, Ohio, Indiana, and throughout federal prisons.¹¹⁶

Although The Brand exists in Texas, the Aryan Brotherhood of Texas (ABT) must not be confused with the Aryan Brotherhood. In the 1980s, white prisoners in Texas, some of whom were members in local gangs and hate groups, petitioned the Aryan Brotherhood (California) to join the A.B. and create a Texas branch. The original A.B. membership agreed, but on one condition, the Aryan Brotherhood in Texas must always attach Texas to their name so that no one would confuse the original members with the Texans. Thus the ABT was born and models itself after the A.B., with a militaristic chain of command. Both the ABT and A.B. have 'generals,' usually five, who function as the board of directors for the organization. The

¹¹³ *Aryan Brotherhood*, Washington, DC: Federal Bureau of Investigation, 2000, Accessed 29 March 2015. <http://catalogue.nla.gov.au/Record/4471300>.

¹¹⁴ Anonymous, Aryan Brother, Telephone Interview by Author, 1 April 2013.

¹¹⁵ Matthew Duersten, "Who'll Stop the Reign?." *LA Weekly*, LP, 3 February 2005. Accessed 2 May 2013. <http://www.laweekly.com/2005-02-03/news/who-ll-stop-the-reign/2/>.

¹¹⁶ Brand members serving time in federal correctional centers are known as "ABC's," the Aryan Brotherhood of federal Corrections. Because state and federal prisoners are housed in separate facilities, often away from their home-state, it makes sense that the A.B. would create a federal Brand.

Brand functions as organized crime, engaging in assault, murder, drug trafficking, extortion, racketeering, and arms trafficking, among other illicit activities. Furthermore, the A.B. has established alliances with the Hells Angels (H.A.) and La Eme (the Mexican Mafia).¹¹⁷ The alliance between La Eme and the A.B. is loosely structured and does not have any rigid requirements. Rather, the alliance means that they have each other's back collectively, often working together (primarily with drugs), conducting favors, and provide protection to one another in and outside of prison.¹¹⁸ As an organization that enforces its rules through violence, and one who has ascended to the top of the Caucasian prison hierarchy, its regulations are passed down to all other whites who serve time in any facility in California, which for The Brand is holistically their territory. Any whites not following the 'program' which the A.B. sets is subject to violence up to and including the penalty of death.¹¹⁹ Thus white inmates, regardless of if they are racist or not, follow the racial divisions as outlined by The Brand—and derived from historical segregation.

One unique feature of race relations within prison is that the trends in regards to Asian inmates may be changing. Previously, the African-American car was often termed the car for "Brothers and others." However, some in the ABT have decided that Asians may be more suited to running with the whites than the blacks and now accepts Asians into the Woods' car. This shift in policy is quite fascinating, but it stems from several reasons which are not fully clear at present. Asian gangs do tend to be quite organized, well disciplined, and many among their membership are from developing countries—thus having hardened mentalities. The organized crime syndicates, Triads (Chinese Mafia), and Yakuza (Japanese Mafia), have a great deal of wealth from operating for centuries and engaging in similar crimes to the A.B., such as drug and arms trafficking. In addition to gains in wealthy and disciplined members, this incorporation of Asians could be a way to maintain smaller ranks among the 'Brothers'

¹¹⁷ Anonymous, Aryan Brother, Telephone Interview by Author, 1 April 2013.

¹¹⁸ Ibid.

¹¹⁹ 'Program' is a keyword in prison argot, and a central concept for reducing the 'pains of imprisonment. The term is used to denote a good routine, by which, the individual prisoner, the collective body of captives, and guards coexist with minimal to no conflict. 'Program' allows a more smoothly functioning prison environment.

by reducing the ‘others’ in a preemptive way, therefore preventing the ‘Brothers’ from gaining the ability to overpower white and Hispanic gangs, who are generally more interested in maintaining racial-political order than mainstream black inmates. Perhaps someday in California, Asian’s and Caucasian’s will have a firmly established alliance, though it is a limited possibility at present.¹²⁰

The “Brothers” embody the African-American car. Regardless of gang affiliation, every black-man is considered a ‘Brother.’ The practice of including every black man stems from the ideologies related to the Black Power Movement and its militarism. Many African-American prisoners are members of street gangs, most commonly Crips or Bloods, archenemies who murder each other in droves on the outside. However, during incarceration, hostilities are put aside, as mandated by the Black Guerilla Family. Although animosities may still linger, this cease-fire is maintained between rival gang members; this is also due to the fact that blacks are often the numeric minority behind bars.¹²¹ As previously stated, this car is commonly referred to as ‘Brothers and others.’ Although trends are may be changing among Asian inmates, Polynesians still remain firmly in the ‘other’ category. One interesting example of the ‘Brothers and others’ dynamic is in Oceanside, California. Oceanside has a large population of Polynesians, primarily Samoan and Hawaiian, who are almost exclusively members of the Bloods gang, while their rival Oceanside Crips remain predominantly black. However, unity would exist between the two within a correctional facility.¹²²

¹²⁰ While incarcerated I encountered a ‘Wood’ who was finishing up a ten-year sentence, during which time he had been incarcerated in multiple states, including: Texas, Arizona, and California. The information regarding Asian inmates and changes in Caucasian car policies comes from him. In Texas, he told me, Asians were being assimilated into the Woods’ car. However, during interviews with an ‘anonymous’ Aryan Brother the information was challenged, in that, California’s A.B. would never allow such a thing to transpire. The sole Asian inmate I encountered during my incarceration did ‘run with’ the ‘Brothers.’

¹²¹ At one point, during my incarceration, I witnessed a 28 year old Crip from Pomona, Ca. give his ‘rep’ position to a 28 year old Blood from Pomona, Ca., upon being released from custody. Although the two did not particularly like one another, due to street-gang rivalries, the Crip, in accordance with racial solidarity, turned his position over to the Blood—feeling his rival was the best choice in successor for the ‘car.’

¹²² Drawing once again on my own personal, lived, experience I have a variety of friends from Oceanside. Among my contacts are several Polynesians, affiliated with the Bloods, from whom I gleaned this information.

As two of the most well-known gangs in the United States, the fascinating history of the Bloods and Crips holds a strong bearing on contemporary issues related to incarceration. Streets gangs are a confederation of cliques, by which new members are drawn from neighborhoods, predominately of one race or another. First, one must understand the street histories and elements of criminal subculture which go into establishing inmate subcultural and prison history. Secondly, the street history is crucial to considering the origins of inmate subculture. When debating how prison subculture is produced, sociologists offer two contrasting theories: the deprivation model and the importation thesis.¹²³ In brief, the deprivation model suggests that it is the institution and its environment which produce prison subculture. Conversely, the importation thesis argues that inmate subculture is a derivative of culture and ideas brought into the institution by its captives. Without diverging into tangential sociological debates, as this is a work of history, one should understand that prison subculture's genesis is somewhere between the two hypotheses and exists as an integrated model.¹²⁴ This is clear because prisoners and their culture do not exist without a prison, nor is any institution or individual an island, removed from the many experiences and influences the world and life. Therefore, street gangs which are subservient to prison gangs must be equally understood.

As previously alluded, the conditions on the streets do not mirror conditions during incarceration in regards to Crips and Bloods due to the Black Guerilla Family (BGF). The BGF sometimes referred to as the Black Family or Black Vanguard, is at the top of inmate hierarchy for African Americans. BGF members operate on a set of Black Power principles which seek to unite the black community and protect incarcerated African-Americans. The Black Guerilla Family was formed during 1966, inside San Quentin prison, by George

¹²³ The deprivation model was derived from Donald Clemmer's writings. The same concept has also been explained through the indigenous origin theory. Conversely, the importation thesis was proposed by John Irwin and Donald R. Cressey; see: John Irwin and D. Cressey, "Thieves, Convicts, and the Inmate Subculture," *Social Problems* 10, no. 2 (1962): 142-155.

¹²⁴ Rhonda R. Dobbs and Courtney A. Waid, "Prison Culture," *Encyclopedia of Prisons & Correctional Facilities*, Ed. Thousand Oaks, CA: SAGE, 2004: 720-24, *SAGE Reference Online*, Accessed 1 Aug. 2012.

Jackson and W.L. Nolen.¹²⁵ Jackson was a Black Panther Party member and Marxist author who established militarism as part of the new gang. Among the stated goals of the BGF is to maintain the dignity of blacks during imprisonment, the eradication of racism, and the overthrow of the U.S. Government. Their symbolism is tied to social revolutionary movements in the Caribbean and South America, and uses a rifle and machete to represent their organization. In addition to tattooing the rifle and machete or a black dragon, often the letters 'BGF' or their numeric equivalent '276' are tattooed on members. During incarceration all Brothers take a cue from the BGF and use the number '2,' representing the letter "B" to signify black allegiance and unity. In the 1960s, and 1970s, with so many Black Panther members being incarcerated, many of them found protection and belonging with the Black Family. Tyrone Robinson, a former Black Panther who joined the BGF, assassinated Huey Newton, co-founder of the Black Panther Party. Robinson murdered Newton because he felt that, once incarcerated, members of the Party were no longer of use to the Black Panthers and thus forgotten by them.¹²⁶ There are also strong ties to Islamic radicalism within the BGF due to their own drastic ideology and the fact that many members are part of the Nation of Islam. Although there are approximately only three-hundred full-fledged BGF members, there are an estimated fifty-thousand associates.¹²⁷ Similar to the AB and other organized crime, the BGF maintains power through extreme violence, allowing full membership by rite of assassination.

The Crips formed in 1969 Los Angeles. The Crips co-founders were African-American boys, Raymond Washington, Greg "Batman" Davis, and Stanley "Tookie" Williams. Washington was born in Haskell, Texas in 1953. After moving to South Central L.A., he formed the Baby Avenues gang which became the Avenue Crips, then, Crips evolved

¹²⁵ United States, Department of Justice, *Gangs in the United States*, Johnstown, PA: 2005, Accessed 31 August 2013.

http://www.cicad.oas.org/Crimen_Organizado/ESP/Actualidad/PandillasenUSA.pdf.

¹²⁶ "Suspect Admits Shooting Newton, Police Say," *New York Times*, 27 August 1989, 2 April 2013. <http://www.nytimes.com/1989/08/27/us/suspect-admits-shooting-newton-police-say.html>.

¹²⁷ U.S. Department of Justice, *Gangs in the United States*, Johnstown, PA: 2005, Accessed 31 August 2013. <http://www.fbi.gov/stats-services/publications/2011-national-gang-threat-assessment>. See also: Robert K. Jackson and Wesley D. McBride, *Understanding Street Gangs* (Sacramento: Custom Publishing Company, 1985).

over time into Crips. The formation of the Crips was to protect neighborhoods from more violent gangs who were not from that territory. After being convicted of second-degree robbery, Washington served five-years at Deuel Vocational Institution located in Tracy, CA.¹²⁸ During Washington's term in prison, he began to recruit new members into the Crips, this was met with disapproval by older, more established prison gangs like the BGF and Black Muslims. Upon release Washington returned to L.A. to find a murderous feud between his Crips and the Bloods. Washington did not believe in using weapons during fights, preferring hand-to-hand combat to resolve problems. His influence diminished as rivals did employ weapons and Washington himself was shot to death in 1979.¹²⁹

Tookie Williams was born 1953 in New Orleans, Louisiana, and his family moved to L.A. when he was six-years old. In 1971, Williams and Washington joined forces creating the Eastside Crips (Washington) and the Westside Crips (Williams).¹³⁰ In 1979, Williams was convicted of four homicides which took place during two armed robberies; he was consequently sentenced to death row. While awaiting execution (1979-2005) at San Quentin, Williams had a change of heart regarding gangs and violence. Tookie subsequently authored an entire series of children's book to sway youths away from gang involvement for which he was nominated for the Nobel Peace Prize. Among the titles of his books are: *Gangs and Drugs*; *Gangs and Self-Esteem*; *Gangs and Abuse of Power*; *Gangs and Violence*; *Gangs and Weapons*; as well as *Gangs and Your Neighborhood*. The target audience for these books range from ages 4-8 and 9-12, Tookie's hope was that by informing children at a young enough age they would remove themselves from the trappings of gang involvement.¹³¹

Tookie Williams discounted the Crips founding date of 1969 in his biography *Blue Rag, Black Redemption*, stating that black street gangs go back to the 1950s. He went on to

¹²⁸ Deuel is known for its tumultuous history, it is also where the Mexican Mafia was founded in 1957.

¹²⁹ *Crips and Bloods: Made in America*, directed by Stacy Peralta (Docuramafilms, 2008), DVD.

¹³⁰ 'East' and 'West side' referred to which side of the freeway the gang leader's sphere of control was on.

¹³¹ Stanley Williams, "Stanley Tookie; Williams, Gangbanger Autobiography, and Warrior Tribes," *Journal of American Studies* 44, no 1 (2010): 155-170. Worth noting is the astonishingly young ages of potential gang members. See also: Scott Cummings and Daniel J Monti, *Gangs: The Origins and Impact of Contemporary Youth Gangs in the United States* (Albany: State University of New York Press, 1993).

say that the formation of these gangs came from the poverty and joblessness many African-American's faced within their urban communities. Moreover, black youths were barred from membership in organizations like the Boy Scouts, thus leading to the creation of their own street clubs which morphed into street gangs with worsening urban conditions. The formation of black street clubs came as a result of the diminishing Black Power Movement and decline of the Black Panther Party.¹³² In places like South Central L.A., as a result of the FBI crack down on African American political organizations, a social vacuum opened up; the Crips and Bloods filled this void.¹³³ Since the early 1970s, Crips and Bloods have been continually fighting and killing one another in a feud that few remember the origins of. It is estimated that there are between 35,000-65,000 Crips in Los Angeles alone; the universal symbol of the Crips is the color blue which is often represented by a bandana.¹³⁴

The Bloods are a collection of various gangs that were brought together in an alliance and under one common banner. They formed in 1972 Los Angeles to combat the growing Crip movement. The Pirus or Piru Street Family is the basis for the Blood alliance, forming in 1969 Compton, CA. Originally, the Pirus were approached by Raymond Washington and merged with the Crips to become the Piru Street Crips. However, the Pirus were archenemies with Mac Thomas and his gang, who would become the Compton Crips. Thus, the Pirus dropped the title Crip, reverted back into their own street gang, and then, to counter the growing Crip threat, formed the Blood Alliance. One of the founding members of the Pirus, Lyle "Bartender" Thomas, was shot in 1975 by the Crips, escalating the conflict. The Pirus went on to seek the aid of other neighborhood gangs, such as The Brims and Black P. Stones in what was to become a war that last even into today.¹³⁵

¹³² Ibid.

¹³³ FBI investigations, specifically COINTELPRO, resulted in a systematic crackdown on political groups such as the Black Panther Party. Members who were arrested and convicted as a result of the FBI later formed or joined the ranks of organizations like the Black Muslims or Black Guerilla Family.

¹³⁴ An openly displayed bandana or handkerchief represents an "active" gangbanger, meaning they are actively seeking to 'represent' their gang and engage with rivals. See also: Sanyika Shakur, *Monster: The Autobiography of an L.A. Gang Member* (New York: Atlantic Monthly Press, 1993).

¹³⁵ *Crips and Bloods: Made in America*, directed by Stacy Peralta (Docuramafilms, 2008), DVD.

T. Rogers is one of the few known founding members of the Bloods. Rogers was born in South Side Chicago where he was a member of the Black P. Stones. At the age of twelve, he moved to Los Angeles, and, with permission from Chicago members, formed his own chapter of the P. Stones gang. Rogers' gang began to operate with local L.A. gangs who would eventually all unite, forming the Bloods. Rogers became a veteran of street warfare, surviving being shot four times and stabbed on two different occasions. In 1975, he founded Sidewalk University in an attempt to promote peace and curb gang violence.¹³⁶ As a result of many gang members sharing similar sentiments as T. Rogers and Tookie Williams, during the 1990s there were intermediate cease-fires and peace treaties between the Crips and Bloods, often facilitated by religious leaders working with gang leaders. However, no lasting peace exists. In a similar fashion to the Crips and Bloods, Hispanics are the most divided ethnic group with three diverging cars: Southerners, Northerners, and 'Paisanos.'

La Eme, the Mexican Mafia, or simply 'Eme,' is also known as the 'Black Hand.' The prison gang formed in 1957 within the Deuel Vocational Institution, originally a Youth Authority facility.¹³⁷ The founders were all members in L.A. street gangs who desired protection from other inmates during incarceration. The original thirteen founding members of the Mexican Mafia each killed someone to declare their newly formed organization. Today, there are somewhere between 300 and 900 full members, all of which perform initiation killings to gain entrance. Interestingly, one of the founding members of La Eme was Caucasian—Joe "Pegleg" Morgan. However, 'Pegleg' Morgan grew up in a Hispanic neighborhood and was thus affiliated with Mexicans socially and culturally. Hispanics being a cultural division of the Caucasian race may point to another reason why the Woods and Surenos have a working alliance—being that it is okay for the A.B. and Eme to function

¹³⁶ Ibid.

¹³⁷ Spanish letter for 'M.' The basic conceptualization of the Mexican Mafia by its founders was a group which would model itself after Costa Nostra, thus the "black-hand," was chosen as a symbol of the original Eme membership, harking back to the Sicilian Mafia.

together.¹³⁸ Additionally, La Eme has alliances with the Sinaloa, Tijuana, and Los Zetas drug cartels, and their primary form of criminal activity is drug trafficking.¹³⁹

Surenos, or South Siders, are the Hispanic car with a base in Southern California.¹⁴⁰ South Siders use the Spanish word ‘Sur,’ the color blue, and the number ‘13’ to identify one another.¹⁴¹ The number ‘13’ is tied to the thirteenth letter of the alphabet “M,” meaning Mexican—showing their allegiance to La Eme. As any ‘good’ South Sider would say, “A Sureno is a foot soldier of the Mexican Mafia.”¹⁴² The Surenos were formed in Los Angeles in 1968 by Latino youths. Currently there are two types of Surenos: those involved in cliques, meaning they belong to a particular sect of the gang on the streets, or ‘resident’ South Siders, meaning any Hispanic-American who lives in Southern California and is thus a Southerner. It is estimated that there are over 200,000 clique-affiliated Surenos in Los Angeles alone. Their allies include any gang with a ‘13’ attached to their name, such as MS-13, as well as the 18th Street Gang, who have roughly 100,000 members in Los Angeles.¹⁴³ Because they are the foot soldiers of the Mexican Mafia, some Surenos will become eligible for membership in Eme.

During the 1970s, a series of violent conflicts between La Eme and their rival Nuestra Familia took place in what is now known as the Hispanic Prison Wars.¹⁴⁴ The cause of the Hispanic Prison Wars was due to abuses by La Eme on the primarily rural northern inmates, who were often immigrants.¹⁴⁵ One example of these abuses is when a Northerner (probably a member of Nuestra Familia) had his shoes stolen by members of La Eme. In an act of

¹³⁸ Anonymous, Sureno, Telephone Interview by Author, 5 April 2013.

¹³⁹ *Mexican Mafia*, Washington, DC: Federal Bureau of Investigation, 2003, Accessed 20 February 2013. <http://vault.fbi.gov/Mexican%20Mafia>.

¹⁴⁰ Sureno is the Spanish word for Southerner.

¹⁴¹ Often written or tattooed as ‘X3’ or ‘XIII.’

¹⁴² Anonymous, Sureno, Telephone Interview by Author, 5 April 2013. See also: U.S. Department of Justice, *Gangs in the United States*, Johnstown, PA: 2005, Accessed 31 August 2013. <http://www.fbi.gov/stats-services/publications/2011-national-gang-threat-assessment>.

¹⁴³ United States, Department of Justice, *Gangs in the United States*, Johnstown, PA: 2005. http://www.cicad.oas.org/Crimen_Organizado/ESP/Actualidad/PandillasenUSA.pdf.

¹⁴⁴ *Gangland: Nuestra Familia*, History Channel, Film, 15 April 2013. Also, one can easily obtain the constitution of both La Eme and Nuestra Familia through online search-engines.

¹⁴⁵ A common slur used pejoratively against Norteno’s is ‘farmer.’ Anonymous, Sureno, Telephone Interview, 28 June 2013.

compassion a Crip who had an extra pair of shoes gave them to the Northerner, restoring some of the man's dignity. Due to this one simple act, an alliance was forged between Nuestra Familia and the Crips, which after more than 35 years still exists today.¹⁴⁶ This story is one fascinating tale which demonstrates the resounding effects of the simplicity of actions which often occur during incarceration. However, the Prison War had other consequences beyond forging alliances. In result of the conflict, a major split amongst Hispanic inmates occurred and gave rise to California being divided by the two gangs into spheres of territorial control. Unbeknownst to most people, the dividing line is set at Delano, California near Bakersfield, with everything south of Kern County being controlled by La Eme and everything north being the turf of Nuestra Familia.¹⁴⁷

Although the Nortenos were originally formed in 1968, all those who allied themselves with Nuestra Familia during the Hispanic Prison Wars became known as Nortenos.¹⁴⁸ These North Siders embody the Hispanic car of Northern California. The Nortenos use the number '14' representing the letter 'N' to identify themselves, and denote their gang with the color red.¹⁴⁹ Furthermore, both Nuestra Familia and the Nortenos use the symbols of the Mexican-American Labor Movement, showing their solidarity with the rural, working-poor, Hispanic community. Often the sombrero, machete, and Huelga bird of the United Farms Workers are tattooed on members. Nuestra Familia, "Our Family," is the head of all Northern Hispanic inmates and was formed in 1968 within Soledad or Folsom Prison. Though bitter rivals, Surenos and Nortenos are both Americanized Hispanics who operate as gangs on the streets and in correctional facilities, versus the Woods and Brothers who incorporate gang members, but the car is not in and of itself a gang.

¹⁴⁶ *Gangland: Nuestra Familia*. History Channel, Film. 15 April 2013.

¹⁴⁷ However, the dividing line at Delano is a roughly sketched division. In reality Norteno's do not venture south of Kern County; while in contrast, a variety of Sureno cliques have asserted their presences further and further north. It is common to refer to these gang members as 'Upstate Surenos.' Anonymous, Sureno, Telephone Interview, 18 May 2013.

¹⁴⁸ Norteno is the Spanish word for Northerner.

¹⁴⁹ Often written or tattooed as 'X4' or 'XIV.'

The final Hispanic division is the ‘Paisas’ or ‘Paisanos,’ meaning ‘countrymen’ in Spanish—also referred to as ‘Border Brothers’ in English. The Paisas are not a gang and operate more like the Brothers or Woods. Paisas are often illegal immigrants from Mexico or elsewhere in Latin America, though some are first generation Hispanics-Americans. However, to be a Paisa one must speak Spanish fluently. Being frequently unassimilated, un-Americanized, and many with little to no English skills, the ‘countrymen’ formed their own group—maintaining cultural solidarity in order to navigate a truly foreign system. Many have connections or family ties to drug cartels, though during incarceration they tend to stick to themselves. Furthermore, Mexican-American gangsters and prisoners tend to treat the Paisanos as lesser than equals. Law enforcement deals with the Paisanos on two levels: first, there is the standard arrest, booking, and arraignment of charges; secondly officials must deal with the immigration status of the Paisa who is commonly without documentation. To handle the federal matter of immigration, jails and prisons in California have whole divisions of Immigration and Custom Enforcement (ICE) agents available to process the illegal immigrants. The Bureau of Justice Statistics reported in 2011 that seventeen-percent of all prisoners in-custody under the Federal Bureau of Prisons were non-U.S. citizens.¹⁵⁰ The federal government has constructed entire immigrant prisons which are operated by ICE.¹⁵¹

In demonstrating how racial politics affect the judicial process from within, it is important to examine demographics and other statistics pertinent to the discussion of race and incarceration. Historically, Caucasians made up the majority of the prison population. In 1949, 64.2% were categorized as ‘White,’ ‘Negros’ were 20.5%, ‘Mexicans’ made up 13.0%, and ‘Others’ were a mere 2.3%. For that same year, 1949, the total population was 13,037 prisoners. By 1961, the total population rose to 21,660 prisoners, with an additional 9,303 on

¹⁵⁰ Ann E. Carson and William J Sabol, “Prisoners in 2011,” *Bureau of Justice Statistics*, U.S. Department of Justice, n.d., 11 April 2013. <http://bjs.gov/content/pub/pdf/p11.pdf>.

¹⁵¹ Further inquiry into the Immigration and Custom Enforcement’s prison system is much needed. Research on ICE’s processing of undocumented persons charged with crimes in America is relatively limited. For insightful resources on the subject, see: Mark Dow, *American Gulag: Inside U.S. Immigration Prisons*, (Oakland, CA: University of California Press, 2004). See also: Joshua D. Freilich and Rob T. Guerette, *Migration, Culture Conflict, Crime, and Terrorism*, (Ashgate Publishing, 2006). However, the aforementioned books focus primarily on issues relating to the post-September 11th world.

parole. ‘Whites’ were 60.6%, ‘Blacks’ made up 20.8%, ‘Hispanics’ were 16.7%, and the ‘Other’ category was only 1.9%. Over the 1960s, California’s population rose steadily; by 1968 the prison population was 28,462. Through the 1970s, the prison population decreased, though never by more than a few thousand. By 1980, the California prisons housed 24,569 with an additional 13,019 on parole for narcotics alone. However, an exponential increase would occur throughout the 1980s and into 2000. By 1998, the prison population had increased to a total of 158,207. The racial makeup also changed drastically. ‘Hispanics’ now were the numeric majority in prison, with 53,801 or 34%. ‘Blacks’ in prison totaled 49,186 persons, or 31.1%, and ‘Whites’ trailed closely with 47,277 incarcerated, or 29.9%. Lastly, the ‘Other’ category increased to 7,943 people, or 5%.¹⁵² The shift in percentages offer insight into the realm in which racial politics operate.

As new inmates enter a facility, they will immediately be approached by other inmates inquiring about which car/race they belong to. Though skin tone is often an obvious feature, occasionally there are members of one race who belong to the car of another race (e.g. a Caucasian who grew up in a Hispanic neighborhood may identify with and be a member of the Surenos car rather than the Woods). Amongst inmates, those who do not conform to their own race are termed “race traitors.” White or Hispanics who join the Brother’s car are considered with more disdain than the occasional Hispanic who runs with the whites or vice-versa. Within the partitioning of race and distinctions between cars, one can surmise the ethnic and cultural histories which influence such divisions.

Occasionally, individuals do try to disengage from the established system, in which they are said to go “R.O.P.,” which stands for “run your own program.”¹⁵³ Several difficulties face those who choose to go ‘R.O.P.’; among the problems they face are: being beaten in order to leave their ‘car;’ a complete lack of protection from other inmates; and no input in the

¹⁵² State of California, CDCR, “Reports, Statistics and Cited Works,” 1 January 2014, Accessed 1 April 2015. <http://www.cdcr.ca.gov/reports/>.

¹⁵³ Note the argot and central concept of ‘program.’

matters that go on around them, because they have no ‘rep’ to speak or vote on their behalf.¹⁵⁴ Religion also plays a part in incarceration. One of the few items that are universally available to all inmates is the Bible.¹⁵⁵ In regards to racial politics, religion plays an assuaging role. Throughout county jails in California, there are impromptu religious gatherings known as “Prayer Circle,” most commonly held on Sunday, but in many instances they are held every night. The Prayer Circle is generally called by one inmate who heads the congregation, announcing it to the entire dormitory, and it nearly always incorporates the Lord’s Prayer during the meeting.¹⁵⁶ Prayer Circles are exempt from racial politics and car rules; here one finds Brothers, Woods, Surenos/Nortenos, and Paisas standing together in a circle, holding hands, and praying aloud.¹⁵⁷ This easing of racial tensions while coming before God is a captivating image amid an otherwise contentious environment.

At the state level, in some prisons, the final car within the inmate’s political system is found: the Christian Car. This car, as the name suggests, is made up of Christians who do not adhere to racial ideology or segregation; rather, members of any race may join. In order to symbolize their adherence to the Christian faith, members continually carry a Bible with them everywhere they go within the prison; this prevents other inmates from attacking when they see a break from the racial rules. While this may astonish some, within the system of inmate hierarchy, those in the Christian Car are looked at with little respect, as they have gone R.O.P. and have chosen to become outsiders in the prison world. Few inmates have a problem with Christianity, or other religious affiliation, as evident in the allowance of Prayer Circles. However, those who deviate from their race entirely are subject to backlash, as they are seen

¹⁵⁴ A person’s skin color allows them entrance into a car; thus there is no initiation involved. However, taking from a common ritual among gangs—“blood in, blood out”—in order to leave a car one is beaten.

¹⁵⁵ For federal ruling on religion during incarceration, see: *Cooper v. Plata* (1964).

¹⁵⁶ During my incarceration every dorm or tank I was housed in offered Prayer Circles, their existence was clearly universal. Although not all inmates participate in the Circles, they are acceptable gatherings, exempt from racial politics. No rep or individual can impugn their existence, as religion is beyond the bounds of race.

¹⁵⁷ I have also witnessed ‘Prayer Circles’ being conducted after “lights-out,” when inmates were on full lockdown. In such instances, an inmate would either read a passage from the Bible (if lighting allowed) or say a generalized prayer for all the inmates and their families, followed by a recital of the Lord’s Prayer.

as criminals turned coward. Nevertheless, the Christian Car is making some ground in overcoming racial divisions, even if it is on a very limited basis.

In analyzing the unsanctioned inmate hierarchy, the actual power structure of inmates and their politics is of great interest. Within every dormitory or cell block, each car is led by a ‘rep’ whose second-in-command is termed the ‘assistant rep.’ The representatives from each car, collectively, form the political structure of the inmate hierarchy. Reps are known as ‘shot-callers’ within both the criminal realm and by law enforcement. Strict rules exist within county jails prohibiting racial politics, ‘shot-calling,’ and any form of representatives. An individual found to be a rep receives a ‘shot-calling charge’ or ‘write-up,’ a violation adding length to their sentence, and the rep is usually removed from their housing unit to another—oftentimes placing those who engage in politics into gang units. Although in county jails being a representative is a penal violation resulting in the offender being formally charged with a crime, at the state level, prisons formally allow and work with a similar political structure. Since 1991, every California prison is required by law (15CCR §3239 (a)) to have a Men’s Advisory Council (MAC), which functions as the go between for inmates and guards, serving a similar function to unions in free-society. These MAC representatives are elected by the inmates to represent each major racial category, but do not have the same respect or authority among inmates as reps for individual cars.¹⁵⁸

The next tier of the political structure for inmates is the “keys.”¹⁵⁹ For every car there is one person selected to be the ‘keys’ of the unit or yard, who calls the shots for all the dorms/tanks within the unit or yard.¹⁶⁰ As a metaphor to explain the inmate’s choice in

¹⁵⁸ Tom Watson, “Prison Appeals System,” n.p., Accessed 5 March 2013. http://www.oocities.org/three_strikes_legal/prison_appeals.htm.

In jails and prison unsanctioned ‘reps’ are chosen by their predecessors in an authoritarian manner. Once selected ‘reps’ hold control over a section of the facility and whatever individuals of their race are housed therein. In prison, sanctioned MAC representatives are elected by their racial constituents for whatever yard they are housed on.

¹⁵⁹ ‘Keys’ is most commonly used for the upper echelon leadership beyond dormitory reps. However, ‘keys’ may refer to dormitory reps who are said to ‘hold the keys’ their respective dorm.

¹⁶⁰ Within each housing yard, unit, or ‘pod’ there are typically several dorms, ‘tanks’ or cell blocks, these dorms collectively make up the unit.

terminology, “a car does not run without the keys.”¹⁶¹ Whoever holds the keys is the head of their car within that unit; the reps of each dorm report to the keys of the unit. Thus, there are often four to five reps who exist within each unit and are all subservient to their unit’s key. In turn, the keys of a unit report to the keys of the facility, who oversee all inmates of their race within that jail or prison. In the broader scope of things, the keys of a facility, who are almost always members of one of the organized crime syndicates (AB, BGF, Eme, etc.), communicate with the larger criminal organizations within California and nationally. The reps and the keys are selected by their predecessors, generally chosen by the merits and status of that individual. Although every unit must have a key-holder, becoming a shot-caller is not required or mandatory; any individual offered the position can accept or deny the post and its responsibilities. When describing someone asked to become a representative, inmates use the argot, ‘stepping-up,’ (as in, ‘he stepped-up for his race and became rep.’).¹⁶² The other route one can take to become a rep or key is to fight for it; violence is always a persuasive tool of criminal subculture. Lastly, one can become a rep or key based on seniority; those inmates who have served prison terms but are incarcerated in county jail will always have seniority over those who have only served time in jail. Thus, if the person holding the keys is of less position, the prison convict can simply tell/ask/force the positions to be turned over to them—generally with little to no resistance—as the inmate collective understands and accepts this practice as a common standard. All of this politicking is done outside of the bounds of what is officially allowed by administrators and state law.

Communication between inmates, specifically those who are representatives, is often done through “kites.” A ‘kite’ is a note written on a small piece of paper, usually with exceptionally small hand-writing on it. These pieces of paper are rolled up or folded as small as possible and transported by inmates through the facility and to other facilities during

¹⁶¹ This statement was made to me by a Wood during my incarceration, after I confusingly inquired about what a group of Woods were talking about, having mentioned the ‘car’ and the ‘keys.’

¹⁶² In the argot of incarceration, a ‘rep,’ ‘key’ or ‘shot-caller’ denotes the same thing—the person in charge of their race within a receptive housing unit. ‘Rep’ is the term usually reserved for dormitory shot-callers, who hold the key for their dorm. The shot-caller for a unit or facility is usually termed the ‘keys’ or ‘key-holder.’ The terms can be used somewhat interchangeable, but a ‘dorm-rep’ is always subordinate to a ‘unit-key.’

inmate transportations. Other ways of communication include letters written in code. One example of this is a cypher written by the Aryan Brotherhood that was later cracked by the FBI. In letters between Brand members seeming to congratulate each other on the birth of sons or daughters, was ingrained a secret message. Those letters stating “congratulations on your baby boy” held the hidden message for a kill order against an individual. That individual was named through a coded series of “A’s” and “B’s” in the letter corresponding to other letters in the alphabet. Those letters containing “congratulations on your baby girl” held the order to refrain from assassinating someone.¹⁶³

Additionally, communication is conducted by cellular device or through visitors bringing messages in and out of correctional facilities.¹⁶⁴ Thus, a shot-caller can give orders from within any facility and even communicate them to the outside. Lastly, criminals communicate with one another on the streets and behind bars using hand signals. Prevalent within the Hispanic and African-American population are gang-signs; these motions and gestures indicate gang affiliation, threats, and other messages which would be indiscernible to the untrained eye. Interestingly, white inmates, and even white gang members, tend to stay away from gang-signs, preferring formal sign-language. Many Caucasians show disdain for gang-signs and the perceived darkness and unintelligence of such communication. As one former member of the Aryan Brotherhood put it, “I’m talking intelligent, human communication.”¹⁶⁵

So, how do racial politics play out during incarceration? The politicking between races serves a variety of functions. Among each race there are specific rules that require their members to do certain things and to abstain from other behaviors. For example, one rule that was decided upon by the leadership of the Caucasians and Hispanics is that no white or Sureño is to trade any item with the blacks. The leadership of criminal organizations, as well

¹⁶³ *Aryan Brotherhood*, History Channel, 2007, Film, 4 March 2013.

¹⁶⁴ Cellular devices are wide-spread enough that the state congress has held hearings on the matter. See: State of California, Senate, “Prisons: Wireless Communication Devices,” S. No. 26. 1st sess, 2011-2012. <http://www.cdcr.ca.gov/Contraband-Cell-Phones/docs/SB-26.pdf>.

¹⁶⁵ Anonymous, Aryan Brother, Telephone Interview by Author, 1 April 2013.

as representatives of each race, function much like a government; the rule against trading with certain races is reminiscent of what the U.S. Government did during World War I by enacting the No Trading with the Enemy Act of 1917. Although the no trading rule exists, within state prisons the leadership does allow for one exception—drugs.

When drugs come into a facility, the individual who has them, along with his car, get the lion's share. However, a portion of the drugs are divvied up and distributed to all the cars reps in an effort to maintain the peace and allow each leader/rep to deal with his people autonomously.¹⁶⁶ The selective sharing of drugs, cleaning times, etcetera, adds to the smooth functioning of politics and business. For the Woods and Surenos, no member is to smoke or eat with the Brothers; doing this may very well sign the death warrant of an inmate. In prison, and most county jails, sitting with a black is prohibited for whites and Hispanics, and even speaking to one another is frowned upon. The exception to sitting and speaking with inmates of other races is reserved to trustee dorms. Trustees, or inmate workers, are sentenced prisoners who often work on mixed-race crews performing tasks such as custodial duties or maintenance for the facility; thus cooperation is required and hardline criminal leaders understand the necessity of easing politics in such instances.¹⁶⁷

Most any request submitted by an inmate to the facility administration must be reviewed and approved by the car's rep prior to submission, primarily to keep snitches from informing the guards of anything. Many cars also require that all their members wear shoes and not flip-flops on the recreation yard in case a riot occurs—obviously, shoes strapped to one's feet are superior in combat. The alliance between whites and Surenos entails that, if a riot or fight breaks out and it goes bad for one side, the members of both cars will fight together. As violence may erupt at any time during incarceration, each car has what is called "mandos." 'Mando,' the shortened version of mandatory, refers to activities which are absolutely required by a car or the inmate code. Each car enforces mandatory exercise in

¹⁶⁶ Ibid.

¹⁶⁷ The foregoing statements are all observations earned during my year of incarceration.

order to keep their members in good physical shape and thus in proper fighting condition.¹⁶⁸ In an effort towards racial solidarity, the number of push-ups or other exercises are allotted in accordance with each car's symbolic numbers. For example, Woods conduct 123 push-ups, Surenos do 113, Northenos do 114, and Brothers usually require a 102 or 122.¹⁶⁹ The calisthenics and other exercise is one clear indication of the militarization of the inmate populous.

However, conflict and division are not the sole characteristics of racial politics. Functioning similar to unions on the outside, collective bargaining also occurs. When conditions are unsuitable in the eyes of the inmates, hunger strikes often transpire in a similar fashion to what happened in the Stanford Prison Experiment. In a hunger strike, reps from each car agree to keep their members in-line, and, cooperatively, all the inmates decide not to eat the meals provided by the facility. This can be a powerful tool of institutional change due to the fact that a central objective of the guards and facility administration is the safety of the inmates. If inmates harm themselves, even by starvation, the administration is responsible and must respond. Hunger strikes are most common within state prisons; vivid examples of this can be seen at San Quentin and Pelican Bay, epicenters of racial politics and inmate organizing.¹⁷⁰

Every dormitory has what is known as 'house rules.' House rules are those rules which every car prescribes for the smooth functioning of incarceration within a particular dormitory. These rules tend to deal with sanitation, common courtesy, mutual respect, daily activities, responsibilities, and the maintenance of peace. Routine cleaning is done every day in

¹⁶⁸ Generally, mandatory exercise is required everyday with the exception of weekends and holidays. Also, those over 35 years of age are exempt, having 'O.G.' status.

¹⁶⁹ At both West Valley and Glenn Helen I witnessed the use of mandatory exercise and symbolic numbers. Often, when finishing the final mandatory push-ups, a militaristic call is made: for Surenos it's, "Puro Sur Trece?" (Pure South 13), which is posed as a question in that other Surenos reply, "Aqui" (Here!); common for Woods is, 'White Pride Worldwide!'; and Brothers call out, 'One Love!'

¹⁷⁰ See: Kevin Fagan, "Pelican Bay Inmates Said to End Hunger Strike," *San Francisco Chronicle*, Hearst Communication Inc., 22 July 2011, Accessed 2 May 2013. <http://www.sfgate.com/bayarea/article/Pelican-Bay-inmates-said-to-end-hunger-strike-2353880.php>.

dormitory; the Reps and their constituents rotate days between the cars. After lunch and dinner in many facilities, guards bring in cleaning supplies to maintain basic sanitation, and each day the cleaning duties for the dorm are performed by a different car in which they are rewarded with their choice of television programs for that day. During the Brothers day to clean, Woods are prohibited from sleeping in case the blacks decide to use their cleaning utensils (brooms/mops) as weapons.¹⁷¹

The most common ‘house rules’ include: bunks are to be made each morning and that spitting in the sink is prohibited, even during tooth-brushing, due to the uncleanliness of spit, which traces its origins to an inmate rule from 1794.¹⁷² Other house rules may vary from dorm to dorm and facility to facility, depending on what is agreed upon by the car’s collective representational body. Common courtesy within the bunk area where inmates sleep is mandatory; there are to be no loud noises, mass congregation, or flatulent where fellow inmates rest and live. In regards to bathing, which is often in the form of open, communal showers, Woods and Surenos shower in one unit, while Paisas and Brothers shower in another.¹⁷³ This rule in regards to showers marks a point where the lines between house rules and car rules blur. A further blending of house and car rules is sports entertainment; all major sporting events are mandatorily made available for viewing on the television—an array of assertions regarding masculinity and incarceration could be made, however important, such arguments are beyond to the present scope of analysis.¹⁷⁴

Although some of these rules contain racism, most individuals who have been incarcerated and functioned under these strict racial lines state that, “politics are for order, not

¹⁷¹ This was a rule I encountered during my time at Glenn Helen Rehabilitation Center in January 2008.

¹⁷² The large numbers of inmates using a limited amount of sinks dictates a necessity for maintaining hygiene. Inmates have a deep seated history of being concerned with sanitization, and spit. Among the first rules enacted by inmates in America was a no-spitting policy at the Walnut Street Prison in Philadelphia. J.E. Baker, “Inmate Self-Government,” *The Journal of Criminal Law, Criminology, and Police Science* 55, no. 1 (March 1964): 40.

¹⁷³ Designating Paisas to shower with the Brothers is more evidence towards the un-equalitarian views of Mexican-American inmates, viewing the ‘darker’ and ‘foreign’ in a category separate from more assimilated prisoners.

¹⁷⁴ See: Peter Bishop Caster, “The Language of the Prison House: Incarceration, Race, and Masculinity in Twentieth Century U.S. Literature” (PhD diss., University of Texas, Austin, 2004).

hatred.”¹⁷⁵ The primary objective of racial politics is to maintain order and stability in an otherwise chaotic and criminal environment. The central aspect of politics is protection.¹⁷⁶ One member cannot take advantage of a member of his own race. Every member of a car is protected by the entirety of its membership; thus, one individual cannot randomly attack a member of another race without creating a riot. A fundamental rule of each car is, ‘one jumps, we all jump.’¹⁷⁷ Meaning, if a fight breaks out, every member of the car is under obligation to come to the aid of his racial companion; anyone who does not come to aid in a fight will suffer a violent penalty by his own race after the conflict. This rule in regards to fighting is not the only unifying doctrine or universal value shared between races.¹⁷⁸

Each car considers an inmate of age 35 or older to hold the status of ‘O.G.’¹⁷⁹ O.G.s are exempt from mandatory exercise and are looked up to by the younger membership as mentors, advisors, and often as individuals beyond reproach. In essence, criminals feel that anyone who survives past the age of 35 knows how to conduct themselves and have put in their time of service to their race. The cars prohibit mentally challenged or criminally insane inmates from being housed with them; those inmates are termed ‘Jay-Cats’ or ‘51/50’s,’ and are regarded with utter disdain.¹⁸⁰ A Jay-Cat will be attacked by other inmates in order to have them removed from the general population. Prison culture has also become obstinately anti-

¹⁷⁵ This quote was made by an anonymous ex-convict I spoke with when I first learned of “politics,” prior to beginning formal research for this project. His words stuck with me, and when querying other convicts I was assured that this is sound principles among California prisoners.

¹⁷⁶ Protecting inmates from rape, violence, and other abuses is a major factor in organizing these hierarchical structures, along with inmate efforts to produce prisoner solidarity.

¹⁷⁷ Upon entering Glenn Helen Rehabilitation Center, and following the advice of a convict I met during transport, I informed the rep that I was a ‘first-timer.’ He quickly dug into his mattress, producing a single sheet of paper, the Woods’ Constitution—on it I found 36 rules, which I read diligently swift. The final rule, in all capitals—“ONE WOOD JUMPS, ALL WOODS JUMP!” However, the doctrine is endorsed by each of the racial cars.

¹⁷⁸ In order to avoid a riot when personal conflict arises between two prisoners, the two may decide to ‘take it to the showers.’ This phrase in argot refers to the two men setting their problem through sanctioned one-on-one combat, in which the two inmates, of the same or different race, fight it out, usually in the shower-room so that the blood will rinse down the drain. Also, when ‘reps’ order corporal punishment to be administered to one of their members it is called ‘the wall.’ The choice in term is due to the inmate being placed against a wall and physically assaulted by his peers for a period of seconds.

¹⁷⁹ O.G. is the abbreviation for Original Gangster, the highest informal status a criminal earns, in which, they are treated with the upmost respect by all individual of each race. The term is one of courtesy.

¹⁸⁰ Pronounced ‘fifty-one-fifties;’ the numbers are taken from section 5150 of the California Welfare and Institutions Code which deals with persons of mental disorder, who may pose a danger to themselves or others.

homosexual. Such sentiments may be due to machismo attitudes in part, but also from the fear and threat of rape. Among the advantages of cliquing-up, even prior to the instituting of racial politics, was protection. Lastly, a universal unifying doctrine amongst prisoners is the “green-light” on child molesters.¹⁸¹ Adhering to similar values of society at large, there is absolutely no toleration of criminals who harm children.¹⁸² Green-lights are also common on informants, former police officers who have become imprisoned, and other undesirables; any good classification officer will know to place such individuals in protective custody due to the likely murder of such by inmates if they are placed in general population.¹⁸³ As exemplified by a hierarchical and structuralized chain of command, imposed racial solidarity, universal doctrines, collection of rules, and systems of negotiation and protection, a robust and dynamic inmate code thrives within the walls of California’s correctional facilities.

¹⁸¹ “Green-light” is a kill-on-sight order. When an individual, or group, is “green-lighted” members of whichever car issued the order are required to attack and attempt to kill the undesirable. If the opportunity presents itself to an inmate they are required to take immediate action.

¹⁸² Those charged with rape, and sex crimes in general, are also looked at with similar disdain within California’s prison culture.

¹⁸³ A system of inmate classification was advocated for at the 1870 National Prison Congress, by the end of the Progressive Era prisons in every state had implemented the recommendation.

Chapter 3: Incarceration & Insurrection—Prison Riots and the CDC

During incarceration, when politicking, bargaining, and diplomacy fail, violence often ensues—with none more fearsome than collective insurrection. Prison riots are a time-honored tradition in America, with the first recorded event taking place at Newgate Prison, Connecticut, in 1774.¹⁸⁴ Likewise, contemporary prison revolts share similar contextual causes; cited chiefly among them is overcrowding and other institutional conditions.¹⁸⁵ However, over the course of penal history, and through the advance and evolution of modern America, further strains on the system and on inmates also apply. Among them, a growing and daring criminal population, racial tensions, gang rivalries, and grievances with guards or prison administration, all inducing revolt. In considering rebellions, uprisings, and other disturbances within the California prison system, and in seeking to gauge some historical change, it is important to demonstrate the periodic shifts in inmate violence—from individualized attempts and shortsighted goals to collectively orchestrated power grabs and militaristic aims. Shifts in violent behavior and riotous objectives can be accounted for when considering the rise of an inmate collective that becomes increasingly organized and militarized. Furthermore, administrative responses to inmate outbursts, including escapes and riots, should be examined.

In California, during the first half of the twentieth century, large-scale prison riots came in series: 1912-15, 1927, 1939-40, and 1950-53. “Early riots were precipitated by or resulted in mass escape attempts. After the early 1930s, [the FBI] made escape less fruitful and appealing, most riots were set off spontaneously . . . hostages were taken and demands made.”¹⁸⁶ These patterns of riotous behavior in California coincide, in part, with national trends identified by sociologists. The *Encyclopedia of Criminological Theory* notes the

¹⁸⁴ Alexis Durham, “Newgate of Connecticut: Origins and Early Days of an Early American Prison,” *Justice Quarterly* 6, no. 1 (1989).

¹⁸⁵ Among the thirty-six principles of New Penology set forth by Enoch C. Wines at the 1870 National Prison Congress was that no penal facility should house more than three to four-hundred prisoners. Today, correctional complexes, which include county jails, intern thousands per facility.

¹⁸⁶ John Irwin, *Prisons in Turmoil* (Boston: Little Brown, 1980): 24-25.

existence of three periods of prison riots nationally: the first from 1929-32; the second from 1955-58; and the third from 1968-72.¹⁸⁷ Differing slightly, sociologist Kevin T. Smith identifies four great waves of U.S. prison riots. The first wave occurred during WWI, the second during the Great Depression, the third from 1955-66, and the fourth is measured from the late 1960s to present.¹⁸⁸ Towards the aims of this research, the events from the 1950s to present are of principal interest, and they are used in analyzing inmate organization in correlation to racial politics. However, in tracing California's history of prison rebellion, it is important to note which types of disturbances were common to the prison populous prior to the rise of an inmate collective.

Beyond such interests, the discrepancy among scholars regarding 'waves' of insurrection may be due to a disparity in defining the term 'riot.'¹⁸⁹ Definitions of what constitutes an 'incident,' 'disturbance,' or 'riot' vary, and they can be applied contrarily by officials, the media, and scholars. In distinguishing events, the California Department of Corrections and Rehabilitation (CDCR) maintain definitions comparable to those of the Federal Bureau of Prisons (BOP). In 1973, federal funding was utilized by the South Carolina Department of Corrections in conducting a national study on prison riots from 1900-1971, defining a 'riot' as "an incident involving fifteen or more inmates and resulting in property and/or personal injury."¹⁹⁰ The study produced valuable information regarding prison riots in America. However, the rigidity of the definition used caused significant events, such as the

¹⁸⁷ Francis T. Cullen and Pamela Wilcox, *Encyclopedia of Criminological Theory* (Thousand Oaks, CA: Sage, 2010): 738.

¹⁸⁸ Kevin T. Smith, "State Prison Riot Prevention," MCI practicum report (Washburn, KS: University of Topeka, 2001): 12.

¹⁸⁹ One report estimated that U.S. correctional institutions saw more than 1,300 riots in the twentieth century. Randy James, "Prison Riots," *Time Magazine*, 11 August 2009, Accessed 2 April 2013. <http://www.time.com/time/magazine/article/0,9171,1916301,00.htm>.

¹⁹⁰ South Carolina Dept. of Corrections, Collective Violence Research Project, *Collective Violence in Correctional Institutions: A Search for Causes* (Columbia, SC: State Printing Company, 1973): 23. See also: South Carolina, *Resolution of Correctional Problems and Issues* (Columbia: South Carolina Dept. of Corrections, 1974).

Battle of Alcatraz, to be excluded, in not meeting the “fifteen or more” criteria.¹⁹¹ Scholars, such as Montgomery and Crew, define a ‘riot’ as “when administrators report the loss of positive control of part or all of a correctional institution’s population for a consequential amount of time.”¹⁹² According to the American Correctional Association (ACA), a ‘riot’ occurs when “a significant number of inmates control a significant portion of the facility for a significant period of time.”¹⁹³ Clearly, there is some ambiguity among professionals and scholars in defining a ‘riot.’ However, for the purposes of this research, the ACA’s definition is preferred due to its flexibility, following the work of Useem, Camp, and Camp.¹⁹⁴

The California Department of Corrections differentiates and defines an ‘incident,’ ‘group disturbance,’ and ‘melee’/‘riot,’ in accordance with the state penal code, asserting, “Any use of force or violence, disturbing the public peace, or any threat to use force or violence, if accompanied by immediate power of execution, by two or more persons acting together, and without authority of law, is a riot.” Furthermore, “disturbing the public peace may occur in any place of confinement.” Here, the phrase “place of confinement” means “any state prison, county jail, industrial farm, or road camp, or any city jail, industrial farm, or road camp, or any juvenile hall, juvenile camp, juvenile ranch, or juvenile forestry camp.”¹⁹⁵

¹⁹¹ On May 2, 1946, Alcatraz experienced a two-day riot which killed two correctional officers and three prisoners; fourteen guards and one inmate were also injured by gunfire. The riot which has also been termed “the Battle of Alcatraz” initiated with the attempted escape of two inmates serving life, aided by three accomplices. The forty-eight hour standoff required military intervention to secure the prison. See: Ernest B. Lageson, *Battle at Alcatraz: A Desperate Attempt to Escape the Rock* (Omaha, NE: Addicus Books, 1999).

¹⁹² Reid H. Montgomery and Gordon A. Crews, *A History of Correctional Violence: An Examination of Reported Causes of Riots and Disturbances* (Lanham, MD: American Correctional Associates, 1998).

¹⁹³ The ACA defines a “disturbance” as fewer inmates involved than a riot, with minimal control over any portion of the facility and an “incident” as one or few inmates having no control over any area of the facility. American Correctional Association, *Causes, Preventive Measures, and Methods of Controlling Riots & Disturbances in Correctional Institutions* (Laurel, MD: American Correctional Association, 1990): 17.

¹⁹⁴ Bert Useem, Camille Graham Camp, and George M. Camp, *Resolution of Prison Riots* (Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, National Institute of Justice, 1995).

¹⁹⁵ State of California, *The Penal Code of California*, Title 11 § 404(a) (b) (2015). Accessed 31 May 2013. http://www.leginfo.ca.gov/html/pen_table_of_contents.html. Pursuant to section 404.6(a), “Every person who with the intent to cause a riot does an act or engages in conduct that urges a riot, or urges others to commit acts of force or violence, or the burning or destroying of property, and at a time and place and under circumstances that produce a clear and present and immediate danger of acts of force or violence or the burning or destroying of property, is guilty of incitement to riot.” Moreover, section 404.6(c), “Every person who incites any riot in the state prison or a county jail that results in serious bodily injury, shall be punished by either imprisonment in a county jail for not more than one year, or imprisonment pursuant to subdivision (h) of Section 1170.”

Beyond the host of ‘confinement’ facility types, one should note that the CDCR uses the term ‘melee’ interchangeably with ‘riot,’ and that definition only requires a mere two or more persons to be engaged in hostility.

Notwithstanding rhetorical debates regarding definitions, riots can be classified as either expressive (spontaneous) or instrumental (planned).¹⁹⁶ Riots occurring at institutions with a high degree of prisoner solidarity tend to be planned.¹⁹⁷ California’s correctional facilities fit into the category of high inmate solidarity; thus, many riots are instrumental. Solidarity among convicts was furthered by the onset of racial ‘politics,’ mobilizing a new inmate collective. Although insurrections within American prisons occurred since the very introduction of detention facilities, it was not until the desegregation of prisons that riots shifted in general focus from inmate-vs-institution to inmate-vs-inmate.¹⁹⁸ Even so, California has an opulent and dark history of inmate conflict, composed of violent outburst threatening institutional control and swarms of escapes producing security breaches, with mutinous undertakings evolving over the course of the twentieth century, from scattered challenges of authority to collective uprisings.

Although racial segregation occurred throughout California’s prisons, as elsewhere, there were never any separate complexes for inmates of color. Therefore, over the course of a prison sentence, convicts of various ethnicities and backgrounds did interact, at times. One such interaction took place in March 1909. In the dining-hall of San Quentin, at 6:30 a.m. Edward Delhantle, a “colored prisoner” serving fourteen years, attacked two Caucasian prisoners. After first stabbing William Patterson in the abdomen, leaving him bleeding, Delhantle sprinted 200 yards to the dining-hall were William “St. Louis Fat” Kaufman, a

¹⁹⁶ Bert Useem, Camille Graham Camp, and George M. Camp, *Resolution of Prison Riots* (Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, National Institute of Justice, 1995): 12.

¹⁹⁷ Ibid, 13.

¹⁹⁸ The first prison riot in America occurred in 1774 at Newgate Prison in Simbury, Connecticut. The prison was originally a copper-mine sold to the colonial legislature for penal use. For an in-depth look at Newgate Prison, see: Alexis Durham, “Newgate of Connecticut: Origins and Early Days of an Early American Prison,” *Justice Quarterly* 6, no. 1 (1989).

member of the “Groucher Gang,” was waiting tables.¹⁹⁹ There, Delantle stabbed Kaufman in the small of his back. Then striking his jaw, Delantle straddled Kaufman, and stabbed him to death before conceding to the guards. As Delhantle surrendered his sharpened file, he proclaimed he only wanted to “get” one more man who was down in the “fireroom.”²⁰⁰ He then accompanied the guard on duty “docilely” to the warden’s office.²⁰¹ This event sheds light on a common motif of imprisonment: spontaneous acts of wanting violence within an institution of ‘total’ control, with prisoners using whatever resources available. In reading the foregoing words, one can easily visualize San Quentin at present—with a contemporary African-American convict, fighting with rival white prisoners. However, this episode took place a century ago, prior to the advent of organized inmate politics, which, in its present state, would have sent the dining-hall of San Quentin into a thunderous race riot. Hence, a major historical shift in prison subculture has occurred.

Since the beginning of institutional correction in California, various incidences have distressed administrators and disrupted prison operations. From the 1850s through the 1940s, it appears that the majority of disturbances and rebellions were primarily directed at officials and the prison itself, with occasional inmate-on-inmate violence. Chief among mutinous behavior were escape attempts, usually producing bloodshed and warranting a hail of gunfire with a sheriff’s posse in hot pursuit. Upon the occasional riot or organized rebellion, prisoners

¹⁹⁹ “St. Louis Fat” was serving 25 years for the infamous murder of Patrolman Eugene Robinson which occurred on January 1, 1903. The Groucher Gang was composed by: Allen “Kid” Groucher, Frank “St. Louis Frank” Woods, Johnny “Deadville Jimmy” Courtney, “Yellow” Kennedy, and William Henderson. “*Notorious Thug Killed by Prisoner*,” 5 March 1909, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

—, “*Stabs Kaufman Twice*,” Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

²⁰⁰ The “fireroom” was likely an area of the prison equivalent to a furnace room and used for heating the facility. Also, the use of shank-type weapons was already common place in San Quentin and Folsom. Another stabbing with a similar weapon was perpetrated by Jake Oppenheimer at Folsom several months prior to the Kaufman killing. “*One Killed, I Wounded, by Prisoner*,” Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

²⁰¹ “*Notorious Thug Killed by Prisoner*.” 5 March 1909, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

—, “*Stabs Kaufman Twice*,” Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

did as they have consistently done, found some means of leverage and made demands. One such uprising occurred in 1912 at San Quentin.

“Cut out the grub and feed us paroles,” shouted one of the convicts during the 1912 riot.²⁰² The prisoners were revolting against their confinement, restraining life and liberty, but what they demanded was a “compulsory parole law.”²⁰³ Such a law would compel the granting of parole to every convict who requested one. The prisoners also wanted to “require prison wardens to pull off their hats whenever they speak to a convict.” Such demands were made of the administration because facility regulations required inmates to remove their hats when in the dining-halls or speaking to the warden, and non-compliance constituted an infraction which would be reported to the Adult Authority who administered parole. A newspaper from the time quips, “reform is getting along famously....Our penitentiary system is a monstrous infringement of personal liberty.”²⁰⁴ Nonetheless, prisoners were making efforts, however limited, in the direction of penal reform from within, seeking to force the administrators’ hands or, at very least, gain media attention and public sympathy.

The media, particularly newspapers, have a long history of being engaged with the prison system and reporting on penal affairs. With San Quentin adjacent to San Francisco, and Folsom’s proximity to Sacramento, media intrigue and a concerned citizenry remain steadfast. From the 1910s through the 1920s, several prison riots occurred, procuring media attention and spurring public debate. One commentator urged, “The riotous disturbances and revolts against authority recently witnessed in the State prisons at Folsom and San Quentin are the legitimate fruits of the sentimental agitation in progress many months with intent to make criminals objects of sympathy.”²⁰⁵ Chief among media outlets in support of the prisoners’

²⁰² “*Prison Reform from the Inside*,” Scrapbook, 1912-15, Vol.1, F3717:986, California State Archives, Sacramento, Ca.

²⁰³ Ibid.

²⁰⁴ Associated press articles from Utah and Arizona during the same time period, 1910-1925, note the establishment of “honor systems,” allowing convicts serving long-term or life sentences to attend funerals or visit aging parents—some even traveled unescorted.

²⁰⁵ “*The Trouble in the Prison*,” 10 June 1912, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

plight was the San Francisco *Bulletin*. Rival newspapers at the time criticized the *Bulletin* for promoting such notions of sympathy and creating “criminal evangelists of prison reform.”²⁰⁶

Some of the attacks levied against the *Bulletin* were due to one of the first politicized ex-cons turned activist-author, Donald Lowrie (1875-1925). Following his incarceration at San Quentin from 1901-1911, Lowrie began speaking out, publishing articles and books, and hosting lectures in order to discuss prison conditions and reforms.²⁰⁷ George Sontag, a contemporary of Lowrie, was also “glorified” as a hero by prison reformists and sympathizers. These two men, having experienced imprisonment, attested to the cruel and sometimes torturous treatment involved during incarceration. Furthermore, activists such as Lowrie and Sontag advocated curing discontent in prisons by changing the institution and administrators. Lowrie’s reformist argument is represented in the following words:

The problem of prison reform has, of late years, attracted public attention to a very considerable extent.” Agitation is active in the direction of so changing prison conditions, in our state penal institutions throughout the country as to completely alter prison attitude towards the prisoner from that of punishment to that of reform.

The author went on to note that convicts had not been reformed, but, to the contrary, they were brutalized and sent back to society more troubled and menacing creatures.²⁰⁸ Another part of the ‘evil’ of the penal system in the early twentieth century was indeterminate sentencing, which reformers loathed.²⁰⁹

²⁰⁶ “*The Trouble in the Prison*,” 10 June 1912, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

²⁰⁷ Donald Lowrie published two books: *My Life in Prison* (1912), and, *My Life Out of Prison* (1915).

²⁰⁸ “*For Better Prison Conditions*,” Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

²⁰⁹ Indeterminate sentencing is a system of assigning a prison term with a range of years, i.e. five-to-ten years in the state penitentiary.

Donald Lowrie was castigated by some officials, among them August Drahtmas, who was chaplain of San Quentin for twenty years.²¹⁰ Another cynic, Captain Duncan Matheson, remarked, “Our prisons in California have become merely recreation grounds.” Captain Matheson went on to express that criminals were not modified by scientific investigation into criminality, nor was parole a positive thing as the parole board was staffed with “politicians” who were “far too lenient.”²¹¹ Apparent here, though not surprising, was a sharp divide in attitudes between those who have experienced imprisonment and those who have administered the process. Regardless of standpoint, the two sides further politicized prisons by engaging one another in public retort, adding to civic, though not always civil, dialogue.

In a newspaper article dated June 10, 1912, a journalist outlined the common sentiments against Lowrie and prison reform:

The greatest fault in our prison administration is the congregate system, for which the Legislature and not the officials are responsible . . . The faults of our prison system are not with the men who administer it, nor are they mended by sympathizing with criminals and denouncing prison officials. . . . Penology is a progressive science, but progress is not made by letting professional crooks lead it.²¹²

However, California never instituted a true congregate system, as inmate interaction was generally permitted and solitary confinement was never a blanket policy for all prisoners.²¹³

²¹⁰ Reverend August Drahtmas wrote an editorial seeking to set certain facts straight which Lowrie had written on. Among the discrepancies was who, in fact, established San Quentin’s first school—Rev. Drahtmas did, under the wardenship of H.E. Hale. “*Author of “The Criminal” Says Lowrie is Fabricator,*” Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

²¹¹ Captain Matheson was also a proponent of corporal punishment and favored restoring the whipping post for convicts. Fremont Older, “*Capt. Matheson Raps Laxity of Prisons,*” 14 December 1925, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

²¹² “*The Trouble in the Prison,*” 10 June 1912, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca. In debating prisons and policies anti-reform sentiments have remained steadfast, while conservative backlash has often minimalized reform efforts or worse, established laws, policies, and practices which fuel incarceration rates.

²¹³ The congregate system, Auburn system or New York Model, was developed during the nineteenth century. The system imposed strict solitary confinement at night and stringent work conditions during the day, and enforced perpetual silence even when prisoners labored in groups. Daily militaristic drills were held, marching convicts to various work stations, with zero tolerance for eye contact or speech, which would result in

The prison system, though taking select cues from the congregate model, used a selective balance of labor and solitary confinement; the latter would become a point of major contention for prisoners in the 1960s, leading to revolts and strikes, provoking public debate into the present. Of the two opposing arguments regarding prisons and their reform, the basic sentiments and many of the allegations or defenses remain unchanged; it is rather the inmates' culture and the institutions' environments that have transformed overtime. The debate and its arguments have remained relatively consistent.

During 1925, rebellious actions continued, resulting in “nearly a dozen” deaths from August to October.²¹⁴ One trial of six convicts, charged with murdering San Quentin prison guard Branch M. Miller, reveals several issues regarding San Quentin at this time. Raymond Juarez was called to testify against his fellow prisoners, in which he recounted defendant Cecil Wright striking Officer Miller with an iron bar; then witnessing Joe Summers and Paul Luce throw Miller's body from the barge launching platform. Another defendant, Robert Scott, also attacked San Quentin storekeeper George Grayson with an iron bar, “knocking him senseless.”²¹⁵ In this instance, testimony by prisoners Raymond Juarez and Henry Collins, two Hispanic inmates, led to the convictions of fellow prisoners—a rarity in the aftermath of a contemporary prison riot due to prisoner politics. However, the use of contraband items in a relatively coordinated assault against prison officials is a motif which has become increasingly common over the twentieth century.

On November 11, 1925, Folsom was thrown into an uproar around three o'clock in the afternoon. Claude Ray Kohl and Robert York were seen by guards atop a derrick in the Folsom stone quarry. Having slipped away from their work detail and climbed atop the derrick, the two men tried to swing from a pulley-type device they had rigged. The pair made a daring effort to cross the American River to freedom. However, Claude Kohl fell to his

brutal punishment. Proponents theorized that the stringency of the system would rehabilitate convicts by teaching respect, discipline, and work ethic. The system first introduced striped uniforms.

²¹⁴ “*Death Threat in Convicts' Trial*,” 4 October 1925, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

²¹⁵ Ibid.

death, and Robert York was swiftly recaptured and placed in solitary confinement—a bold, but ill-fated attempt.²¹⁶ That same year, 1925, two others detainees engaged in a much more successful mutiny in Oakland. Escaping the Alameda County Jail were Ernest Booth, a bank robber, and Robert Grant, a “holdup man.”²¹⁷ Just prior to escaping, Booth met with his lawyer, Marshal Stutzman of Los Angeles. Following their conference, and being led back to his cell, Booth produced a gun, ordered the guard into the cell, while taking his firearm and keys, and freed Grant. Outside, a get-away car awaited the two who promptly vanished.²¹⁸ Although the foregoing illustrations deal with escape, the events fit within the CDCR definition of ‘riot,’ in having, two or more persons, disrupting the public peace during confinement, and offering the threat of violence.

In a much bloodier escape attempt, six prisoners brutally assaulted prison officials, commandeered the prison dock launch, and fled custody. The convicts were trustees working for the road gang just outside the prison walls. Their sole guard, George Grayson, was struck in the head with stones and bricks, placing him in critical condition. Then, B.O. Miller, the prison’s shipping clerk, was beaten and kidnapped by the six. The prisoners taking Miller hostage used him as a human shield against bullets emanating from guards manning the walls; although no bullets struck Miller, he subsequently died from his injuries. Once gaining command of the boat launch, the desperadoes fled on a tugboat. The escape-whistle sounded, and, as sharpshooters and machine gunners opened fire, the penitentiary was set in an uproar, and it seemed as though “the whole prison would break into a riot.” San Quentin was placed on full lockdown and the guards doubled. Prison officials, police, three citizens’ posses, and an army airplane were used in recapturing the six.²¹⁹

²¹⁶ “*Folsom Inmate, trying Escape, Killed in Fall,*” 11 November 1925, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

²¹⁷ “*Two Escape in Oakland Prison Plot,*” Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

²¹⁸ Ibid.

²¹⁹ “*6 in Quentin Break Kill Clerk; Caught,*” Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

The waves of violence and escape attempts invigorated the notion that “California’s prison-system has been a trouble-center for some time past . . . Disturbances in the prisons creates a definite public danger and menace. Everything hinges on the personal abilities of the directors, and their aloofness from the political field.” These words were written in December 1925 as Governor Richardson was preparing to fill two vacancies on the State Board of Prison Directors. Richardson was known for objective, rather than political, appointees; patronage was a longtime problem in California’s penal system, especially in naming prison directors.²²⁰ As an organization composed of distant elements, the nearest thing to an executive head of corrections was the Board of Directors; this collection of men held a strong bearing on the direction of California’s penal history. Nonetheless, the following two decades would radically alter the culture and structural organization of institutional correction.

The repercussions of the Great Depression were vast, with America experiencing a rise in criminality corresponding to unemployment; in turn, new, awe-inspiring, and centralizing governmental solutions were executed. As New Deal policies were implemented, American culture adjusted, and the public and their institutions became familiar to the idea of consolidated government. In due course, the State of California reconsidered traditional administrative arrangements, including those of incarceration. Under the auspices of Governor Earl Warren the prison system was reorganized in 1944. The formal reorganization led to the official establishment of the Department of Corrections, instituting a sole executive or Director of Corrections. The Director would wield enumerated powers over, and set policy for, the entirety of the correction system in accordance with State law. The reorganization and centralization beget a standardization of the correctional process, normalizing the various prison facilities, correctional branches, and their policies. Likewise, the experience of prisoners would become increasingly standardized, making it so that, regardless of which facility one prisoner served time in, the basic premise of their incarceration would parallel one another’s.

²²⁰ “*Take Prisons out of Politics*,” 18 December 1925, Scrapbook, 1912-15, Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

Moreover, advances in technology and techniques of imprisonment would outmode individualized or otherwise disorganized revolts against the institution itself; though still occurring, the probability of success through revolt was further minimized. The escape attempts and other riotous upheavals prior to the 1940s demonstrate an absence of any concrete inmate collective—each event was individualized, shortsighted in aims, and typically resulted in total failure. However, the collective establishment of a Department of Corrections so too established an inmate collective—conjoined in their systematic detention—enhancing prisoner solidarity. The standardization of the system and the prison experience came with unintended consequences, pertinent to structuring a new inmate populous and compelling organized resistance by the 1960s. The reorganized penal system led prisoners to understand that there were certain experiences that one could expect regardless of which institution housed them. Furthermore, inmates in need of certainty, in an often capricious and unforgiving environment, latched onto an archetype of common standards abetting their incarceration, thereby fashioning and structuring the convicts’ code, which was later modified upon desegregation.

Contemporarily, upon entry into a facility, new inmates are informed of their obligations to their race by their counterparts, including their “duty” to cooperate with and standup for their ‘car,’ fighting if and when the time comes.²²¹ Riots in California are inextricably linked to racial politics and gang leadership, since the 1960s.²²² Whether in a county jail or state prison, these tumultuous events shake institutions, sparking the interest of the media and public. Occasionally, a random fight bursts into larger violence, based on the inmates rule of “one jumps, we all jump.”²²³ More typically, upcoming riots are made known to the ‘soldiers’ of the offensive group through their superiors (i.e. reps). Within the closed

²²¹ Anonymous, Sureno, Telephone Interview by Author, 18 May 2014.

²²² Matthew King, San Bernardino County Sheriff’s Department, Interview by Author, 29 December 2013.

²²³ “Politics,” the self-identifying term for the inmate hierarchy, originated with racially divided inmates. Influential inmates formed gangs, or rose to leadership positions, eventually creating their own system of order, politicking with one another in the establishment and maintenance of a convict code. Prison gangs arose from the need of protection, thus each race enacted the “one jumps, we all jump” rule to ensure any act of violence against a single member would be met with collective retaliation, by all the members of his race. Anonymous, Aryan Brother, Telephone Interview by Author. 1 April 2013.

community, prisoners know and feel the tensions which may produce a riot. As one Aryan Brother put it, “you always know when the riot is coming because of the dead silence on the tier . . . the calm before the storm.”²²⁴ Often, orders to stage an assault come from the top down, with the penalty of non-compliance being an attempt on the no-conforming prisoner’s life. “As race becomes a more important factor in the modern penal system, administrators must take steps to alleviate potentially destructive results [using proper classification] Many aggressive inmates will use race relations as a justification for violence.”²²⁵ The racial invocations of riotous behavior are illustrated by a variety of examples that followed the 1960s and continue into present day, with poor institutional conditions furthering inmate agitation against the institution and fellow prisoners.

In 1966, a prisoner of Soledad sued the prison’s superintendent, Cletus Fitzharris, for inflicting cruel and inhuman punishment. The court did find Superintendent Fitzharris guilty of keeping prisoners in a six by eight and half foot strip cell in solitary confinement, exposed to elements of the weather (particularly rain), forced to sleep on a canvas mat on the concrete, naked, and deprived of all sanitization items, to the point of allowing the washing of hands once every five days. The judiciary, rendering its verdict, affirmed, “The court must intervene to restore the primal rules of a civilized community in accord with the mandate of the Constitution of the United States.”²²⁶ However, Fitzharris was allowed to remain in command of the prison, though he modified his solitary confinement procedure.

At Soledad prison, ‘O-Wing’ is the maximum security unit, referred to by authorities as the ‘Adjustment Center,’ denoting its use of solitary confinement. Each prisoner is housed in a six by ten foot cell, with a door not only barred but covered with a sheet of steel mesh. As tenets of a maximum security wing, convicts are relegated to their cells for 23 ½ hours per day; food is deposited through a slot in the prisoner’s cell door. The half-hour remaining in

²²⁴ Anonymous, Aryan Brother, Telephone Interview by Author. 22-23 January 2014.

²²⁵ Kevin T. Smith, “State Prison Riot Prevention” (MCJ practicum report, Washburn, KS: University of Topeka, 2001): 47.

²²⁶ Black Caucus Report: *Treatment of Prisoners at California Training Facility at Soledad Central*, July 1970, Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.

the day is reserved for either showering or exercise, depending on the day. Television, study programs, and work details are prohibited, along with normal recreation. Since 1969, prisoners of O-Wing were forbidden to exercise in groups, as “racial tensions between black on the one hand and whites and Mexican-Americans on the other” had created disturbances at Soledad.²²⁷

In early January, 1969, George Jackson and W.L. Nolen, Black Panthers and co-founders of the Black Guerilla Family (1966), were transferred from San Quentin to Soledad.²²⁸ On January 13, 1970, a riot broke out between white prisoners led by the Aryan Brotherhood and black prisoners, led by the BGF. During the riot, which Jackson was not involved in directly, three African-Americans were shot to death—including W.L. Nolen.

On the morning of the melee, January 13, a new exercise yard opened for use by O-Wing inmates. On that day, seven black inmates, along with eight Caucasians, one Mexican, and two Polynesians, shuffled out onto their newly constructed recreation yard. A fist fight broke out between the black and non-black inmates. Although each had been searched for weapons and had none at their disposal, guard O.G. Miller, stationed thirteen feet above the yard, opened fire on the prisoners, killing three blacks and wounding one white. Prison authorities reported that an unheeded warning-shot was fired prior to the actual use of lethal force. Media outlets at the time were told by officials that a “gang fight” transpired.²²⁹ In response, African-American prisoners, who witnessed the events, wrote members of the California State Legislature.

A letter from one black inmate, who was on the yard during the fight and shooting, described the events as he perceived them that morning. This inmate wrote that, with the exception of the seven African-Americans, all the other prisoners on the yard were anti-black,

²²⁷ Black Caucus Report: *Treatment of Prisoners at California Training Facility at Soledad Central*, July 1970, Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.

²²⁸ George Jackson, *Soledad Brother: the Prison Letters of George Jackson* (New York: Coward-McCann, 1970).

²²⁹ Black Caucus Report: *Treatment of Prisoners at California Training Facility at Soledad Central*, July 1970, Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.

and that the guards “knew a battle was inevitable considering all that has been done to us by these inmates.”²³⁰ The author stated that he was near prisoner “A” as the fight began between “A” and another inmate, who had threatened prisoner “A” the previous night. The first shot fired, without warning, struck prisoner “A;” as he fell, anti-black inmates charged forward in-attack, and the author of the letter rushed to the protection of “A.” Simultaneously, prisoners “B” and “C” were fighting off other inmates, and then prisoner “B” turned to run towards “A” when he was struck by a bullet, collapsing. Lastly, “C” was shot fatally while attempting to come to the assistance of the author of the letter, who was being assaulted by two Caucasian inmates. In his recollection, only seven of the fifteen prisoners on the yard engaged in the combat, and thirty-five correctional officers were in the vicinity. For the author of this letter, the events of January 13, 1970 were a manipulation by officials perpetrating an assassination.²³¹

The shootings were ruled as justiciable homicide, first by the district attorney and then by a grand jury, who visited Soledad prison. Among the prisoners interviewed, the grand jury found recollections of a warning-shot being fired. However, the grand jury did not interview any black inmates. The incident prompted several to write state legislators, distraught that no biracial investigation was conducted—among those concerned were public defender Pharacel Shelton. In the letters written by prisoners, statements contrary to the grand jury’s findings were made. Chief among the conflicting accounts were reports that not all three men died instantly, as authorities stated. Rather, the yard was under lockdown for ten to twenty minutes, during which time all three men expired—before being transported to the facility hospital adjacent the recreation yard.²³²

In apparent retaliation for the January 13th shooting deaths of the three African-American prisoners, a Soledad guard in ‘Y-Wing’ was murdered on January 16th by being

²³⁰ Black Caucus Report: *Treatment of Prisoners at California Training Facility at Soledad Central*, July 1970, Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.

²³¹ Ibid.

²³² Ibid.

thrown from atop a three-story cell block. George Jackson was indicted, along with two other black inmates, and sent back to San Quentin in 1970; the three indicted became known as the ‘Soledad Brothers.’ Nevertheless, the ‘riot,’ its subsequent shootings, and retaliatory murder did spark inmate engagement with authorities beyond the Department of Corrections, as well as placing prisons in the spotlight for public dialogue.

Letters from inmates to legislators recounted administrative bias towards black inmates at Soledad. They described cases where correctional officers harassed black prisoners and allowed white inmates to harass them, as well. The harassment was largely constituted of racial slurs, epithets, and other provocative gestures, along with the delivery of contaminated food. One inmate writing from Soledad prison in 1970 revealed an incident in which “four white boys and one Mexican who took the police captain with a knife at his neck and attacked the other, trying to get the keys so they could kill these blacks.”²³³ Another inmate reported that a black inmate who refused to come out of his cell was repeatedly tear gassed until he passed out; upon his regaining consciousness in the officer’s area, a struggle ensued in which the inmate was maliciously beaten and taken to the hospital, where the prisoner died. The death was “passed off as heart failure” because of racial tensions.²³⁴ The tensions were between “black and consolidated non-black inmates.”²³⁵ Augmenting racial antagonism, there was never an attempt to balance racial percentages on the yard; for those in “Super-Max” the number of blacks was actually reduced, thereby placing black inmates at a disadvantage in protecting each other from rival prisoners.²³⁶ Letters, telephone calls, and other formal complaints were made to Black Caucus members, who went on to inquire into the validity of the prisoner’s statements.

²³³ The inmate-author reporting these conditions suggested that, the administration was “trying to either kill off or harass by isolating so-call Black Leaders.” Black Caucus Report: “*Treatment of Prisoners at California Training Facility at Soledad Central*,” July 1970, Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.

²³⁴ Ibid.

²³⁵ Ibid.

²³⁶ Ibid.

Senator Mervyn Dymally visited Soledad prison on February 1, 1970. In addition to other inmates, he met with the ‘Soledad Brothers,’ the three inmates accused of killing a guard on January 16th. Jackson was brought before Dymally in shackles and chains, trembling so severely he was unable to light his own cigarette. As Dymally tried to speak with him, he perceived that Jackson was terrified, making open and honest conversation difficult. Following his visit to Soledad, and trying not to publicize allegations until he had more answers, Senator Dymally met with the Director of Corrections, Raymond Procunier. Director Procunier felt no need for a biracial investigation into the inmate shootings or the prison guard’s murder, doubting that the conditions at the prison were as inmates complained. Rather, Director Procunier suggested that legislators visit the prison unannounced on June 1 to see the institutions operations first hand.²³⁷

The ‘unannounced’ visit of Soledad prison was conducted on June 1st. Senator Dymally was accompanied by staff aides Jim Turner and Daniel Vienich. A follow-up visit was also scheduled by three staff aides for June 18-19th. The second visit was motivated by letters notifying the legislators that seven black inmates were in custody in O-Wing, and had been there on June 1, but were kept from the legislative entourage. The seven prisoners in solitary confinement were there for soliciting donations from inmates for the Soledad Brother’s Defense Fund. The administration called the three ‘Brothers,’ leaders and militants among the black inmates—charging them with murder and treason. The prison officials were explicitly unsympathetic to the Soledad Brother’s cause.

Dymally’s staff prepared an anonymous questionnaire to distribute to African-American prisoners on their second visit, hoping to gain greater insight into O-Wing’s issues without the inmates having to fear retribution. Director Procunier refused to allow such a questionnaire to be distributed. In the two days, more than fifty inmates were interviewed for

²³⁷ June 1 was the eve of primary elections. Senator Dymally was selected to visit the prison and report back because he was the only member of the Black Caucus not up for reelection. Black Caucus Report: “*Treatment of Prisoners at California Training Facility at Soledad Central*,” July 1970, Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.

at least thirty-minutes each. The interviews were conducted throughout the prison, in dining-halls, various recreation yards and housing wings.²³⁸ Guards were observed in their natural setting and administrators were also conferenced for four-hours to discuss institutional practices and inmate grievances. The commission visiting Soledad unanimously felt that racist attitudes and practices were in play at the facility; and that superiors shared the sentiments and prejudices of correctional officers, “against the credibility and worthiness of the inmates,” having rose to through the system to administration.²³⁹

Prisoners repeated to the legislative envoy allegations made in letters, the most common among complaints was contaminated food—some reporting urine being placed in coffee by favored inmates and distributed to maximum security inmates, while others recounted maximum security inmates throwing feces at other prisoners. Director Prounier told the legislators that reports of food or drink contaminated by human excrement were, “beyond belief.” In response to why so many prisoners reported such incidents, Procunier replied, “I don’t know what to say. You either have faith in the system or you don’t.”²⁴⁰ Still more shocking accounts were described, including reports of guards opening cell doors to allow racial fights in a three or six-to-one ratio and guards smuggling in weapons for favored inmates. Prisoners also complained about the lack of medical attention received, with one man noting an ulcer which caused him to spit blood. After being asked about the man with the ulcer, Superintendent Fitzharris replied, “We have to have a lot of blood before we give an X-ray. Otherwise everyone would want one.” However, he said that he would have someone look into the matter. Furthermore, the querying visitors found inmates who had no idea why they had been removed from general population and placed in maximum security. However, both Procunier and Fitzharris insisted every prisoner in O-Wing has been told why they are there, but that the inmates would be re-informed by staff. The Senate-staffers also

²³⁸ Two of the legislative aids elected to spend one night in a cell in A-Wing. Black Caucus Report: “*Treatment of Prisoners at California Training Facility at Soledad Central*,” July 1970, Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.

²³⁹ Ibid.

²⁴⁰ Ibid.

encountered an illiterate Mexican-American inmate who asked them to read a recently received letter from his attorney.²⁴¹

In 1970, Mervyn M. Dymally, chairman of the Senate Democratic Caucus, wrote to democratic Black Caucus leader and Assemblyman John J. Miller. In the official communique, Senator Dymally reported his findings at Soledad prison and made suggestions. Dymally noted that, if even a small fraction of the reports were accurate, the correctional employees' treatment of prisoners was cruel, vindictive, and dangerous, "with all manner of informal (sometimes corporal) punishment" unchecked.²⁴² With candid concern for inmates who spoke up regarding transgressions by facility personnel, the senator suggested further inquiry into the problem, hoping to prevent retribution.

Strongly recommended to the Legislature was the commissioning of an independent investigation into the Department of Corrections. Beyond an investigative commission, the Black Caucus report recommended: 1) A permanent, salaried, full-time Board of Overseers for prisons be established by the State—staffed with psychologists, psychiatrists, public defenders, and concerned laymen. The need for such a board was evident, considering that within the penal structures of the time, "inmates have no real avenue to seek redress for violations of law or breaches of morality by employees;" 2) The end of intimidation of inmates by correctional staff, remedied by enforcement of the Department of Correction's code of rules and regulations; 3) The change of prison rules to prevent punishment of inmates until due process is given—as solitary confinement was common and openly used by officials prior to such proceedings; 4) The exclusion of reporting to the Adult Authority (parole) regarding minor offenses in conduct and behavior by inmates, such as not removing a hat in the cafeteria, or refusing to shave when no mirror is available; 5) That all prisoners be given medical examinations annually; 6) The use of psychiatric examinations to test a person's ability to deal with the stresses of prison life, including the personal and emotional needs of

²⁴¹ Black Caucus Report: "*Treatment of Prisoners at California Training Facility at Soledad Central*," July 1970, Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.

²⁴² Ibid.

inmates; 7) The creation of an “in-service program,” educating correctional staff in ethnic and racial issues—in essence sensitivity training;²⁴³ 8) The resignation or firing of Correctional Officer Maddix, who “personifies the racism, brusque demeanor, harsh vocabulary, and authoritarian attitudes, which are so detrimental to proper and judicious inmate/staff relations;” 9) That prisoners in maximum security wings be given access to educational materials; 10) That more blacks be allowed into the work training program and given lead-man positions;²⁴⁴ 11) That therapists, psychiatrists, and psychological counselors be added to the prison staff;²⁴⁵ 12) The expansion of the work-release program from three months to six months with the reduction of costs of such furlough programs to the inmate wherever possible; and 13) That exercise time for maximum security units be increased from the current thirty-minutes per day.²⁴⁶ Clearly, the Black Caucus inquiry into the world of ‘corrections’ was disturbing, leading them to wholeheartedly make recommendations on behalf of all prisoners.

Of the recommendations made by the Senate’s Black Caucus, none were put into effect, though several later materialized in greater or lesser degree—institutional change being a work in time. In redressing violations of law by officials, the Department of Corrections did implement an appellate and grievance process so that prisoners could challenge citations they received or file complaints against officials. Also, since the 1970s, a host of ‘watch-dog’ organizations have emerged but no state-sponsored ‘Board of Overseers.’ In general, the Department of Corrections has worked towards enforcement of their own rules and

²⁴³ Some officers referred to blacks as “colored” and reported using the terms “boy,” “nigger,” and “hammer.” Still another correctional officer noted that, Indians from Arizona made such fine correctional officers the Department would love to have a “truckload” of them. Black Caucus Report: “*Treatment of Prisoners at California Training Facility at Soledad Central*,” July 1970, Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.

²⁴⁴ According to institutional figures, of the 2,787 prisoners, 48 percent were white, 27 percent were black, 23 percent Mexican-American, and two percent were of “other” racial/ethnic background. The report expressed concerns with “misleading” statistical data in regards to vocational and academic training, due to instances of minorities being counted among vocational programs, but serving in the program’s departments sweeping floors or conducting other remedial tasks, rather than training. Ibid.

²⁴⁵ Soledad had a single full-time psychiatrist at the time. The Caucus’s report urged an expansion of councilors in an institution intended for rehabilitation, if only in part. Ibid.

²⁴⁶ Ibid.

regulations, seeking to reduce official breach of policy and inmate rights by further professionalizing and training staff. In regards to the use of solitary confinement and due process, little has changed. Administrative segregation can be applied to prisoners with little warning or recourse; this problem has invoked wave after wave of inmate and civil protest, including hunger strikes. In regards to minor violations being reported to the parole board, the CDCR uses a point-system to classify prisoners; the more points a prisoner has, the higher their security housing level is and the less eligible they become for successful parole. Medical examinations are not conducted annually, although health facilities do exist in every correctional complex. Likewise, no blanket psychiatric examinations are conducted, though all facilities have a psychiatrist/psychologist on staff. Since the late 1970s and through the 1980s, in-service programs were instituted, educating correctional staff on ethnic and racial issues—primarily through Governor Ronald Reagan’s Affirmative Action policy.

As the Black Caucus members were filing their recommendations with the Senate, hoping to alleviate some of the hardships endured by prisoners, San Quentin was about to explode, inducing a national spotlight, and shocking officials and inmates alike. In August 1971, George Jackson was awaiting trial on capital charges for murdering a Soledad prison guard and still incarcerated at San Quinten prison. On August 21, attempting escape, he smuggled in a pistol hidden in a fake hairpiece. Jackson held guards hostage and set fellow prisoners free before fleeing the Secure Housing Unit (SHU).²⁴⁷ As he sprinted across the lawn within the complex, a bullet ripped through Jackson, killing him instantly. His death set off protests and fueled inmate rebellion.²⁴⁸ With African-American prisoners in an uproar over Jackson’s death, tensions flared against prison administrators and between inmates.

²⁴⁷ SHU, pronounced “shoe,” is solitary confinement, unofficially called “the hole” or in many jails Administrative Segregation or ‘Ad-Seg.’ George Jackson spent several years in and out of the SHU, during which time he wrote letters to friends and fellow supporters of Marxist-Maoist revolutionary ideals. See: George Jackson, *Soledad Brother: the Prison Letters of George Jackson* (New York: Coward-McCann, 1970).

²⁴⁸ Eric Cummins, *The Rise and Fall of California's Radical Prison Movement* (Stanford, CA: Stanford University Press, 1994).

In 1970, the California Department of Corrections' (CDC) prisoners consisted of 9,107 Caucasian inmates (48.8 percent), 6,019 African Americans (32.2 percent), 3,235 Hispanic inmates (17.3 percent), 181 Native Americans (1.0 percent), 82 "other" ethnic minorities (0.4 percent), and 50 Asian inmates (0.3 percent)—totally 18,673 persons incarcerated, within a state of 7.99 million, and overseen by 7,633 CDC personnel. Prisoners in California were 96.8 percent male (18,080 persons), versus 3.2 percent female (594 persons).²⁴⁹ Furthermore, about half of all prisoners in California were either black or Hispanic, many of whom were sensitive to racial slurs and ethnic insults, along with other demeaning treatment which was common within the penal system. A primary cause of prejudice was the culture and demographic makeup of the CDC, who reported personnel statistics as: "80.2 percent Caucasian, 8.8 percent black, 7.4 percent Spanish surname, 1.2 percent Asian, .2 percent Native American and 2.2 percent of other extraction."²⁵⁰

In September 1971, Governor Ronald Reagan issued an executive order to all agency secretaries, department directors and employee organizations, redefining the Code of Fair Practices and emphasizing equal opportunity and fair standards. By 1974, Governor Reagan was pleased to announce the adoption of the Equal Employment Opportunity Policy and Affirmative Action Plan. As an executive order, the matter of equal employment in correctional roles was not an internally developed reform by the Department of Corrections. However, the Director of Corrections and others hoped the Affirmative Action Plan would benefit rehabilitation. The Department's action plan would seek job assignments for minorities in all administrative positions, CDC institutions, and field parole units. The U.S. Department of Justice indicated that the percentage of minority personnel should be at least 70 percent of that of the minority prison populations.²⁵¹ However, this would require a major realignment, one which, even at present, has not occurred.

²⁴⁹ "Reports and Studies," 1947-1980, F3717:342-357; 1653-1764, California State Archives, Sacramento, Ca.

²⁵⁰ Ibid.

²⁵¹ Ibid.

By the mid-1970s, the politicization of race was an entrenched reality of the California penal system, both among inmates and administrators. Within the institutions, various factions and roving gangs had sparked waves of race riots and other administrative crises. In response to the apparent shifts in both American political culture and inmate demographics, the California Department of Corrections enacted their Affirmative Action Program in 1974. Prompting this action were constitutional concerns for the equal employment of citizens, while the practical concern was towards acquiring a new set of correctional officers and administrators who would positively impact corrections by reflecting the diversity of California prisoners. Therefore, expectations were that, by actively seeking a new class of correctional officials undeterred by race, color, religion, sex, or national origin, the CDC could gain a handle on public opinion as well as inmate expressions of discontent with an often biased system. In a racially charged atmosphere, the dominant sentiment was that a prison official with a similar background to a prisoner may reduce prison tensions.

In the opening policy statement of the Affirmative Action Program, the State of California recognized the Constitutional guarantee to “certain inalienable rights of citizenship to all citizens.”²⁵² Moreover, “In addition to these basic human rights, California has enacted a State Fair Employment Practice Act,” citing among the goals, the increase of minorities and women employees at all levels. But to what end? Among the new duties of Director of Correction’s was the analysis and identification of jobs and specific housing units where minorities and women were “under-utilized.”²⁵³ Beyond the pragmatic application of minorities and women, the Assistant Director of Women’s Affairs was to act as the liaison between departments/agencies, minority organizations, women’s organizations, and community action groups—who, undoubtedly, were interested in a greater social change than mere hiring policies when it came to prison reform. This shift in official policy indicated an

²⁵² *Affirmative Action*, 1 July 1974, Revised 1 April 1975, Reports and Studies, F3717:342-357; 1653-1764, 1947-1980, California State Archives, Sacramento, Ca.

²⁵³ *Ibid.*

administrative effort to procure a practical solution to racial tensions which were overwhelming California's prisons.

In 1973, racial tensions and inmate revolts reached their zenith, in part causing the implementation of Affirmative Action. San Quentin was also embroiled with gang tension resulting in a riot between archrivals: the Black Guerilla Family (BGF) and the Mexican Mafia (La Eme).²⁵⁴ Gang conflicts and occasional race riots were the norm at San Quentin through the end of the century. However, riotous behavior increased at San Quentin following a 2005 California Supreme Court decision that ruled automatic segregation unconstitutional, forcing officials to move away from their historical security practice of segregation. In January 2006, racial tensions flared into riots that began in the prison cafeteria.²⁵⁵ Although the prison housed a population of over 3,300 inmates, only 260 took part in the melee, with 25 becoming injured, including two guards.²⁵⁶

In February 2006, North County Correctional Facility, an L.A. County jail in Castaic, California, experienced another racially motivated riot. Mexican leadership ordered a riot against black gang-members, during which more than 50 were injured, though only a single fatality occurred.²⁵⁷ A link between the 2006 riots at San Quentin and North County is inmate racial politics, with only a month between events and the same factions warring. Due to the elaborate network of communication that criminal organizations exert across the state, when a riot begins at one institution, the administrators of other prisons and county jails place their

²⁵⁴ Ibid.

²⁵⁵ A minor detail, but note the shift in terminology. In earlier episodes, such as when Kaufman was murdered at San Quentin in 1909, the event occurred in a "dining hall," today "mess-hall," "chow-hall," or "cafeteria" predominate.

²⁵⁶ Suzanne Herel, "San Quentin Prison riot injures 23 inmates, 2 officers," San Francisco Gate, 13 January 2006, Accessed 1 October 2013. <http://www.sfgate.com/news/article/San-Quentin-Prison-riot-injures-23-inmates-2-2506387.php>.

²⁵⁷ Jean Guccione, Stuart Pfeifer, and Rich Connell, "1 Killed, 50 Hurt in County Jail Race Riot," *Los Angeles Times*, 5 February 2006, Accessed 2 Oct 2013. <http://articles.latimes.com/2006/feb/05/local/me-castaic5>.

inmates on lock-down, shutting down televisions and censoring newspapers. This was the case during the 2009 Chino riot.²⁵⁸

The California Institution for Men at Chino opened in 1941 and currently houses approximately 5,911. The prison serves as a major reception center for newly admitted prisoners and returning parolees from across Southern California.²⁵⁹ In December 2006, more than 200 prisoners rioted for approximately ninety-minutes following a fight between a single Hispanic and African-American inmate.²⁶⁰ In early August 2009, a riot at the Chino institution traumatized the state, shocking the nation. The riot erupted on August 8, at 8:20 p.m., in the medium-security Reception Center West. The reception center is a unit quartering prisoners in dormitory-style buildings. Inmates broke pipes and ripped metal from lockers, using them as weapons and destroying beds and other prison property by setting fire to it. For eleven-hours, guards were helpless to suppress the riot as inmates battled and two buildings burned to the ground. At least 80 officers were used to quell the uprising, employing foam projectiles, pepper spray, and nightsticks while clearing buildings that prisoners barricaded themselves inside of.²⁶¹ By 7 a.m. the next morning, the reception center was secured. When all was said and done, 250 lay injured, 55 of them hospitalized. Amazingly, and in tribute to the restraint of correctional officers, no fatalities occurred, though one inmate was critically injured. The administration responded by transferring 1,100 prisoners to other facilities. The riot came only a week after three federal judges ruled that conditions in California prisons were “appalling,” ordering the population reduced by 43,000 prisoners over the next two years.²⁶²

²⁵⁸ Matthew King, San Bernardino County Sheriff’s Department, Interview by Author, 29 December 2013.

²⁵⁹ Michael D. Brown, *The History of Chino Prison: The First Fifty Years of the California Institution for Men: 1941 to 1991* (Chino, CA: Vocational Offset Printing Program, California Institution for Men, 1991).

²⁶⁰ Joe Mozingo and Margot Roosevelt, “Dormitories Burn Down in Chino Riot,” *Los Angeles Times*, 10 August 2009, Accessed 13 September 2013. <http://www.youtube.com/watch?v=CdiVLtDtCLc>. Chino’s mayor also asked the governor to stop sending inmates to CMI.

²⁶¹ Jack Castillo, “250 inmates hurt, 55 hospitalized after California prison riot,” *CNN*, Turner Broadcasting System, Inc., 9 August 2009, Accessed 2 October 2013. <http://www.cnn.com/2009/US/08/09/california.prison.riot/>.

²⁶² Joe Mozingo and Margot Roosevelt, “Dormitory Burns Down in Chino Prison Riot,” *Los Angeles Times*, 10 August 2009, Accessed 2 Oct 2013. <http://articles.latimes.com/2009/aug/10/local/me-prison10>.

Following the 2009 Chino Riot, fifty-five inmates wrote 116 pages of letters regarding the riot and its aftermath, which offer the media and public an unofficial account. Most identified overcrowding or institutional problems rather than the racial upheaval which set the prison off. Additionally, the bulk of the letters pertain more to the mistreatment of inmates by staff following the incident. However, in these unpublished and redacted letters several inmates listed themselves as “representative,” a distinctive title referring to their position within the unsanctioned inmate hierarchy—as reception centers do not host Inmate Advisory Councils since the unit’s population is continually in flux, by the definition of reception. One representative writing on November 4, 2009 states, that he was forced to sleep on the concrete ground for three nights and did not receive a “proper shower” for a month following.²⁶³ Another letter, dated November 30, 2009, notes “living conditions are horrible,” “overcrowded,” and “facility bathrooms were way to[o] small to accommodate all the inmates, making for a riot.” Oddly enough, the complaints are nearly exclusively against the administration and CDC officers; however, the rioting was a battle between inmates, drawn by racial lines, rather than a popular uprising against their captors.

Folsom State Prison has a rich, but dark history as one of the first maximum security prisons.²⁶⁴ Opening in 1880, Folsom is the state’s second oldest prison and the first in the world to have electricity.²⁶⁵ The facility currently houses over 1,800 prisoners and has been home to such infamous persons as “Suge” Knight, Charles Manson, and Rick James. Folsom became notorious in the 1970s for various race riots and has continued this legacy into today. The most recent riot occurred on a general population yard in September 2012. The melee

²⁶³ KCPP, “Chino Prison Inmate Letters,” Southern California Public Radio, (American Public Media, 2013), Accessed 3 October 2013. <http://projects.scpr.org/prison/letters/54/page/1/>.

²⁶⁴ Folsom was immortalized by Johnny Cash’s 1968 live performance and album recording there. Following the success of live “At Folsom,” Cash recorded “At San Quentin” in 1969, future country singer Merle Haggard sat as an convict in the audience, and by his own account was inspired to quite crime and focus on a career in music.

²⁶⁵ State of California, CDCR, *Folsom Prison Boasts A Rich History Spanning One Hundred Thirty Years*, Accessed 21 March 2013. <http://www.cdcr.ca.gov/history/folsom/index.html>.

resulted in several injuries, including head traumas, ten stabbed inmates and another prisoner shot.²⁶⁶ The battle was once again drawn along racial lines.

Pelican Bay opened in 1989 and was hailed as a high-tech prison, housing 3,300 prisoners. On February 23, 2000, the prison exploded at 9:30 a.m. when 200 Hispanic and African-American prisoners battled for roughly thirty-minutes.²⁶⁷ The riot began on the recreation yard of B-yard, where some of the toughest convicts are housed. The results were 28 hospitalized, 35 stabbed, 13 inmates shot by guards (one fatally), and one guard killed.²⁶⁸ The critically wounded Latino inmate was the first prisoner in two years to be fatally shot. Although these examples are a scant account of the mass violence which occurs in the California correctional system, they do lend insight into the racial issues and overcrowded conditions which exist and fester under the asepsis of corrections.

A plethora of other prison rebellions have occurred in California over the course of the twentieth century, perhaps more than can be enumerated. However, in gauging the historical shift in prison riots, inmate culture, and violence, one can deduce distinct periods of conflict and varying types of revolts. Initially, California's prison system was comprised of distant facilities under the managed patronage of posted officials, and though housing an ever growing multitude of offenders, no tangible inmate collective existed during the first half of the century. The uprisings were disorganized, individualized, and offered shortsighted means to generally unsuccessful ends. Being intolerant of their incarceration, it was common for a few mutinous prisoners to plot escape, typically staging a violent rebellion after seizing some desperate opportunity towards 'freedom.' The revolts resulted in the entire prison, and surrounding communities, being thrown into an uproar as sirens sounded and bullets flew. In

²⁶⁶ Kim Minugh, "60 inmates involved in New Folsom Prison riot that left 13 injured," *The Sacramento Bee*, 19 September 2012, Accessed 23 March 2013. <http://blogs.sacbee.com/crime/archives/2012/09/sacramento-metro-fire-officials-11-victims-in-folsom-prison-riot.html>.

²⁶⁷ Mark Gladstone, "Inmate Killed as Guards Open Fire on Riot," *Los Angeles Times*, 24 February 2000, Accessed 3 Oct 2013. <http://articles.latimes.com/2000/feb/24/news/mn-2081>.

²⁶⁸ Bill Wallace, Pamela J. Podger, and Jaxon Van Derbeken, "Guards Kill Prisoner in Brawl at Pelican Bay/12 other inmates shot in knife-wielding melee," *San Francisco Gate*, 24 February 2000, Accessed 21 October 2013. <http://www.sfgate.com/news/article/Guards-Kill-Prisoner-In-Brawl-at-Pelican-Bay-12-3239800.php>.

general, riotous behavior was provoked by poor institutional conditions or other grievances with authorities and were thus directed at officials, rather than other inmates. Prison revolts came in series, often correlated to social trends of a broader society—as social conditions in free-society transformed, so too changed social structures among prisoners.

Until the 1950s, few accounts exist in which inmate infighting produced a broader institutional conflict—and never did such conflicts spread to other facilities. Moreover, inmate uprisings did not involve more than a few dozen participants. However, the centralization of the Department of Corrections coupled with the desegregation of prisons during a radicalizing era produced a racially coordinated inmate collective structured by a rigid convict code, since enforced by prison gangs and their extremist ideologies. The second half of the twentieth century witnessed large-scale riots, sometimes involving hundreds of combatants, persistently drawn along racial lines, even when provoked by institutional factors such as overcrowding. Hence, the contextual factors associated with prison riots have remained relatively unchanged—though certainly a more professionalized prison authority exists—however, the prisoners and their culture have indisputably evolved. The militarization of convicts and their subordinates has given rise institution-wide violence, altering the ‘pains of imprisonment.’ And, although garnering media coverage and promoting popular debate regarding prison reform, the racial and gang elements of California have placed further strain on the institution seeking to correct and rehabilitate this marginalized and captive social strata.

Prison revolts can be tied to a wide-range of causes. Amongst the myriad reasons, factors associated with insurrection might include: a shortage of staff, lack of training, corruption, inconsistent policies, staff brutality, a lack of programs, medical assistance, or education, poor food quality, poor grievance policy, lack of concern, poor communication, staff or administrative turnover, or drastic changes to policy/procedure which directly affect

inmate's or their routines.²⁶⁹ The most generalized reason for a riot is an expression of grievance or attempt to force a change in conditions or policy.²⁷⁰ The keyword here is 'force.' Enigmatically, since the end of the Progressive Era prisoners have had representative councils sanctioned by the prison administration hoping to reduce inmate urges to force a change or violently redress a grievance. The goal of such councils is maintaining open lines of communication, negotiating and discussing alterations to prison life, and co-opting inmate perspectives and advice, all purposed towards preventing a rebellions before it occurs. While Inmate Advisory Councils are used at every state prison in California, they have little to no direct impact on actual inmate leaders because they are administrative constructs. And, although national trends in penology and cultural shifts within institutional correction have occurred, they may have merely led to idealistic measures of reform which are impractical in alleviating the contemporary realities of prison life. Advisory Councils are powerless in improving conditions on the streets, stemming gang rivalries, or enforcing decisions among convicts, as 'convicts' are the true leaders of the inmate collective.

²⁶⁹ Wilbur R. Miller, *The Social History of Crime and Punishment in America an Encyclopedia* (Thousand Oaks, CA: SAGE, 2012), Accessed 21 December 2014. <http://knowledge.sagepub.com/view/socialhistory-crime-punishment/SAGE.xml>. See also: Kevin T. Smith, "State Prison Riot Prevention" (MCJ practicum report, Washburn, KS: University of Topeka, 2001).

²⁷⁰ Bert Useem, *Resolution of Prison Riots*, (Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, 1995).

Chapter 4: Hunger Strikes, Work-Stoppages, and the Unionization of Prisoners

In considering the organization of prisoners, one may be surprised or even shocked to learn of the unionization of California's convicts during the twentieth century. Likewise, a tantalizing history of prison industry, convict labor, and legal quandaries exist. Bearing witness to successive waves of inmate protest, prisoners staged work-stoppages and hunger strikes in an effort to redress collective grievances. The mobilization of prisoners further politicizing the penal system, raising public awareness and legal debate over what exactly 'corrections,' 'imprisonment,' and 'rehabilitation' imply. Work and hunger strikes were often employed when Inmate Advisory Councils failed in their attempts to achieve the goals of their incarcerated constituents. The issue of representation is central to the functioning of the prison system. When sanctioned prison representatives are inept at their tasks, or superseded by unsanctioned prison leaders, administrators are often pressed by conflicting demands of security, inmate welfare, legal considerations, and even control over their institutions. Further straining the directives of prison officials is an interlock between a flocculating captive population and a free and ever-changing society beyond the walls of prison which is perpetually impacting the world of corrections—and therefore its history.

By the 1940s, labor unions had firmly earned their place in American society and culture—permitted and protected under the rule of law. Prisons, and their administrators, were no stranger to dealing with trade unions and other free-labor movements. In fact, scores of archival material point to a deep-seated connection between the prison system and unions. This makes relative sense, being that unions were prevalent in progressively inclined states, and California was ensuring its correctional dominance by either establishing new facilities or refurbishing old ones, in which inmate labor would not always suffice, thus requiring outside laborers, particular skillsets, and their organization.²⁷¹ As prisons and their wardens did their

upmost to maintain positive work and public relations, organized labor becomes a major concern of institutional correction.

By the 1950s, the increasing profits generated from prison industries and inmate labor conflicted with the interests of organized free-labor. Furthermore, the Prison Industries Board, along with other top-level administrators, began developing work and vocational training programs—in essence creating textile mills, furniture factories, metal shops, chicken ranches, agricultural farms, and dairies, among other profit-oriented endeavors. In the late 1940s, controversies arose regarding the use of inmate labor and its impact on free-society's economy, brought to attention by free labor activists who were organized and unionized by trade. In such disputes, locals raised outrage over proposals for the establishment of new institutions involving prison industries, fearing convicts in their vicinity, and, to a lesser extent, the possibility of prisoners being in competition with free-workers. A particular example of this is a case where residents of the San Joaquin Valley repeatedly opposed attempts to establish a prison farm/ranch in the fertile region outside of Stockton. Since the early 1910s, local government, business, and community leaders petitioned against the proposed prison farm; this local opposition, among other factors, postponed the actual construction of a facility in the Valley for decades.²⁷²

In January 1950, the Bay District Council of Iron Workers wrote to Governor Earl Warren. In the letter, Secretary C.R. Burton asked Governor Warren to eliminate convict labor in the construction of ironworks for prisons and prison camps, citing that inmate labor

²⁷¹ Since the inauguration of California's prison system in 1851, inmate labor has been used in the construction of correctional facilities and state projects—in a similar fashion to national trends. Both San Quentin and Folsom were built almost entirely by prisoner labor, having onsite stone quarries to erect the castle-like structures. However, as industrialization came to fruition, modernization promoted new, 'state-of-the-art' prisons. Thus requiring a specialized labor-force acquired only in free-society, and therefore through the contracting of trade-unions.

²⁷² The Stockton Chamber of Commerce telegraphed the Board of Prison Directors opposing the creation of a prison farm, citing business interests and public sentiment. "*Prison Farm is Again Opposed in San Joaquin*," 5 December, Scrapbook, 1912-15, Vol. 1, F3717: 986, California State Archives, Sacramento, Ca.

was “unfair to the construction workers.”²⁷³ Another such controversy was the establishment of a furniture factory at the California Men’s Institution, Chino (CMI). On January 23, 1950, the Correctional Industry Commission held a public hearing to resolve the dispute with outside, organized labor. The Commission elected to set a statutory limitation on annual production of furniture at \$225,000.²⁷⁴ In February 1950, a Department of Corrections resolution noted, “Organized labor has always been opposed to the use of prison labor in competition with free labor.”²⁷⁵ The Department’s resolution adopted the policy set forth by the Industry Commission. In this regard, it can be said that organized free-labor curbs the use of inmate-labor, which has been used in lining the coffers of state government.

On June 25, 1957, corrections Director McGee gave thanks to organized free-labor for their help in rehabilitation, stating, “Without the assistance organized labor has given us in the past we could not have made the strides we have.” McGee oversaw nine facilities and more than 16,000 inmates in 1957, of whom, 78 percent would ultimately be released and need every skillset, vocational training, and bit of work experience possible in order to productively rejoin society. In this instance, unionized free-labor was coupled with institutional correction to assist in teaching prisoners the necessary tools of industry needed in free-society. Prisons, by this time, began organizing Trade Advisory Councils, such as the one at Tehachapi’s prison, in an effort to adjoin free-labor and concerned citizens to the correction, education, and training of prisoners.²⁷⁶

However, the coopting of freely-associated labor was not always an effort towards rehabilitating prisoners. In 1958, the Marin County Federation of Teachers articulated concerns over the Department of Corrections’ contemplation of training vocational instructors to conduct body-searches of inmates, promoting security over pedagogy. The sentiments

²⁷³ “*Bay District Council of Iron Workers*,” 9 January 1950, 1946-61, Associations Labor Unions—General, F3717:278-292, California State Archives, Sacramento, Ca.

²⁷⁴ “*Resolution*,” 23 February 1950, 1946-61, Associations Labor Unions—General, F3717:278-292, California State Archives, Sacramento, Ca.

²⁷⁵ Ibid.

²⁷⁶ “*Associations Labor Unions—General*,” 1946-61, F3717:278-292, California State Archives, Sacramento, Ca.

educators expressed was that, if directed to search program participants, their primary objective of education would be obstructed—turning teachers into correctional officers in the eyes of student-prisoners, therefore frustrating their purpose. Warden F.R. Dickson, of San Quentin, received such a letter from Curtis Wright, a Federation official, dated April 16, 1958. Dickson’s reply came on April 24, in which he noted appreciation and full consideration of the teachers trepidations, but cautioned that education within a prison must be coupled with security concerns, adding that the prison’s goal was to conduct San Quentin’s programs as near to free-society as possible.²⁷⁷ In such instances, one can see the conflicting obligations of institutional correction; imprisonment requires security, while rehabilitation requires tools towards success, namely education, and positive sustenance.

In 1959, Warden Dickson was petitioned for assistance by striking workers of the International Longshore and Warehouse Union (ILWU). Cutter Laboratory employees, who worked with pharmaceuticals, and blood-banks, in affiliation with the ILWU, also went on-strike. For 77 days, 250 workers in the Bay Area struck. During the course of events, Union officials propositioned the warden of San Quentin to halt inmate blood from the prison, which was being transported through their picket lines. Although inmates had long been permitted to sell blood for personal profits, the Union requested suspension of such enterprises until the strike ended. On November 3, 1959, Warden Dickson sent a communique to Union officials, replying, that he would continue to allow prisoners to sell blood at their discretion, noting that he, and the prison, wished to remain impartial in the controversy. Nevertheless, Warden Dickson did issue a memo to inmates, notifying them of the strike occurring outside the prison, informing the populous that the choice remained, “up to each individual to determine whether he was to sell blood at this time or not.”²⁷⁸ One should consider the alternative route the warden could have taken, forbidding prisoners to engage in profitable enterprise which disrupted free-union interests. Regardless, by December San Quentin was free of union

²⁷⁷ *Associations Labor Unions—General*, 1959-60, F3717:278-292, California State Archives, Sacramento, Ca.

²⁷⁸ *Ibid.*

petitions, as the strike was resolved. Even so, an intriguing issue was raised: to what extent does organized free-labor have an impact on institutional correction?

Clearly, ties exist between free-society and those imprisoned—ironic, being that prisons function in the removal of individuals from society. Furthermore, governmental institutions, i.e. prisons, have frequent exchanges with a free and unionized workforce. Indeed, working relationships must be maintained between government entities and business in an ever developing world. The 1959 strike displays that Warden Dickson held full discretion over his facility in considering the Union's request, showcasing the extent of the power executives maintain over their institutions. Moreover, the Union's letter illustrates the extent of free-labor concerns regarding prison industries and their willingness to pursue means by which to curb commerce counterproductive to union interests'. In considering the dynamics of business, imprisonment, and unionization, one can surmise the existence of a constituent group within each element—constituencies which, upon becoming organized, gain a measure of influence. When an issue involving free-workers and prison industry arises, the institution and its administrators are placed at the forefront of resolving the matter, which is innately laden with legal precepts. Without Constitutional safeguards and illumination by federal court decisions, prisoners retain no exercisable rights; rather, the incarcerated live under and at the behest of authorities. Thus, one should query: by which means can, and do, prisoners legally exercise influence over their own workmanship and personal industry? And, does the warden always have final say over his prisoners?

Some inmate leaders seeking alternative routes to changing institutional conditions took cues from labor unions in free-society, instigating inmate strikes in the mid-twentieth century. These prisoner strikes materialized in several renditions, ranging from hunger strikes to work stoppages. By 1967, most prisoners were severely divided by race, with inmate leaders organizing their individual membership into a tangibly mobilized inmate collective; however, some leaders adopted a “new, more radical perspective” and were willing to

cooperate with other races to achieve common objectives.²⁷⁹ From 1967-68, inmates at San Quentin began working across racial lines towards political goals, including prison reform. Such cooperation between prisoners was outside the bounds of sanctioned inmate councils, as collaborative efforts were made at the direction of convict leaders. Thus, the informal structures which ignited prison riots across California were simultaneously seeking changes to prison policies which affected all inmates. Their major breakthrough came in 1970s.

The direct origin of the California Prisoners' Union (CPU) emanates from a work-stoppage by inmates at Folsom State Prison, who went on strike in 1971; twenty-nine grievances were presented to the prison administration. Among the requests were the right to form an inmate labor union and the elimination of indeterminate sentencing as well as the use of "adjustment centers" (Secure Housing Units).²⁸⁰ Furthermore, the work-stoppage was also in protest of the shooting deaths of three African-American inmates at Soledad prison.²⁸¹ Following the strike, inmates and concerned freepersons recognized a need for further organization and collective bargaining. Knowing unions to be powerful and legally permitted tools of influence, the prisoners of California unionized, coalescing in an effort to embolden prisoners' rights, enact policy change, and achieve overarching prison reforms. The California Prisoners' Union was established that same year, 1971, by radical reformers and convicts—among them, scholar and ex-con, John Irwin.

²⁷⁹ John Irwin, *Prisons in Turmoil* (Boston: Little Brown, 1980): 84.

C. Ronald Huff, "Unionization Behind the Walls," *Journal of Criminology* 12, no. 2 (August 1974): 183.

²⁸⁰ Indeterminate sentencing is when a prison sentence includes a range, such as five-to-ten years, rather than a fixed term. The historic record demonstrates an extensive public debate over implementing indeterminate sentencing at the beginning of the twentieth century. Newspapers and other archival material exhibit arguments for and against indeterminate sentencing, especially after the 1920s when California instituted such a system. At present, the use of 'adjustment centers,' 'the hole,' 'administrative segregation' or 'SHU program' is undergoing substantial debate, having drawn criticism for violating human rights in being psychologically damaging due to twenty-three hours per day lockdown, in solitary confinement, without human contact.

²⁸¹ The incident at Soledad prison, noted here, is the same event involving George Jackson's death.

John Irwin and William Holder organized the Union to be controlled from outside the walls of prison, giving the CPU a tactical advantage in negotiations.²⁸² The first of these unions was San Francisco Local 9. The chief objectives of the CPU, as listed by John Irwin, are: abolition of indeterminate sentencing; establishment of workers' rights, including collective bargaining and organization; and the restoration of civil and human rights for prisoners.²⁸³ A Prisoners' Union pamphlet, soliciting support, elaborates on the aims of the organization, citing: uniform and equitable sentencing laws; fair wages; safe working conditions; and compensation for work-related injuries.²⁸⁴ The Union has lobbied for legislative change in the areas of visitation policy, strip-searches, and indeterminate sentencing. They have also engaged in class-action lawsuits and publish the bi-monthly *Outlaw* or *Prisoners' Union Journal*. In contrast to free-labor movements, the California Prisoners' Union organizes inmates, ex-convicts, and concerned citizens alike, without regard to trade, profession, or detainment status.²⁸⁵ The Union has gone on to seek the creation of a national prisoners' union. A joint, long-term goal among unionized prisoners is the abolition of incarceration, except in regards to the most dangerous criminals. The formation of the CPU is an instrumental step forward, in the consideration of legal and civil rights afforded the incarcerated. Furthermore, the CPU's fundamental precept is an effort to move beyond inmate rivalries and gang conflict towards engaging issues concerning all prisoners. The collaboration of inmates, without regard for race or ethnicity, aids in pacifying inmate infighting by coopting the leadership derived from racial politics and focusing energy and

²⁸² John Irwin and William Holder, "History of the Prisoners' Union" (*The Outlaw: Journal of Prisoners' Union* 2, 1973): 103.

Renee Goldsmith Kasinsky, "A Critique on Sharing Power in the Total 'Institution.'" *The Prison Journal* 57, no. 2 (January 1977).

²⁸³ John Irwin and William Holder, "History of the Prisoners' Union" (*The Outlaw: Journal of Prisoners' Union* 2, 1973).

²⁸⁴ California Prisoners Union. "CPU Pamphlet."

http://freedomarchives.org/Documents/Finder/DOC510_scans/Prisoners_Union/510.pamphlet.prisoners.union.pdf. Accessed 11 October 2013.

²⁸⁵ One should also note that, the California Prisons' Union automatically enrolls every prisoner into the Union once incarcerated within a state prison. However, the compulsorily enlistment of all prisoners into the CPU results in an inflated membership and widespread variances in the level of involvement. Thus, one may view the establishment of the Prisoners' Union as a legal triumph of Constitutional Law. Although in actuality the unionization of prisoners is much more a symbolic victory—whose fruits have yet to ripen fully, perhaps.

attention towards more gainful endeavors—establishing a new chapter in inmate organizing. While select Union goals have been accomplished, penologists such as G.S. Green argue that prisoner unions can only be effective in the area of prison labor and industry.²⁸⁶

The initial years of the California Prisoners' Union were countered with union-busting tactics by prison officials.²⁸⁷ Many still debated whether or not inmates do have the right to unionize.²⁸⁸ Cited in favor of such rights is the landmark case by the sixth circuit court, *Coffin v. Reichard* (1944), clearly stating, "A prisoner retains all the rights of an ordinary citizen, except those expressly, or by necessary implication, taken from him by law."²⁸⁹ Those against prison unions cite the Supreme Court decision *Price v. Johnston* (1948), which states, "Lawful incarceration brings about the necessary withdrawal or limitation of many privileges and rights, a reaction justified by the considerations underlying our penal system."²⁹⁰ The fifth circuit court ruled in *Jackson v. Goodwin* (1968), "The state must strongly show substantial and controlling interest which requires the subordination or limitation of these important constitutional rights . . . [otherwise] the state restrictions are impermissible infringements on fundamental and preferred First Amendment rights."²⁹¹ Moreover, in *Goodwin v. Oswald* (1972), the second circuit court ruled, "Nothing in federal or state constitutional or statutory law . . . forbids prison inmates from seeking for, or correctional officials from electing to deal with, an organization or agency or representative group of inmates concerned with prison

²⁸⁶ Prison labor may be an excellent area for the California Prisoners' Union to focus on, being that prison industries in the United States are generating over two-billion dollars in revenue annually. *Billions Behind Bars: Inside America's Prison Industry*, Reported by Scott Cohn, Film, USA: CNBC, 18 October 2011.

²⁸⁷ C. Ronald Huff, "Unionization Behind the Walls," *Journal of Criminology* 12, no. 2 (August 1974): 180.

²⁸⁸ By 1957, California's correctional officers unionized following suit with the California State Employees' Association, founded 1932. The suicide of a correctional officer at San Quentin, due to work conditions, prompted Al Mello, five Lieutenants and three other officers to form the California Correctional Officer Association—chapters were established at every correctional facility. Immediately, personnel throughout the penal system inquired about membership in the Association. Of course, the "association" was in fact the unionization of prison guards. "Our History." California Correctional Peace Officers Association. Accessed 19 December 2013. <http://www.ccpoa.org/about-us/our-history/>.

²⁸⁹ *Coffin v. Reichard*, 143 F. 2d. 443 (6th Cir. 1944).

²⁹⁰ *Price v. Johnston*, 334 US 266 (1948).

²⁹¹ *Jackson v. Goodwin*, P 2d. 487 (1968).

conditions and inmates' grievances."²⁹² Therefore, in sorting out the legality of inmate organizing, which has continually occurred throughout the history of the American prison system, federal court decisions laid the foundations for the unionization of prisoners.

As prominent sociologist Clarence Ronald Huff notes, the frustrations and resentments of inmates became increasingly open, militant, and politicized.²⁹³ Further evidence towards an evolving and increasingly vocal prison population is the exponential growth of Title 15 of the California Code of Regulations. Title 15 deals specifically with state regulations and policy governing correctional facilities in regards to inmates, prisoners, and other detained persons.²⁹⁴ Since its first issuance, Title 15 has expanded from a one-page document to a two-hundred twenty-seven page policy guide.²⁹⁵ The use of riots, hunger strikes, work-stoppages, and unionization signifies a fundamental shift in the type of prisoners the American civilization produces, many of whom feel they are 'political prisoners,' arguing that, race and socio-economic status distinguish many prisoners from free-citizens more than behavior or criminal guilt.²⁹⁶ In addition to unions, prisoners have increasingly organized self-help groups along ethnic lines. The foundations of such efforts lie with the War on Poverty, the New Left, youth revolt, and the Civil Rights Movement's trend towards racial consciousness.²⁹⁷ Ethnic self-help groups, similar to inmate unions, are generally concerned with legal protections during incarceration and the betterment of prison conditions.

In 2011, Pelican Bay prisoners went on-strike, subsequently followed by inmates in other facilities across California; in total 6,500 struck. Of particular note is that the strike was carried out by prisoners in a 'super-max' facility, across racial lines, and by leaders who were

²⁹² *Goodwin v. Oswald*, 462 F. 2d 1237 (1972).

²⁹³ C. Ronald Huff, "Unionization Behind the Walls," *Journal of Criminology* 12, no. 2 (August 1974): 175-194.

²⁹⁴ Officially titled, *California Code of Regulations, Title 15: Crime Prevention and Corrections*.

²⁹⁵ Michael Sweet, California Department of Corrections & Rehabilitation, Interview by Author, June 24 2014.

²⁹⁶ C. Ronald Huff, "Unionization Behind the Walls," *Journal of Criminology* 12, no. 2 (August 1974): 177.

²⁹⁷ Milton Burdman, "Ethnic Self-Help Groups in Prison and on Parole," *Crime & Delinquency* 20 (April 1974): 108.

mostly housed in solitary confinement units. The 2011 strike prompts two conclusions: first, prisoners have an elaborate network of communication, unimpeded by solitary confinement or proximity to other institutions and prisoners; secondly, inmate leaders, who are often high-ranking members of racially based criminal syndicates, work together with their racial counterparts to organize and mobilize the inmate collective towards communal goals.

In 2012, a hunger strike took affect at Pelican Bay as well as at the prison in Tehachapi. This is significant because the two facilities are at opposite ends of the state, pointing to the underground communication and organizing of prisoners. Correctional officers said they were uncertain as to why 500 inmates began to refuse food at Pelican Bay and 300 in Tehachapi. The strike took place among solitary confinement or Administrative Segregation prisoners, as most hunger strikes have. With the initiation of the strike, inmate activists called for an end to racial hostilities pointing to the previous year's hunger strike at Pelican Bay and inmate solidarity. The same inmates who went on-strike were those engaged in a class-action lawsuit against the facilities. Officials regarded the reference to a racial ceasefire to be directed at the race-based prison gangs.²⁹⁸

In the immediate past, Pelican Bay has become the epicenter of hunger strikes, staging California's largest strike, with over 30,000 inmates participating statewide, from July through September 2013.²⁹⁹ Correspondences from strike leader Lorenzo Benton to social activist and writer Victoria Law detail the course of events.³⁰⁰ The hunger strike began on July 7, 2013 in protest of the extensive use of solitary confinement. On July 11, Benton recounts that "prison officials removed from our environment all the main reps and just about

²⁹⁸ Paige St. John, "Inmates at another California Prison Launch Hunger Strike," *Los Angeles Times*. 13 October 2012. Accessed 2 October 2013. <http://latimesblogs.latimes.com/lanow/2012/10/hunger-strike-at-california-prison-underway.html>.

²⁹⁹ Mike Farrell, "Pelican Bay Hunger Strike," *Huffington Post*, 10 September 2012, Accessed 1 October 2013. <http://www.huffingtonpost.com/tag/pelican-bay-hunger-strike>.

³⁰⁰ Victoria Law, "Pelican Bay Hunger Strike Stories: Lorenzo Benton," Truthout Org., 7 August 2013, Accessed 3 October 2013. <http://truth-out.org/news/item/18023-pelican-bay-prison-hunger-strikers-stories-lorenzo-benton>.

all of the secondary reps and placed them in Ad-Seg.”³⁰¹ The terms “main reps” and “secondary reps” coincide with prison argot, denoting unsanctioned representatives within the inmate hierarchy, who retain authority over fellow prisoners within their respective units. The following day, July 12, all commissary food was removed from hunger strike participants, including drinks and vitamins. Commissary, or canteen food, is available for purchase to prisoners through the prison as a privilege, and is therefore revocable at any time. From July 8-17, all strike participants were denied recreational time. However, due to laws requiring the allowance of recreation for inmates, the right was restored on July 18.³⁰² On the 20th, all strikers were issued CDC-115 rule violations, which alleged actions of, “willfully delaying a peace officer” through mass hunger strike.³⁰³ On July 21, officials barred inmates from their First Amendment rights, stopping the delivery of various inmate publications, such as *California Prison Focus*, *Prisoner Hunger Strike Solidarity* newsletter, and the *Rock* newsletter. From July 24-25, authorities separated all strike participants from non-striking inmates. On July 25, officials distributed Gatorade powder and vitamin packages to minimize the effects of starvation—as the security and general welfare of prisoners is a central duty of prison administrators. By July 26, the previously banned publications began to be delivered once again. Although censorship of materials is of necessity for prison administrators, legal and Constitutional precepts do not allow for arbitrary censorship or sequester of First Amendment rights—another fine line in legality which both administrators and prisoners grapple with. The hunger strike continued until September, when state officials offered to hold legislative hearings to address inmate grievances, particularly pertaining to the SHU

³⁰¹ The “main reps” are the representatives or ‘keys’ empowered by unsanctioned racial politics, while the “secondary reps” are the same as “assistant reps,” or second-in-command of each racial group. One should note, that prison officials knew which convicts were representatives within the inmate hierarchy, and allow their unabated presence, until an issue arose over their authority within the prison environment, thus warranting their removal. Lastly, “Ad-Seg” is a common shorthand term for “administrative segregation,” denoting “the hole,” or other solitary confinement cell.

³⁰² Victoria Law, “Pelican Bay Hunger Strike Stories: Lorenzo Benton,” Truthout Org., 7 Aug 2013. Accessed 3 October 2013. <http://truth-out.org/news/item/18023-pelican-bay-prison-hunger-strikers-stories-lorenzo-benton>.

³⁰³ A California Department of Corrections (CDC) Serious Rule Violation Report, or CDC-115 Form, can be issued to prisoners for a variety of reasons, pursuant to Penal Code 2932 and CDC regulations, 15 CCR 3310-3326. ‘115’s’ are among the most common citations issued by correctional officers. The other standard ‘write-up’ issued to prisoners is a CDC-128, which can be equivocated to a misdemeanor charge in free-society.

program. The prevalent use of Secure Housing Units (SHU) was a primary motivation for the strike, as prisoners can be held in solitary confinement for years at a time.³⁰⁴ In this instance, media coverage drew national attention to California's correctional system once more, again signifying the growing politicization of prisoners through publicity. In an effort to alleviate stress from prison administrators and quell the concerns of all parties involved, which included hundreds of free-protestors outside of Pelican Bay, state legislatures offered mediation. However, hearings into the hunger strike, inmate grievances, and the SHU program have yet to yield any lasting resolution.

Authorities carry out their duties using codified laws, policies, and procedures instilled by professionalized training, being state-sponsored and supported and ultimately enforced through authoritarian means, with the use of force ever available. On the other hand, a multitude of prisoners seek their own objectives by whatever means available, engaging and impacting the judicial process as a whole through a variety of avenues and utilizing certain time-tested tactics within a highly unique environment. Chief among the convicts' tactics is organization, which results in mobilization of the inmate collective, as directed by their internal leadership apparatus. The mission of prison administrators dictates a requirement for the safety and security of those detained. This primary directive extends not only to inmate violence, but to inmate self-inflicted harm, including starvation. In this way hunger strikes are used to apply pressure on prison officials in an effort towards the redress of grievances, which may include a change in policy. The hunger strike is often employed when Inmate Advisory Committees have failed in their attempts to meet the aims of their incarcerated constituents. Once again, the issue of representation is central to the functioning of the prison.

Officially, sanctioned inmate representative committees organized to assist prison administrators in their mission, allowed staff and inmates to communicate and function as a go-between within the prison environment—or so was the intent. However, administratively-

³⁰⁴ Victoria Law, "Pelican Bay Hunger Strike Stories: Lorenzo Benton," Truthout Org., 7 August 2013, Accessed 3 Oct 2013. <http://truth-out.org/news/item/18023-pelican-bay-prison-hunger-strikers-stories-lorenzo-benton>.

controlled inmate councils cannot fully redress grievances. Instead, unsanctioned, informal politics serve the goal of both staff and prisoners in providing daily order, in spite of also disrupting official prison authority. These disruptions can be violent, undermining the safety and security of the facility, as in the case of riots. However, they also serve as a conduit in challenging the status quo, seeking to improve conditions through policy change affecting all inmates, as in the case of hunger strikes and work-stoppages.

Conclusion: The Captives' Impact on the History of Corrections

Prisoners influence detention facilities through a variety of means, ranging from their individual presence and actions, to their collective organization and input/involvement—all of which alters the course of correctional history. Available to and applied by convicts are the basic means of force and diplomacy. Force comes in the form of violence within the realm of prison. When prisoners apply force, often ferociously, their violence garners the respect and fear of fellow prisoners, who, through dread of becoming an example of brutality, are forced to adhere to the 'inmate code'—a breach of which invokes violent consequences. Furthermore, violence forces a reaction by the institution, whose immediate response usually also requires force, such responses can range from SWAT teams in riot-gear to investigations of incidents, from the removal of certain prisoners or privileges, to modifications in institutional policy. Historically, riotous behavior consistently forced officials to reconsider institutional factors, in hopes of preventing further rebellion and fulfilling their objective of security. Alternatively, diplomacy is an effective instrument used by prisoners and administrators alike. Administrators and penologists developed diplomatic mechanisms, extending a line of communication to their captives, anticipating a positive impact for rehabilitation through diplomacy. In this regard, communication has developed into an important part of institutional correction. Furthermore, prisoners have developed their own device/apparatuses to exercise diplomacy among one another—creating a vast network of communication—the jailhouse grapevine—ever active. However, for diplomacy to work, one needs representatives—a voice to speak for the collective. Such representatives conduct the politicking of incarceration, both between prisoners and between inmates and the institutions. In this light one can extrapolate the dynamics of prison environment.

From the very moment a detainee enters a correctional facility, that individual is subsumed in a complex system; in California, as elsewhere, it is a dualistic system of official policies and unofficial inmate expectations. Correctional facilities are multifaceted institutions housing individuals deemed a danger to society. As places of rehabilitation and punishment,

they are ripe with contention and turmoil. From the humble origins of California's prison system, with a mere six county jails, to the State's contemporary prison-industrial complex, California has assumed the mantle of a national trendsetter in corrections and criminal subculture—both historically based in racial divisions.

Although inmate representation and self-governance has a deeper history than most realize, scholarly interest on the subject peaked during the 1960s, dwindling by the 1970s. This time period is of significance since contemporary prison gangs and hierarchical structures are seated in this decade, generating a wave of murders and prison riots in establishing their power. On the foundation of loosely affiliated cliques emerged well-organized criminal syndicates, based in race and utilizing radical ideologies. Racial divides and new doctrines coupled, solidifying and standardizing a new prisoners' code by which convicts sought influence over the penal system and its institutions—either by means of violence or diplomacy.

Inmate councils began at the behest of prison administrators, who faced the obvious challenge of preserving peace and order among a forcibly captive population. Officials theorize that, by engaging prisoners through open lines of communication and offering an experience in civil processes, convicts would be aided in their rehabilitation. Thus, the hope of experimentation with inmate 'self-governance' by means of sanctioned council was twofold: assisting administrators in their objectives of maintaining security and prompting correction. Although the first instance of an inmate council took place in 1793, it was not until the Progressive Era that the concept resurfaced among New Penologists (1870-1920). As with any new idea, debate arose, arguments waged, theories were gauged, and models of conceptualization materialized. Originally, punitive powers were often granted to inmate councils in order to effectualize their self-imposed rules. However, the sanctioned disciplining of prisoners by one another came to an end as officials realized the need to clearly delineate authority. Initially, progressive reformers established inmate councils independently, at individual prisons, under the reformist's direct wardenship—no standardized system existed,

variances between experimental councils were wide, and they held no longevity after specific wardens or superintendents resigned. Conversely, the State of California changed correctional history in 1912, being the first to officially support, sponsor, and enact an inmate council; each of California's prisons followed suit, establishing, and disbanding, councils as necessity dictated. By the 1950s, the Department of Corrections offered standardized policy guides to their officials, clarifying the 'advisory' role of 'committees' in prison affairs—though leaving the establishment of inmate councils to the discretion of individual wardens.

Following desegregation, a host of issues regarding race and imprisonment befell the penal system. Throughout the 1960s and 70s, administrators exasperated by racial antagonism amongst prisoners sought relief and resolution by enacting inmate councils composed of elected representatives from each major racial category—recognizing the reality of racial division in the prison system. By allowing whites, blacks, Hispanics, and 'others' to openly commune, debate, express, and relay information, officials hoped to gain convicts' input and support in maintaining the institution. Issues of sanitization, food, facilities, recreation, education, and vocation, among other concerns, were all brought to administrative attention; likewise, officials conveyed sentiments regarding security, budget, inmate welfare, new programs, and policies. Councils, and the changes they introduced, offered the collective body of prisoners' new, more positive, outlets by which the populous could spend their time—drawing focus and frustration away from institutional issues of overcrowding, racial strife, and gang conflict. As during the lifespan of any assembly, deliberation and compromise occurred, but, when unimpeded by practicality (usually security or budgetary constraints), councils in partnership with administrators produced a variety of amicable changes to the prison environment—although unable to fully consider or alleviate all the problems of prison life.

In reaching out to prisoners diplomatically, correctional officials understood that an inmate collective was rapidly developing and had, in fact, long existed in some form or fashion; therefore, administrators needed some device to gauge inmate sentiment. Having few

options available, popular sentiments against the institution were often expressed through insurrections, which, throughout the twentieth century, become increasingly organized in their execution. Organized resistance to institutional captivity stemmed from a growing underground prison movement by which convicts mobilized spheres of racial influence in the wake of desegregation, instituting ‘politics’ and assembling a more structured ‘prisoners’ code.’ Racial politics, orchestrated by organized crime, played on the sentiments of prisoners, who tended toward racial separatism. Moreover, and in general, prisoners felt that living harmoniously required racially homogenous spheres, in order that each group might regulate and enforce their own standards of conduct, protecting and disciplining their own. From a pragmatic standpoint, convicts ushered in unsanctioned, race based politics, inaugurating a caste of authoritarian leadership, producing a hierarchy among inmates—no longer would simple seniority suffice for status among prisoners, but official, and illegal, title, rank, and position applied. Operationally, the resulting hierarchy allowed inmate leaders, christened ‘reps’ or ‘keys,’ to mark each individual as a ‘soldier’ within the ranks of their race. The militarized term, ‘soldier,’ denoted an obligatory position, mandating compliance with orders given by superiors—superiors who readily killed during the formation of this political system, 1959-1972. A gradient of ranks took effect, with each race establishing a ‘key holder’ for each facility, who in turn oversaw their group’s activities within an individual institution, relaying information to their counterparts, and placing a subordinate ‘key’ within each unit or yard, who would in turn oversee the ‘reps’ of every living area or dorm—the whole process being self-selecting, with each representative choosing their predecessor. The originators of ‘politics’ were seeking stability for and order among prisoners, as well as some means by which to exercise influence over the penal system which subsumed them. Therefore, although force was an ever prevalent option for securing arrangements, diplomacy was also sought, both of which pursued a more orderly system of incarceration through factionalism—respect and ‘honor among thieves,’ so to speak. And so, the respectable use of force and diplomacy between inmates was codified by prisoners themselves, first by custom and then through ‘politics.’

In the interplay between prisoners, prisons, diplomacy and force, violent upheaval has often befallen detention facilities, materializing in the form of riots. Prison riots are the ultimate expression of disdain during institutional correction. The collective use of force, by inmates, against one another, and against guards and the facility itself, invokes a host of responses and repercussions. Over the course of correctional history, riots have both impeded and accelerated the objectives of incarceration. Rebellion impugns security and undermines official authority. However, riots also prompt media coverage, governmental oversight, and external investigations, which usually recommend new strategies, more effective policies, and better living conditions. A riot can occur spontaneously or be prearranged. If planned, riots are often orchestrated by inmate leaders, challenging the administration and fellow prisoners with combat. Regardless of intentions, which range from outcries against conditions to handling the business of ‘politics,’ a riot threatens facility integrity. In this regard, riots are often a calculated use of force by inmates against the institution and other inmates.

However, with the civil turmoil of the 1960s waning, a new ‘tough-on-crime’ attitude took root across America, assisted by more stringent laws and policies.³⁰⁵ Public sentiment shifted away from the overarching concern of civil rights, including those of the imprisoned, and so too declined scholarly inquiry into the realities of prison life—though it did not fade completely. Innovative, plausible solutions towards easing the ‘pains of imprisonment’ were acutely needed by the 1970s. Instead, the enacting of tough-on-crime laws produced an ever expanding incarcerated populous, by which convicts further fortified the ‘inmate code,’ organizing thousands through racial solidarity and radical ideology and finally mobilizing their constituents towards the political goals of a tangible inmate collective, drawing cues from free-society, exercising legal principles, staging strikes, and finally unionizing in 1971.

Furthermore, the formation of inmate councils has not been as successful as Progressive Era thinkers anticipated, being an effort by authorities to bridge the gap in power,

³⁰⁵ Mandatory sentencing penalties, statutes resembling the Rockefeller Drug Laws, and the Three-Strikes Law offered tough-on-crime policies, hoping to deter would-be criminals. However, each was statistically ineffectual with California’s, and America’s, crime and incarceration rate growing exponentially by the 1980s.

building a sense of community and responsibility within prisons, while reducing inmate rebellion. Yet, formal and informal inmate representation does play a crucial role in the function or dysfunction of correctional facilities. In California, racial politics and the inmate hierarchy are central in grasping the intricacies of institutional corrections and its history. When inmates resist authority through riots and strikes, they challenge the establishment; a favored goal ever since counterculture and the radicalization of American society in the 1960s. However, riots and strikes do empower an otherwise disenfranchised social strata, which exists within an environment, and a culture that will invariably lag behind that of an open and free-society. Historically, riots transpired in reaction to institutional problems which frustrated prisoners, such as unprofessional and abusive guards, or the enduring dilemma of overcrowding. Overcrowding forces the interaction of peoples who often feel they are diametrically opposed, and of distinctly different backgrounds—interjecting race and a protracted history of legal segregation. Although skin pigmentation is superficial, burgeoning inmate leaders coupled radical ideologies and cultural elements, promoting racial solidarity establishing systems of protection. Riots were then perpetrated along racial lines, fought amongst inmates on the basis of affiliation by skin color, political, and religious belief, as well as against guards who intervened. Moreover, prisoners found that their violent revolts sparked the attention of media and the public which they had long been removed from. Both citizen and convict connected through newspaper articles, headlines, and highlights. Government investigations following prison uprisings reaffirmed the inmates' stake in penal affairs.

Prisoners understand the power of media and public opinion; and they have historically held the attention of newspapers, as well as other sources. Government publications, surveys, committees, and supplemental research cite repeatedly the necessity of communication between inmates and staff, as well as an appropriate system to redress grievances. By the 1970s, the criminal justice system began to understand the need for what prisoners had sought on their own: representation. The very idea of representation is central to

American culture. Although inmate representation had been experimented with since the Progressive Era, and officially endorsed by California since 1912, a new social and legal context required administrators to defer to prisoners when enacting a new form of inmate council, hoping to resolve escalating issues of violence and inmate protest. In a pragmatic fashion, administrators observed the realities of prison life and inmate culture, seeing race as the firmly established basis for convict organizing. During the 1960s and 70s, scholars, such as J.E. Baker, also began examining self-governance and calling for inmate representation; they echoed the implicit and explicit recommendations of those who investigate riots and other disturbances. Prisoners too desired channels of influence, and California officials, taking a cue from their captives, formed racially cooperative Inmate Advisory Committees by legal statute in 1991.³⁰⁶ The relationship between prisoners and staff is central to the functioning of the institution and in essence makes the difference between a tranquil or tumultuous environment.

Riots occur when security breaks down, when guards and inmates are at odds due to a lack of communication or failure to redress grievances, and when institutional conditions such as overcrowding inflame racial tensions and gang rivalries. Neither staff nor prisoner desires such violent outbursts, but both understand they are inevitable. Historically, prison riots have been associated with issues of poor prison conditions or ill-fated escape attempts bursting into larger violence, while contemporary rebellions have shifted in focus, being products of racial tensions, gang rivalries, and overcrowding. Rebellion amongst prisoners in the California detention system existed since the inception of the prison. Regardless of variances in rhetoric or definition, the act of escape, riot, or strike is fundamentally an act of protest—the protest of restraint, the protest of personal and collective strife, and the protest against policy or politics. With little recourse, what else is to be expected of those who are termed sociologically deviant? In regards to what caused riots historically there was no doubt a component of the “us-versus-them” dilemma, which both sides of the law fall prey to. Often, guards either did

³⁰⁶ State of California, Department of Corrections and Rehabilitation, Title 15, Section 3230 (a) (1).

not believe in or were not trained to acknowledge the prisoners' human value, nor was there a focus on correction, for "discipline and punish" were their virtues.³⁰⁷ In this context, revolts materialized as escape plots, personal attacks, or riots. Inmates have long recognized their collective position, which strengthened throughout the twentieth century. However, the convict collective can only be thought of as such in terms of their communal detention. Inmates think of themselves in collective terms when compared to the prison administration and staff, and they do not tend to act in unity for any other purpose. Although the causes of most contemporary riots are framed chiefly in racial terms, in order to act against one another, inmates must first act against the facility in breaching its rules. Thus, riots first impugn the administration as inmates challenge staff in the process of challenging one another.

Riots are not the only means of expressing disdain for prison policy or procedure; there are more frankly collective expressions of disdain over specific living conditions. In more recent years inmates have taken up work-stoppages and hunger strikes. Regardless of the form in which protest manifests, a clear desire for a collective voice and representation exists among prisoners, which eventually led to their unionization in the 1970s. With the politicization and polarization of the American public comes the politicization and polarization of prisoners, who, by the 1960s, were drawn from a tumultuous society which spawned them. Once un-centralized structures were reorganized in the 1940s and stable, but single-minded, understandings of incarceration evaporated during the 1960s, guards were left without torturous tactics and inmates drew on revolutionary ones. The system would have to realign in a changing America with race and gang wars on the streets, the reaction to desegregation, legal triggers forcing integration, the Supreme Court's paralleling of the disparate situations of schools and prisons, and a population of a new, radicalized inmates (many from the urban ghettos)—all of which served as a catalyst for a transforming correctional officer, who was professionally trained, aiding a centralized system in standardization. But institutions, especially those of incarceration, are slow to change; perhaps

³⁰⁷ Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Pantheon Books, 1977).

the lag is inherent among captive populations, rigidly lodged for years, decades, and even life—fortified by a penal culture equally slow in its desire to amend the status quo, thereby disrupting their own authority.

Detention facilities are multidimensional and multicultural institutions of American society; these microcosms represent much more than a place to detain deviant and dangerous offenders. The underpinnings of life in the ‘correctional’ facility emulate those of the greater society with socio-economic conflict, racial tensions, and competition for resources and rights. California’s inmates are especially rigid in their formation and enforcement of unique mechanisms of self-rule. Furthermore, the State continues to be a trendsetter in criminal justice and criminal subculture. The norms and customs of prison life in California are codified in a silent but severe inmate code. Prison gangs are the top of the inmate hierarchy and lay the foundation of their quasi-governmental apparatus in racial divisions, mandating racial solidarity and mutual defense. The advent of racial “politics” stems from the racially conscious revolution of the 1960s. Likewise, the formation of protectorate prison gangs drew on radical social ideology, giving credence to their views and organizing and mobilizing statewide factions capable of influencing a centralized prison system. Prisoners, and more specifically ‘convicts,’ are often well-read and versed in history and social theory. Inmate leaders are frequently charismatic figures, seeking ends by any means necessary. Being socially conscience, radically minded, and increasingly organized offered prisoners new venues for influencing the institution around them. Moreover, media outlets, ever vigilant, draw public attention to penal affairs, which operate within a larger social and political framework. Wherever possible, convict leaders, hoping for external relief, offered the public alluring accounts of prison life, politicizing their experiences, insights, and ideals; in the end, civic opinion and leadership hold the power of changing public institutions.

One can analyze the history of incarceration and inmate subculture primarily through three mediums, all of which are inextricably linked: by examining the society from which the prisoner or prison emanates; by analyzing the personhood of the individual prisoner and their

relationship to the collective body of inmates or institution; and by the exploration of environmental aspects related to prison life. The increasing politicization of inmates over the course of the twentieth century stems from the basic American conceptualization of representation, fortified by a robust legal framework, as well as a unique criminal subculture aided by mass incarceration, racially divisive prison gangs, and, on many occasions, by media exposure. Prisoners, regardless of the institution or timeframe, establish their own system of rules in effort to generate internal order during forced, communal living. Self-imposed inmate rules are assembled through the norms of criminal subculture and with regard for the practicalities of prison life, malleable if necessity dictates or general consensus changes. Within an often chaotic environment, rules codify convict mentality, the mindset and structure one needs to endure years of captivity, and personalities produced hierarchical systems, which upon desegregation became a racially based political system. Prisoners, being the primary focus of and reason for the institution, impact detention facilities in a variety of complex ways. “Politics,” which prisoners have termed their own system, influences not only daily life behind bars, but historical events, such as riots and strikes, eventually changing the course of public debate, legal history, the policies of incarceration, and thereby the history of incarceration.

When prisoners are seeking more diplomatic means of influencing a correctional complex, or, more broadly, the penal system, hunger strikes and work-stoppages have become increasingly favored. This preferential change in inmate tactics is due to their increasing organization, in accordance with the structure of ‘politics.’ By impugning administrative authority through a non-violent course of action, prisoners solicit an official response, hoping for at least the politicization of their collective cause. If the method employed is a hunger strike, the health and welfare of state wards is jeopardized, along with a key objective of the administration—namely, the physical security of prisoners. If the method used is a work-stoppage, the administrative goals of prison industry, education and vocational training are adversely affected by legally unionized prisoners since the 1971 Folsom prison strike. Both

forms of striking are administrative predicaments; however, through the being of non-violent protests, prisoners customarily nurture a non-violent response by authorities, regularly offering a route to diplomacy or other negotiation between prisoners and officials. Through negotiations, better working conditions and some select policy changes have occurred. As of present, the foremost results of inmate strikes have been engendering public attention and invigorating civic debate regarding penal precepts and practices. Activist-prisoners rally public support for inmate causes, drawing awareness and alerting the public to many undesirable realities of prison life—all of which can be cited as incremental successes in the California prisoners' movement. In the coming years and decades, perhaps prisoners will gather ubiquitous support from a receptive public, and their elected leaders, inspiring reforms of the penal system not seen since the Progressive Era, and its proliferation of unions. Optimisms for the future aside, as we haven't yet the evidence, correctional history is as dynamic as the revolutionary Republic spawning their evolution.

Bibliography

“*Adult Authority-Minutes*,” July 1955-March 1975. Records of the Department of Corrections (Agency History), Vols. 17-104, F3717:1943-2030, California State Archives, Sacramento, Ca.

“*Affirmative Action*,” 1 July 1974, Revised 1 April 1975. 1947-1980, Reports and Studies, F3717:1653-1764, California State Archives, Sacramento, Ca.

American Correctional Association. *Causes, Preventive Measures, and Methods of Controlling Riots & Disturbances in Correctional Institutions*. Laurel, MD: American Correctional Association, 1990.

Anonymous, Aryan Brother. Telephone Interview by Author. 1 April 2013. 22-23 January 2014.

Anonymous, Sureno. Telephone Interview by Author. 5 April 2013. 18 May 2014. 28 June 2014.

Aryan Brotherhood. History Channel, 2007. Film. 4 March 2013.

Aryan Brotherhood. Washington, DC: Federal Bureau of Investigation, 2000. Accessed 14 September 2013. <http://catalogue.nla.gov.au/Record/4471300>.

“*Associations Labor Unions—General*,” 1959-60. F3717:278-292, California State Archives, Sacramento, Ca.

“*Bay District Council of Iron Workers*,” 9 January 1950. 1946-61. Associations Labor Unions—General, F3717:278-292, California State Archives, Sacramento, Ca.

Baker, J.E. “Inmate Self-Government.” *The Journal of Criminal Law, Criminology, and Police Science* 55, no. 1 (March 1964).

- . *The Right to Participate: Inmate Involvement in Prison Administration*. Metuchen, NJ: Scarecrow Press, 1974.
- Barker, Thomas. *North American Criminal Gangs: Street, Prison, Outlaw Motorcycle, and Drug Trafficking Organizations*. Durham, NC: Carolina Academic Press, 2012.
- Beaumont, G.D., and Alex de Tocqueville. *On the Penitentiary System in the United States and Its Application to France*. Carbondale: Southern Illinois University. 1833/1964.
- Billions Behind Bars: Inside America's Prison Industry*. Reported by Scott Cohn. Film. USA: CNBC, 18 October 2011.
- “Black Caucus Report: *Treatment of Prisoners at California Training Facility at Soledad Central*,” July 1970. Reports & Statistics, F3717:1653-1764, California State Archives, Sacramento, Ca.
- Brook, John Lee. *Blood in Blood Out: The Violent Empire of the Aryan Brotherhood*. London, UK: World Head Press, 2011.
- Brown, Michael D. *The History of Chino Prison: The First Fifty Years of the California Institution for Men: 1941 to 1991*. Chino, CA: Vocational Offset Printing Program, California Institution for Men, 1991.
- Burdman, Milton. “Ethnic Self-Help Groups in Prison and on Parole.” *Crime & Delinquency* 20 (April 1974).
- Carroll, Rory. Guardian News and Media Limited, “California Prisoners Launch Biggest Hunger Strike in State's History.” Last modified 9 July 2013. Accessed 2 September 2013. <http://www.theguardian.com/world/2013/jul/09/california-prisoners-hunger-strike>.

- Carson, Ann E, and William J Sabol. "Prisoners in 2011." *Bureau of Justice Statistics*. U.S. Department of Justice, n.d. Accessed 11 April 2013.
<http://bjs.gov/content/pub/pdf/p11.pdf>.
- Case, Patricia. "The Relationship of Race and Criminal Behavior: Challenging Cultural Explanations for a Structural Problem." *Critical Sociology* 34, no. 2 (1008): 213-238.
- Caster, Peter Bishop. "The Language of the Prison House: Incarceration, Race, and Masculinity in Twentieth Century U.S. Literature." PhD diss., University of Texas, Austin, 2004.
- Clemmer, Donald. "Leadership Phenomena in a Prison Community." *Journal of Criminal Law and Criminology (1931-1951)* 28, no. 6 (1938): 861-872.
- . *The Prison Community*. New York: Rinehart, 1958.
- Covlin, Mark. *The Penitentiary in Crisis: From Accommodation to Riot in New Mexico*. Albany: State University of New York Press, 1992.
- Crips and Bloods: Made in America*. Directed by Stacy Peralta. Written by Stacy Peralta and Same George. Featuring Baron Davis, Dan Halsted, Jesse Dylan, Gus Roxburgh, Shaun Murphy, Cash Warren, Same George, and Forest Whitaker. DVD. New York, NY: Docuramafilms, 2008.
- Cullen, Francis T, and Pamela Wilcox. *Encyclopedia of Criminological Theory*. Thousand Oaks, CA: Sage Publications, 2010.
- Cummings, Scott, and Daniel J Monti. *Gangs: The Origins and Impact of Contemporary Youth Gangs in the United States*. Albany: State University of New York Press, 1993.
- Cummins, Eric. *The Rise and Fall of California's Radical Prison Movement*. Stanford, CA: Stanford University Press, 1994.

- “*Department of Penology v. State Board of Prison Directors and Secretary of State*,” 1852-89, 1915, 1939-40. Correspondence, Vol. 24, F3717:1273-1276, California State Archives, Sacramento, Ca.
- DeRosia, Victoria R, and Marie L Griffin. “Book Review—Living Inside Prison Walls: Adjustment Behavior.” *Criminal Justice Review* 24, no. 2 (1999).
- Díaz-Cotto, Juanita. *Gender, Ethnicity, and the State: Latina and Latino Prison Politics*. Albany: State University of New York Press, 1996.
- DiIulio, John J. *Governing Prisons: A Comparative Study of Correctional Management*. New York: Free Press, 1987.
- Dobbs, Rhonda R, and Courtney A Waid. “Prison Culture.” *Encyclopedia of Prisons & Correctional Facilities*. Ed. Thousand Oaks, CA: SAGE, 2004. *SAGE Reference Online*. Accessed 1 August 2012.
- Dow, Mark. *American Gulag: Inside U.S. Immigration Prisons*. Oakland, CA: University of California Press, 2004.
- Durham, Alexis M. “Newgate of Connecticut: Origins and Early Days of an Early American Prison.” *Justice Quarterly* 6, no. 1 (1989).
- Duersten, Matthew. “Who'll Stop the Reign?.” *LA Weekly*. LP, Last modified 3 February 2005. Accessed 2 May 2013. <http://www.laweekly.com/2005-02-03/news/who-ll-stop-the-reign/2/>.
- Federal Bureau of Prisons. “Factories with Fences: The History of Federal Prison Industries.” Washington, DC: Federal Prison Industries, Inc. 1996.
- Foucault, Michel. *Discipline and Punish: The Birth of the Prison*. New York: Pantheon Books, 1977.

Friedman, Lawrence M. *Crime and Punishment in American History*. New York: BasicBooks, 1993.

Gangland: Nuestra Familia. History Channel, Film. 15 April 2013.

Glaze, Lauren E. "Correctional Population in the United States." Bureau of Justice Statistics. U.S. Department of Justice, n.d. Accessed 28 March 2013.
<http://bjs.gov/content/pub/pdf/cpus10.pdf>.

Grossberg, Michael, and Christopher L Tomlins. *The Cambridge History of Law in America Vol. 2*. Cambridge, UK: Cambridge University Press, 2008.

Hagedorn, John. *A World of Gangs: Armed Young Men and Gangsta Culture*. Minneapolis: University of Minnesota Press, 2008.

Hall, Kermit L. *Police, Prison, and Punishment: Major Historical Interpretations*. New York: Garland Publishing, 1987.

Haney, Craig, and Philip Zimbardo. "The Past and Future of U.S. Prison Policy: Twenty-Five Years after the Stanford Prison Experiment." *American Psychologist* 53, no. 7 (July 1998): 709-727.

Haney, Craig. *Reforming Punishment: Psychological Limits to the Pains of Imprisonment*. Washington, DC: American Psychological Association, 2006.

Hassine, Victor. *Life Without Parole: Living in Prison Today*. New York: Oxford University Press, 2009.

Hayden, Tom. *Street Wars: Gangs and the Future of Violence*. New York: New Press, 2004.

Huff, Ronald C. *Gangs in America*. Newbury Park, California: Sage Publications, 1990.

———. "Unionization Behind the Walls." *Journal of Criminology* 12, no. 2 (August 1974).

- Ianni, Francis A.J. *Black Mafia: Ethnic Succession in Organized Crime*. New York: Simon and Schuster, 1974.
- "*Inmate Advisory Councils*," 1954. F3717:1477, California State Archives, Sacramento, Ca.
- Irwin, John. *Prisons in Turmoil*. Boston: Little Brown, 1980.
- Irwin, John, and William Holder. "History of the Prisoners' Union." *The Outlaw: Journal of Prisoners' Union* 2. 1973.
- Irwin, John, and D. Cressey. "Thieves, Convicts, and the Inmate Subculture." *Social Problems* 10, no 2. (1962): 142-155.
- Jacobs, James B. *New Perspectives on Prisons and Imprisonment*. Ithaca, New York: Cornell University Press, 1983.
- Jackson, George. *Soledad Brother: the Prison Letters of George Jackson*. New York: Coward-McCann, 1970.
- Jackson, Robert K, and Wesley D McBride. *Understanding Street Gangs*. Sacramento: Custom Publishing Company, 1985.
- James, Randy. "Prison Riots." *Time Magazine*, 11 August 2009. Accessed 2 April 2013. <http://www.time.com/time/magazine/article/0,9171,1916301,00.html>.
- Janssen, Volker. "When the 'Jungle' Met the Forest: Public Work, Civil Defense, and Prison Camps in Postwar California." *Journal of American History* 96, no. 6 (December 2009): 702-726.
- Johnson, Robert. *Hard Time: Understanding and Reforming the Prison*. Monterey, CA: Brooks/Cole Publishing Company, 1987.
- Justice, Benjamin. "The Transformation of the Prison: Educational Reform at San Quentin Prison, 1880-1920." *History of Education Quarterly* 40, no. 3 (2000): 279-301.

- Kasinky, Renee Goldsmith. "A Critique on Sharing Power in the Total 'Institution.'" *The Prison Journal* 57, no. 2 (January 1977).
- King, Matthew. San Bernardino County Sheriff's Department. Interviewed by Author. 29 December 2013. 13 January 2014.
- Kinnear, Karen L. *Gangs: A Reference Handbook*. Santa Barbara, CA: ABC-CLIO, 1996.
- Lageson, Ernest B. *Battle at Alcatraz: A Desperate Attempt to Escape the Rock*. Omaha, NE: Addicus Books, 1999.
- Law, Victoria. "Pelican Bay Hunger Strike Stories: Lorenzo Benton." Truthout Org. 7 August 2013. Accessed 3 October 2013. <http://truth-out.org/news/item/18023-pelican-bay-prison-hunger-striker-stories-lorenzo-benton>.
- Loury, Glenn C. *Race, Incarceration, and American Values*. Cambridge, MA: MIT Press, 2008.
- Mauer, Marc. "The Causes and Consequences of Prison Growth in the United States." *Punishment & Society* 3, no. 1 (2001): 9-20.
- McLennan, Rebecca M. *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941*. Cambridge: Cambridge University Press, 2008.
- McShane, Marilyn D. *Prisons in America*. New York: LFB Scholarly Publishing, 2008.
- Mexican Mafia*. Washington, DC: Federal Bureau of Investigation. 2003. Accessed 20 February 2013.
<http://vault.fbi.gov/Mexican%20Mafia/Mexican%20Mafia%20Part%201%20of%20/>
view.

- Miller, Wilbur R. *The Social History of Crime and Punishment in America an Encyclopedia*. Thousand Oaks, CA: SAGE, 2012. Accessed 21 December 2014.
<http://knowledge.sagepub.com/view/socialhistory-crime-punishment/SAGE.xml>.
- Montgomery, Reid H, and Gordon A Crews. *A History of Correctional Violence: An Examination of Reported Causes of Riots and Disturbances*. Lanham, MD: American Correctional Associates, 1998.
- Murton, Tom. "Shared Decision Making as a Treatment Technique in Prison Management." (*Offender Rehabilitation* 1, no. 1 (1975): 17-31.
- Ohlin, Lloyd E. *Prisoners in America*. Englewood Cliffs, NJ: Prentice-Hall, 1973.
- "Our History." California Correctional Peace Officers Association. Accessed 19 December 2013. <http://www.ccpoa.org/about-us/our-history/>.
- Petry, Bonnie L, and Michael Burgess. *San Quentin: The Evolution of a California State Prison*. Rockville, MD: Borgo Press, 2005.
- "Policies, Organization, and Procedures for the Inmate Advisory Council," 25 October 1954. Institutional Publications, F3717:1832-1859, California State Archives, Sacramento, Ca.
- "Reports and Studies," 1947-1980. F3717:342-357; 1653-1764, California State Archives, Sacramento, Ca.
- Repetto, Thomas. *American Mafia: A History of its Rise to Power*. New York, NY: Henry Holt & Company, 2004.
- "Resolution," 1946-61, 23 February 1950. Associations Labor Unions—General, F3717:278-298, California State Archives, Sacramento, Ca.

Sánchez-Jankowski, Martín. *Islands in the Street: Gangs and American Urban Society*.

Berkeley: University of California Press, 1991.

Sankin, Aaron. "California Spending More On Prisons Than Colleges, Report Says." *Huff*

Post San Francisco. Huffington Post, 6 September 2012. Accessed 29 March 2013.

http://www.huffingtonpost.com/2012/09/06/california-prisons-colleges_n_1863101.html.

Schmitt, John, Kris Warner, and Sarika Gupta. "The High Budgetary Cost of Incarceration."

Center for Economic and Policy Research, "CEPR." Last modified June 2010.

Accessed 1 October 2013. <http://www.cepr.net/documents/publications/incarceration-2010-06.pdf>.

"*Scrapbook*," 1912-15. Vol. 1, F3717:986, California State Archives, Sacramento, Ca.

———. *6 in Quentin Break Kill Clerk; Caught*.

———. *Author of "The Criminal" Says Lowrie is Fabricator*.

———. *Capt. Matheson Raps Laxity of Prisons*.

———. *Death Threat in Convicts' Trial*, 4 October 1925.

———. *Folsom Inmate, trying Escape, Killed in Fall*, 11 November 1925.

———. *For Better Prison Conditions*.

———. *Notorious Thug Killed by Prisoner*, 5 March 1909.

———. *Prison Farm is Again Opposed in San Joaquin*, 5 December.

———. *Prison Reform from the Inside*.

———. *Stabs Kaufman Twice*, *Scrapbook*, March 1909.

———. *Take Prisons out of Politics*, 18 December 1925.

———. *The Trouble in the Prison*, 10 June 1912.

———. *Two Escape in Oakland Prison Plot*, 1925.

———. *Warden in Dope War*, 1924.

Shakur, Sanyika. *Monster: The Autobiography of an L.A. Gang Member*. New York: Atlantic Monthly Press, 1993.

Simon, Jonathan. *Mass Incarceration on Trial: A Remarkable Court Decision and the Future of Prisons in America*. New York: The New Press, 2014.

———. “The ‘Society of Captives’ in the Era of Hyper-Incarceration.” *Theoretical Criminology* 4, no. 3 (2000): 285-308.

Smelser, Neil J. *Theory of Collective Behavior*. New York: Free Press of Glencoe, 1963.

Smith, Kevin T. “State Prison Riot Prevention.” MCJ practicum report, Washburn, KS: University of Topeka, 2001.

State of California. Department of Corrections and Rehabilitation. Central California Women's Facility (CCWF). “Mission Statement.” 2009. Accessed 7 December 2014. http://www.cdcr.ca.gov/Facilities_Locator/CCWF.html.

State of California. Department of Correction and Rehabilitation. “Division of Juvenile Justice. 2010. Accessed 26 June 2013. http://www.cdcr.ca.gov/Juvenile_Justice/FAQs_About_DJJ/index.html.

State of California. Department of Corrections and Rehabilitation. “Men’s Advisory Committees.” Accessed on 29 September 2013. http://www.oocities.org/three_strikes_legal/prison_appeals.htm.

State of California. Department of Corrections and Rehabilitation. *Rules and Regulations of Adult Institutions, Programs, and Parole*. Title 15. January 2013. Accessed 13

September 2013. http://www.cdcr.ca.gov/Regulations/Adult_Operations/docs/Title15-2013.pdf.

State of California. California Department of Corrections and Rehabilitation. "Reports, Statistics and Cited Works." 1 January 2014. Accessed 1 April 2015.
<http://www.cdcr.ca.gov/reports/>.

State of California. Office of the Governor. *Prison Overcrowding State of Emergency Proclamation*. Arnold Schwarzenegger. 4 October 2006. Accessed 23 September 2013. <http://gov.ca.gov/news.php?id=4278>.

State of California. Office of the Governor. *A Proclamation by the Governor of the State of California*. Edmund G. Brown, Jr. 8 January 2013. Accessed 23 September 2013.
http://gov.ca.gov/docs/Terminating_Prison_Overcrowding_Emergency_Proclamation_%2810-4-06%29.pdf.

State of California. Senate. "Prisons: Wireless Communication Devices." S. No. 26. 1st sess. 2011-2012. <http://www.cdcr.ca.gov/Contraband-Cell-Phones/docs/SB-26.pdf>.

State of South Carolina. Department of Corrections. Collective Violence Research Project. *Collective Violence in Correctional Institutions: A Search for Causes*. Columbia, SC: State Printing Company, 1973.

State of New York. McKay Commission. "Attica Revisited." Talking History Project. Accessed 19 November 2013. <http://www.talkinghistory.org/attica/mckay.html>.

Steiner, Benjamin, and John Wooldredge. "Rethinking the Link Between Institutional Crowding and Inmate Misconduct." *Prison Journal*. 89, no. 2 (2009): 205-233.

St. John, Paige. "Inmates at Another California Prison Launch Hunger Strike." *Los Angeles Times*. 13 October 2012. Accessed 2 October 2013.

<http://latimesblogs.latimes.com/lanow/2012/10/hunger-strike-at-california-prison-underway.html>.

“Suspect Admits Shooting Newton, Police Say.” *New York Times*. 27 August 1989. Accessed 2 April 2013. <http://www.nytimes.com/1989/08/27/us/suspect-admits-shooting-newton-police-say.html>.

Sweet, Michael. California Department of Corrections & Rehabilitation. Interviewed by Author. 5 April 2013. 24 June 2014.

Sykes, Gresham M. *The Society of Captives: A Study of a Maximum Security Prison*. Princeton, NJ: Princeton University Press, 1958.

Tannenbaum, Frank. *Osborne of Sing Sing*. Chapel Hill: University of North Carolina Press, 1933.

Thrasher, Frederic Milton. *The Gang; a Study of 1,313 Gangs in Chicago*. 2d Rev. ed. University of Chicago Sociological Series. Chicago: University of Chicago Press, 1942.

U.S. Department of Justice. *Bureau of Justice Statistics*. Office of Justice Programs. Accessed 7 September 2013. <http://www.ojp.usdoj.gov>.

U.S. Department of Justice. *Gangs in the United States*. Johnstown, PA: 2005. Accessed 31 August 2013. <http://www.fbi.gov/stats-services/publications/2011-national-gang-threat-assessment>.

U.S. Department of Justice. Federal Bureau of Prisons. “*Policy Documents*.” Accessed 1 October 2013. <http://www.bop.gov/DataSource/execute/dsPolicyLoc>.

———. “Maps of Facilities.” Accessed 1 October 2013. <http://www.bop.gov/locations/locationmap.jsp>.

- Useem, Bert. *Resolution of Prison Riots*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, 1995.
- Useem, Bert, and Peter Kimball. *States of Siege U.S. Prison Riots, 1971-1986*. New York: Oxford University Press, 1991.
- Walker, Samuel. *Sense and Nonsense about Crime and Drugs: A Policy Guide*. 3rd Ed. Contemporary Issues in Crime and Justice Series. Belmont, CA: Wadsworth Pub., 1994.
- Watson, Tom. "Prison Appeals System." n.p. Accessed 5 March 2013.
http://www.oocities.org/three_strikes_legal/prison_appeals.htm.
- Western, Bruce. *Punishment and Inequality in America*. New York: Russell Sage, 2006.
- Wicker, Tom. *A Time to Die: The Attica Prison Revolt*. Lincoln: University of Nebraska Press, 1994.
- Williams, Stanley. "Stanley Tookie; Williams, Gangbanger Autobiography, and Warrior Tribes." *Journal of American Studies*. 44.1 (2010): 155-170.
- "Women Prisoners in California." *California Prison Focus*. n.p. Accessed 20 April 2013.
<http://www.prisons.org/dignity/womenprisonerfactsheet.htm>.
- Wylar, Grace. "CALIFORNIA'S PRISON RELEASE." *Business Insider*. n.p., 24 May 2011. Accessed 20 March 2013. <http://www.businessinsider.com/californias-prison-disaster-heres-what-you-need-to-know-2011-5>.