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Women and Jail:

Life in the Gendered Cage

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Introduction

Societal notions about gender have influenced the conditions of confinement and treatment afforded women offenders since prisons first appeared in the United States. During the early years at Auburn, for instance, because women who committed crime were considered so gender-unnatural and, as a result, morally depraved, the nature of their imprisonment was far worse than that provided males. Thus while provisions were made for the privacy and labor of men, women at Auburn were 'left to their own devices' cloistered together in a 'tainted and sickly attic' where food was provided and slop removed once a day, leading the prison chaplain to say, 'To be a male convict in this prison would be quite tolerable; but to be a female convict for any protracted period, would be worse than death.'¹

Scholars have commented on gender's influence in shaping women's corrections, both historically and currently.² What is lacking in the literature, however, is an examination of women's thoughts about and reactions to this particular aspect of their imprisonment. Indeed, the gendered nature of correctional facilities and the gendering processes they promote are typically ignored as researchers focus solely on the influence of gender at the individual and group levels, to assess women's adaptations to confinement, the nature of which remains, in other words, implicitly gender-neutral.

Dana Britton (2003) has challenged this notion of the prison as gender-neutral. In doing so, she draws on a perspective in the sociology of work and organizations, the theory of gendered organizations, to explore processes of organizational and occupational gendering in the prison work setting. The theoretical basis of her analysis is that organizations are not neutral spaces shaped by the behaviors of workers' gender identities, but rather sites 'in which these attributes are

present in pre-existing assumptions and constructed through ongoing practice.'³

The present article extends Britton's thoughts and model to examine and interpret women's lives in a gendered confinement setting. It differs from her work in two ways. First, its focus is not on the institution as a work setting, but as a living environment for women confined there. Its interest, in other words, is to examine how women perceive and react to gendered-related practices in this setting. The second difference is the carceral site for research. Rather than a prison, this study took place within an American penitentiary, a county institution of social control that holds individuals sentenced to terms of under one or two years. Because of their short-term nature and problems of accessibility, research in these facilities has been somewhat limited⁴, despite the fact that when compared to prisons, many more people pass through them annually, and for some, with lifetimes of repeat commitments, far more time is spent within their walls. The author also shares the sentiment of other recent scholars that criminal justice in the United States is primarily a local affair⁵ and believes that an examination of these community-level facilities is critical to understanding the actual day-to-day exercise of social control. Further, she will argue that penitentiaries, with their unique governmental, economic, and social contexts, evince far more profound and entrenched gendering practices and cultures than the state-administered prison.

The Current Study

Methodology

The site for this research was a county-run penitentiary in upstate New York. The facility held an average daily population of 350 locally-sentenced men and women. A sample of 35 women with at least five prior penitentiary confinements was selected for in-depth interviews. Interview questions were open-ended

1. Rafter, N. (1983) 'Prisons for Women, 1790-1980' in *Crime and Justice*, 5, p. 135.
2. See, for instance, Freedman, E. (1974) 'Their Sisters' Keepers: An Historical Perspective on Female Correctional Institutions in the United States: 1870-1900' in *Feminist Studies*, 2, 77-95 and Owens, B. (1998) *In the Mix: Struggle and Survival in a Women's Prison*, Albany: State University of New York Press.
3. Britton, D. (2003) *At Work in the Iron Cage: The Prison as Gendered Organization*, New York: New York University Press, p. 3.
4. Because of space limitations, a complete literature review of extant research in this area is not possible. But see, in particular, Ferraro, K. and Moe, A. (2003) 'Women's Stories of Survival and Resistance,' in Ziatzow, B. and Thomas, J. (eds) *Women in Prison*, Boulder, CO: Lynne Rienner Pubs., 65-93.
5. See, for instance, Lynch, M. (2011), 'Mass Incarceration, legal change, and locale: Understanding and remediating American penal overindulgence,' in *Criminology & Public Policy*, 671-698.

and focused on the confinement experience, with women asked to comment on: the hardest and easiest aspects of doing time; the advice they would give a close female friend facing local confinement; interpersonal relationships; facility/staff practices; and the culture they experienced in this facility.

Qualitative methods were used to work with the data and two research questions directed the study. The first sought to determine the degree to which the women perceived their confinement setting as gendered. The second sought to assess and contextualize the ways in which they negotiated and, in some cases, resisted these gendered processes of social control.

Findings

Perceptions of the Penitentiary as a Gendered Environment

Britton conceptualized the process of organizational gendering as occurring on three levels: structure, culture, and agency. By structure, she meant formal/ informal policies and practices directing daily operations. These were gendered, Britton said, to the extent they reflected general notions of men and women that were premised on and reproduced gender.⁶

There were several formal policies, directed only at women, that appeared grounded in gendered assumptions about the problems they, as women, posed in the correctional setting. One was 'the uniform rule.' This rule required women, not men, to be dressed in full uniform at all times, from the moment they rose to lights out. Men, in contrast, could wear sweats until they left the housing unit. When questioned about this rule, Robin said she thought it was probably to cut down on the 'sex stuff.' At the same time, she added, 'there's a lot of power in the uniform. Why can't we be human for a while — where's the problem with watching TV at night with your pajamas on?'

This was one example of how women, because of their sexuality, were viewed as a problem population that needed to be de-sexualized by way of ill-fitting uniforms. Another practice rooted in gender was exercise. According to NYS Minimum Standards, all county inmates must receive one hour of outdoor exercise daily, unless inclement weather suggests otherwise. The study site was well-resourced for exercise. It had a large, fully-equipped gymnasium,

along with an even larger outdoor recreation area. The State Standards didn't apply to women, however, as they were not allowed to use either the indoor gymnasium or the outdoor yard. Instead, for exercise, women were restricted to a small multi-purpose room, attached to their housing unit, with one basketball hoop.

The stated reason for denying women access to the outdoors was that they (or 'some of them, a few years ago') had flashed passing motorists by lifting their shirts. No reason was given for why women couldn't use the gym, other than 'they had their own.' Once again, one could interpret this restrictive solution to an incident caused by a few as being gender-driven: women, a 'problem population,' were a sexual threat, who might display their sexuality at any time. This threat of sexuality also might explain the apparent

security rationale of limiting their movement throughout the facility. It also seemed that gender was behind administration's belief that women did not need the same level of physical exercise as men.

Every woman talked about these restrictions. Very few actually used their 'gym,' saying 'what's the point — to shoot hoops by yourself? You can't run or work-out like the men.' Many had not been outside for months and all complained that the 'no outdoor rec rule was not right'

and 'everyone needs fresh air.' Many also said the rule was unfair; not only were all being punished for the actions of a few, but, more importantly, the men could go outside. Roberta tried to initiate some collective action through a petition. After all refused to sign it, she said, 'all women care about is losing days, or ending up in lock,' concerns that certainly could reflect their outside responsibilities as mothers.

The women mentioned other practices as 'clearly discriminatory.' None had received work release and the entire female population (120) saw just one counselor. Work opportunities were limited to the housing unit, because commingling in work sites was prohibited. Commingling in programs also was forbidden, so the women were serviced within their unit by outside religious and self-help volunteers. Even more troubling was the facility's policy when the male count exceeded available housing: the women said they'd be herded into make-shift quarters without toilets or phones, with the men relocated to their former unit. The author witnessed this practice on several occasions.

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6. Britton, p. 7.

In sum, it appeared, based on these discussions, that an underlying directive of operations in this facility was to make the women invisible or to return them, if you will, to the attic of Auburn days, where they were housed as one classification (i.e., female) in space not needed by men from which they rarely left for programming or other privileges engaged in by the men. The women clearly believed this facility was administered in ways to exclude and isolate them and described this during talks with the author. 'We are just an after-thought,' they said, 'living in a facility run by men for men.'

The second level of gendering Britton identified was culture. Particularly powerful and relevant to describing the culture in this facility was the work of John Irwin.⁷ Irwin said that jail culture was shaped by its underlying purpose — the containment and maintenance of a community's 'rabble.' This was a culture, he observed, that was characterized by 'unintended consequences' that prepared or maintained a person in the rabble class. These consequences, characterized as distinct processes of the jail experience, included disintegration, disorientation, degradation, and preparation for rabbledom. Irwin further said that the jail's culture was shaped by its lowly status in a community's social control apparatus, wanting of financial support, structural resources, and material amenities.⁸ These deficiencies, along with the ideological justification for them (i.e., that jails control rabble, and, therefore, deserve minimal funds), resulted in a management style that was unique to jails, Irwin claimed — a style of 'malign neglect [with] a thinly disguised element of intentional meanness.'⁹

Based on this study, it was clear that ideas about gender only heightened the unintended consequences and culture of intentional meanness Irwin attributed to jails. A sense of disorientation, by which Irwin meant anomie or alienation, permeated the answers of most questions asked. Women spoke constantly of silly rules in ways that reflected felt powerlessness, with saying they were treated like children or infantilized in the facility. Tina resented having to ask deputies for everything, 'from soap and tooth powder to toilet paper — what can you do with toilet paper or sanitary products?' she asked. 'It's embarrassing,' Carmen said.

'The hardest thing about jail was following the stupid rules; I'm an adult; I think I know I should use the bathroom before I go to bed.'

The women also spoke of jail culture in ways that demonstrated its role in preparing one for rabbledom, which consisted of 'acquiring the rabble mentality...an attitude of mistrust or wariness about others; an outlook that was opportunistic; [and] a spirit of making do.'¹⁰ This, too, was exaggerated by the gendered living environment. For instance, because women were not classified according to history or needs but were all housed together, the unit, according to many, was just a 'milder version of the street, a place where no one could be trusted and you looked for new hook-ups for returning to it.' And, among women who 'had burnt their bridges on the outside,' having lived lives marginalized by poverty and gender, 'everyone tried to out-hustle everyone else,' as if on the street, to better their own situation.

As far as the intentional meanness Irwin described, the staff were very vocal in their dislike of female inmates. Indeed, it seemed that women were reacted to solely in terms of their most negative stereotypical gendered traits. They were said to be obstinate and demanding, never taking no for an answer and always wanting to know why something was forbidden or taken away; they were described as overly emotional and hormonally imbalanced, particularly when living together where each tries to exceed others in terms of drama-laden accounts or outbursts; they were called catty, always getting into each other's business and gossiping incessantly; and finally, they were thought to be bitchy with staff, never reluctant to fight, even weaponless, and always noisy and nasty when doing so.

This misogynistic culture of meanness was no doubt influenced by those who ran and worked in the facility. In the case of this penitentiary and probably most others in the US — these individuals are usually military/ law enforcement-oriented. The county Sheriff, who is charged with the administration of most American correctional facilities, is not typically interested in correctional settings or work. You also rarely find people working in penitentiaries as their chosen career path. Many are there because of not

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7. Irwin, J. (1985) *The Jail: Managing the Underclass in American Society*. Berkeley: University of California Press.

8. Irwin, pp. 44-45.

9. Irwin, p. 45.

10. Irwin, pp. 87-91.

being hired by their preferred choice — police agencies. Many others are getting into this work because of down-sizing or just not having other available options in their communities.

The women, themselves, commented on these staff attitudes, noting that they were often dismissed like children seeking attention when they approached housing unit supervisors with problems or complaints. They also noted the infrequent visits by 'white shirts' (lieutenants and above) to their unit, which were usually quick (to avoid interactions) and equally, if not more, dismissive. The nature and quality of medical care also disturbed the women, who repeatedly said, 'you don't want to get sick in here. The nurses say you're whining and the doctors — they think you're lying to get attention or drugs.'

Britton's third level of gendering was at the micro-level of agency or how individuals did gender. Based on discussions with the women, it appeared that housing unit supervisors accomplished gender in three distinct ways, using gendered supervisory styles based on all-too common (and stereotypical) notions about women and the exercise of power.

The first and most frequently mentioned style was 'Mommie Dearest.' Many women said that certain deputies made them feel like children, not adult women, repeatedly telling them to comb their hair, eat everything on their plates, take a shower, or use the bathroom before bed. A second common style was 'Bad Teacher,' including several deputies who used questionable pedagogical techniques for enforcing orders. One made inmates write a 100 times that they would not violate a particular rule, after they had done so. Roberta, for instance, said that she had to write 100 times 'I will not use the bathroom during fall-in time.' 'Can you imagine?' she asked. 'Not only does she treat you like a school kid, but she acts like the old nuns. I wouldn't punish my own kid for using the bathroom if she had to, fall-in or no fall-in.' It seemed highly improbable that such a supervisory technique would be used with male inmates. Just as improbable was another deputy's use of 'time-out' for women who had difficulty accepting a restriction or order.

A third style often described was the 'Abusive/Power-Focused Spouse.' Malikah commented on 'being talked down to,' as did Carmen who said 'they treat us like we're lower than them — just inmates, that's it.' Even more telling were Audrey's words. Audrey, a 37 year old mother of six, announced, with a large smile, that she was now separated, after 20 years of marriage, only five of which were free from physical abuse. When asked if jail was physically more comfortable, less comfortable or about the same as her life outside, she said it's about the same — that she felt safe with the other inmates, but not the deputies. 'They put me through what my husband put me through,' she said. 'They yell, treat you like dirt, and show you no respect. If they could shit on us, they would.'

When asked how they did time, the women mentioned several strategies that reflected their gendered experiences prior to incarceration, as well as a degree of resistance to gendered oppression within the facility.

Negotiating and Resisting Gendered Confinement

Many, if not most of the 35 women interviewed, had countless incarcerations, with rap sheets of 10 pages or more dating back to their teens. And, as an aggregate, they very much resembled similarly situated women profiled by other researchers,¹¹ both personally and criminally. They were poor, undereducated, rarely employed single mothers, with a host of chronic medical and mental health problems, most of which had only been addressed in jail.

The majority had been abused as children, usually by family, and nearly all had offense histories limited to property and public order crimes, with some instances of simple assaults. Nearly all were drug-involved with most reporting crack as their drug of choice.

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Taking a Break — Penitentiary as a Safe Haven

As other researchers have found,¹² many women saw time in the penitentiary as a respite, a break from the marginal circumstances they'd endured on the

11. Owen (1998); Ritchie, B. (1996) *Compelled to Crime: The Gender Entrapment of Battered Black Women*. NY: Routledge; Veysey, B., DeCou, K., & Prescott, L. (1998) 'Effective Management of Female Detainees with Histories of Physical and Sexual Abuse' in *American Jails*, 12, 50-54.

12. Ferraro and Moe (2003) and Ritchie (1996).

outside or the street. Many said being in the facility gave them 'a much needed break from the life' or that it was a 'relief, having the responsibilities of the world lifted off [my shoulders]... without causing my family any more problems with my bullshit.' For just as many more, being in the penitentiary meant 'not worrying about how you were going to eat or where you were going to sleep' or even 'if you would survive the night.' For others, it was a 'blessing in disguise,' giving the woman a much needed respite of structure and substance to possibly 'get right with my God.' And, for a few, it was 'just an [expected] interruption, a place to put my head down for a while,' or as ET said it was like going into treatment — 'I do it when I'm tired and need a break.'

Making the Most of It — Penitentiary as Service Provider

Along similar lines, many said they came to the penitentiary for the same reason they went to rehab — not just to rest, but to get the much needed services not available on the outside. These women evinced a sort of survivor mentality, born of a street existence and homelessness where they felt far less safe and comfortable than they did in jail. They expressed a 'can do' attitude about time, saying like ET, that 'I can do jail — I have everything I need, three meals and a bed. I can do a year standing on my head.' In addition to this survivor attitude, they also evinced a level of opportunism, as Irwin described. Tracy said the penitentiary was 'easy — [she] could finally sleep and eat.' Robin was able to get a pair of glasses and Elaine, who said her street name was Betty Crocker (because she 'cooked cocaine proper') said she had finally seen a dentist. Lana was 'much more comfortable, not using, getting three meals a day, and your laundry done with a smiley face included in the bag.'

Non-Sexual Relationships — Penitentiary as Family

Relationships between incarcerated women, both sexual and non-sexual, have been an area of consistent and significant interest among researchers. With respect to the non-sexual, although most of the women doubted the sincerity of facility friendships, referring to them as 'fake' or 'fiction,' there were some that were

recognized as 'real.' Many older women 'looked out' for daughters of outside friends. Some expressed genuine fondness for 'bunkies,' saying they always told each other good night and good morning. Many also reconnected with friends from the street and some, learning of the exploits of others, made new connections. Older women were moms to young first-timers. And, several of the openly gay women, referred to as 'the brothers' and 'poppa,' seemed to be advice-givers in the unit.

Hustles — Penitentiary as the Street

For many, the facility was but an extension of the street, and, how they functioned there was simply a mirror image of how they survived outside, and that was by their wits and their sex. They were in Owen's 'mixes'¹³ and knew how to work time scamming or hustling to better their own conditions. There were three distinct hustles among the women.

The first hustle of homosexuality was primarily economic in motivation and the most common method of survival. For many, especially those who had 'burnt their bridges,' exchanging sex for commissary was just a transference of what they'd done on the streets to get drugs or other necessities to survive. For others in this population of abused, motherless women, the motivation was less material and more about 'having someone hold you or having someone who cares.'

The second hustle, running stores, was referred to as 'two for ones,' a phrase highly descriptive of the nature of the exchange. Proprietors of stores would provide one item of something to a 'buyer' with the expectation of receiving two in return with the person's next commissary. Given the jail menu, food and drink were the main commodities bought and sold with personal hygiene products running a close second.

Women who dealt in meds or 'ran pharmacies,' the third hustle, were self-reported frequent visitors to Medical, where they complained of a variety of ailments 'to get something to numb them out.' These druggists said that the best advice they could give someone coming to jail was — 'to get all the meds you could,' and given the number of women medicated in the unit, it appeared to be well-heeded. The pharmacy was less

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13. See Owen (1998), who referred to mixes as behaviors in the prison that could result in trouble for the individual, such as drugs or fighting.

a store and more a bartering enterprise. Pills were exchanged for goods and favors, usually delivered through commissary or one's tray. The goal was to get as many meds and combinations of meds as possible to 'leave' jail, if just for a while, and revisit the state of euphoria or detachment one had on the street.

Conclusion

It is not possible to mistake jails or penitentiaries in the United States as being anything more than a community's miserly attempt to control and manage the rabble of its streets. Most are typically crowded, physically worn, under-funded, and programmatically-lacking institutions. It also is not possible to overlook the maleness of these facilities, both literally and figuratively. Women not only constitute an actual minority of staff and inmates, they also are made even more invisible within structures, cultures, and actions distinguished by institutional misogyny. Indeed, one could say that in many ways, these two characteristics associated with penitentiaries — their deprived, male-dominated settings — parallel and even mirror the ghetto streets from which their inhabitants come.

Thus it is, perhaps, not surprising that women's lives in the study site, with its isolating practices, minimal programming, and culture of alienation, mistrust, and meanness, simply produced a 'milder version of the street,' as one observed. What was both sad and heartening, however, were the ways in which women reacted to this setting. For many, the penitentiary had become integral to survival. For others, it was an expected occurrence, a part of lives spent boosting or prostituting, where they rested. Many opted for it rather than 'rehab' as an avenue to obtain much needed services and some, whose families were long gone, derived material and emotional support from 'associates' found inside. Others flourished in the setting, engaging in enterprising modes of survival in the underground economy, an activity usually considered an exclusive male preserve. In the end, the fact that these women who were primarily street-level offenders would exercise the wits, skills, and resilience borne of that world to survive and resist the similarly gendered and marginalized setting of the penitentiary seemed both understandable and particularly fitting. The penitentiary was, after all, as ghettoized and misogynistic as the streets they walked.

Obituary — Kathleen McDermott: Prisons Researcher

Dr Kathleen McDermott, anthropologist and prisons researcher has died at the age of 67 after a long and debilitating illness. Born in the Bronx, the daughter of an Irish American policeman, Kathy first qualified as a Registered Nurse before graduating *Summa Cum Laude* in Anthropology and proceeding to an MA and PhD from the University of California, Berkeley. After a period spent in Hong Kong and the Far East, Kathy eventually found her way to the University of Wales, Bangor, where she directed a study evaluating the effectiveness of programmes to combat youth unemployment under the Thatcher government between 1981 and 1983. After a brief period farming sheep with her second husband in Vermont, where she quickly became a pillar of the community providing voluntary ambulance and other public services, she was enticed back to the University of Wales to play a leading role in two research projects. The first was a comparative study of the regimes in five prisons and the second a study of how prisoners, and above all their families, coped with long term imprisonment.

It was as a gifted prisons researcher that Kathy found her academic *forte*. As an American citizen she was able to play the anthropological stranger in the tightly closed world of prisons, communicating with both staff and prisoners from all races and ethnic backgrounds with an ease often denied to her British counterparts. Her intuitive feel for situations and what likely lay behind them meant that she was almost always the first to understand what was really going on. A sympathetic ear, an outgoing personality, inexhaustible energy and wise judgement made her the near perfect fieldworker and colleague. As a researcher Kathy McDermott made contributions to about a dozen articles, a research monograph and several book chapters, reports and conference papers about prisons in this country. Among other things they drew attention to the dramatic decline in the quality of prison life between 1970 and 1987 and to the need for a better way of dealing with difficult prisoners. These had a profound influence on the way in which prisons policy developed around the time of the Woolf report on the Strangeways riots in 1991. If some of those policies were later

undermined by Michael Howard and successive New Labour Home Secretaries their significance remains and their lessons have not been forgotten by a much beleaguered Prison Service.

Kathy returned to the United States at the end of these research projects to take up a new career as an administrator at Columbia University as its first residential dean where she advised on the study abroad programs, eventually becoming the Director of the Office of Global Programs and an Assistant Vice President of the University. Her passionate oversight of the study abroad programs brought her to Oxford and Cambridge and other leading universities around the world on an annual basis.

Kathy's life, however, was touched by tragedy. When she returned to the United States in 1991 her children from her first marriage remained in this country, Paul at Cambridge and Claire at Oxford. Paul Grandpierre, a brilliant PhD student at King's College, suddenly collapsed and died from an undiagnosed heart defect after a strenuous workout in the College boat house. Four years ago, on one of her many trips to Cambridge and after a convivial dinner with distinguished criminologist colleagues and some of our brightest graduate students, Kathy told me she had just been diagnosed with Lou Gehrig's disease, better known in this country as motor neurone disease. Kathy bore this devastating news, and the progression of the illness itself, with the same dignity and fortitude with which she had faced up to the loss of her son. Kathy continued working until a few months before her death by which time she was confined to a wheel chair. When she lost the power of speech, Kathy, who given half a chance could talk ninety to the dozen, continued to communicate by e-mail using eye pointing techniques.

She is survived by her daughters from her two marriages, Claire Grandpierre and Caitlin Bell, and granddaughter Charlotte Soubirous, as well as a sister and three brothers — and countless numbers of friends, admiring colleagues and grateful students — all of whom will miss her greatly.

Dr Kathleen McDermott,

born August 3rd 1944; died October 16th 2011

Professor Roy King