

San Quentin Prison as Seen by the Prison Officials

CONCEPTION OF THE ROLE OF THE PRISON

In the view of most prison officials, the two basic functions of prisons are custody and rehabilitation. To a certain extent these two functions are seen by many officials as reinforcing each other, as being mutually interdependent. In October, 1970, I attended an orientation day for new employees at San Quentin. During his introductory remarks, the director of in-service training at San Quentin stated, "We are here to teach conformity." The rules of proper conduct, the discipline, the enforced conformity of dress and haircuts—all are part of this effort to "teach conformity" to the prisoners. It is hoped, he said, that some of these habits will continue on the outside and that the prisoner will learn to conform to the rules of society. This general orientation was expressed many times to me by various officials at San Quentin. From this perspective, the procedures of custody become simultaneously the means for rehabilitation.¹

1. Gresham Sykes, in his book *The Society of Captives* (Princeton, N.J.: Princeton University Press, 1958), makes this same general point: "... the Warden [of the New Jersey State Prison] has hammered out a philosophy of custody in which the prevention of deviant behavior among inmates while in

Central to this view that custody and rehabilitation are compatible goals is the conception of the ideal prison guard. On the orientation day, new employees were shown a film on what makes a good guard. In the film, the early careers of three archetypal guards were portrayed. The first guard was an authoritarian militarist who insisted on rigid discipline and the necessity of obeying the rules to the letter. The second guard was an easygoing liberal who wanted to be pals with the prisoners. The third was a square-jawed, straightforward type who treated the prisoners firmly but fairly. The first guard, the militarist, drove his prisoners to the point of rebellion and was plagued with constant troubles. The second guard, the lax type, got conned into carrying out illegal letters and bringing in contraband for the prisoners. The third, the firm-but-fair ideal, managed to establish a trusting relationship with his prisoners. They respected him and tried to emulate his honesty.

This "firm-but-fair" image of the ideal guard is presented in the official orientation booklet for new employees at San Quentin. In it is a page entitled: "Some Rules to Guide You as New Employees":

1. Always imply that you expect the correct attitude. Don't take it for granted that you are going to have trouble in enforcing a rule.
2. Keep a proper sense of proportion. Don't make a tremendous issue over some minor infraction, and then let a larger situation get out of hand because you fear to tackle it.
3. Do not fail to show respect for the inmate as a personality and as a reasonable human being; allow him to express himself.
4. Do not refuse reasonable requests, but when you have

prison is the most potent device for preparing the prisoner to follow the dictates of society when he is released. Education, recreation, counselling and other measures designed to lessen the oppressiveness of prison life assume a relatively minor position compared to a system of control which attempts to make the prisoner learn compliance to duly constituted authority" (pp. 35-36).

to do so, explain why it is necessary and express your regret.

5. Never show the slightest uncertainty as to the course of your action. *You must be a leader in the strongest sense of the word; must know and show your authority. Never show that you have been angered personally. To be most effective, discipline must be sure and impersonal.*

6. NEVER THREATEN DISCIPLINE YOU DO NOT INTEND TO ENFORCE. And be sure that the discipline you threaten will be enforceable and upheld by your superiors.

7. Endeavor not to punish an entire group, but when it is necessary, explain why. If any loophole can be left for the clearly innocent, leave it.

8. When behavior is commendable, express your appreciation. Inmates are just as grateful for praise as you and I, and it seems that precious little comes their way. The praise you bestow today, may make tomorrow's discipline unnecessary.

9. When you have threatened discipline and find it necessary to invoke the aid of your superior officer in enforcing it, give him all the facts and reasons. Don't grumble, "Aw, they never back me up. How can I get anything done?" *Your superior officer has as much, perhaps more at stake, as you in maintaining discipline, but don't expect him to be a mind reader.*²

A number of prison officials I interviewed expressed the feeling that when the custodial officials live up to these rules, the dual goals of custody and rehabilitation can be harmonious. The firm-but-fair guard can act as the agent, in this view, of both custody and rehabilitation: he can simultaneously maintain order within the prison and "teach conformity" to the wayward prison population.

Some prison officials, however, see the goals of custody and rehabilitation as operating against each other. Prison counselors who tend to be more committed to the rehabilitation ideal than

2. Italics in the original.

most prison officials especially feel the tension between these goals. However, if a choice between the two goals has to be made, even the counselors almost invariably give priority to custody. The warden's official orientation booklet of rules states this unambiguously in the first rule under the heading "General Custodial Orders for Personnel": "Remember, CUSTODY is always first in order of importance."

Raymond K. Procnier, the director of the Department of Corrections and an advocate of the liberal prison, has said that his primary job is "to control the behavior of men deemed criminal by society," and that rehabilitating them is only a secondary purpose.³ As with state mental hospitals, the essential task of the penal institution is to take men out of circulation in the larger society in order to "protect society."

Although there is general unanimity that rehabilitation is a lower priority than custody, there is considerable disagreement as to the real possibilities of rehabilitation and the emphasis it should be given within the prison. Most counselors, teachers, chaplains, and other noncustodial employees of the prison tend to feel that rehabilitation is a meaningful goal of the prison. By and large, they embrace correctional ideology. They tend to feel that rehabilitation would succeed if only more funds were available for rehabilitation programs, and if only the custodial mentality of the guards and some of the prison administrators was changed. Many guards and custodial administrators, on the other hand, feel that rehabilitation is futile and that the only responsibility of the prison should be to maintain internal order through strong custody. They are suspicious of new "treatment" programs and see many of them as making their custodial jobs more difficult. One lieutenant at San Quentin reported that many of the guards strongly opposed the work furlough program. They see this innovation as resulting in an

3. Interview in the *Christian Science Monitor*, Nov. 7, 1970.

increased flow of contraband within the prison, rather than as helping the prisoners in any way.

Two studies of employee attitudes in the Department of Corrections indicate these different orientations toward the rehabilitation goals of the prison. In a survey conducted in 1960, Joseph W. Eaton found that of all the categories of personnel in the prison system, the only one in which a majority of the employees were *not* in favor of experimentation with treatment programs was correctional officers: 54 percent were opposed to experimentation. In contrast, only 5 percent of the "policymakers," 14 percent of the chaplains, and 23 percent of the educators were opposed to treatment programs (there was no category in his study explicitly covering "counselors").⁴ A study conducted by Gene C. Kassebaum, David A. Ward, and Daniel M. Wilner in 1961 found similar results. In response to the question: "Which in your opinion would contribute *most* toward reducing incidents and problems among inmates?" 63 percent of the correctional officers and 72 percent of the correctional sergeants responded "firm discipline and hard work" or "swift and sure punishment." On the other hand, 60 percent of the counselors and 71 percent of the academic teachers responded that "group and individual treatment programs" would contribute most.⁵

Two factors may explain these differences in attitudes between custodial and noncustodial officials. First of all, guards are under pressures in the prison system very different from those of noncustodial employees. They are directly responsible for the control of prisoners, and they bear the brunt of criticism when that control breaks down. Second, it would seem likely that the sort of person who chooses to become a guard differs

4. Joseph W. Eaton, *Stone Walls Not a Prison Make* (Springfield, Ill.: Charles C. Thomas, 1962), p. 115.

5. Gene C. Kassebaum, David A. Ward, and Daniel M. Wilner, *Group Treatment by Correctional Personnel*, cited in Sheldon Messinger, "Strategies of Control" (unpublished Ph.D. dissertation, University of California, Berkeley, 1969), p. 241.

from one who becomes a counselor, a chaplain, or a teacher, and that this is reflected in attitudes toward the role of the prison. It would be expected that guards would tend to be more authoritarian than noncustodial employees, that they would have a stronger internal need to dominate and control other people, and that in many cases they became guards in the first place at least in part to fulfill those needs.⁶

The staff at San Quentin is not a monolith, in short. There are clear disagreements among the prison officials over some of the objectives of imprisonment. Some administrators have fully embraced the liberal penal philosophy that justifies imprisonment as a means of reforming the criminal. Others see the task of the prison in terms of punishment. Most prison officials fall somewhere in between. They feel that most of the men in prison "deserve" to be in prison or "had it coming" (i.e., punishment per se is justified), but at the same time they feel the prison should try to change the criminal, to make him less likely to commit crimes in the future. But whatever their differences in opinion, virtually all the prison officials I interviewed at San Quentin shared a general conception that the prison served a necessary and desirable social role. Eaton's study of attitudes in the Department of Corrections summarizes this underlying consensus well:

Differences in outlook between the more reform and the more punishment oriented correction officials were a matter of degree rather than of mutually exclusive convictions. Proponents of both penal philosophies were agreed upon the ultimate objective of correctional work: the attainment of maximum social control over deviance. No society can survive if the laws and morals can be violated without constraints.⁷

While prison administrators may differ in their notions of the best techniques for accomplishing "the attainment of max-

6. This is more of a hypothesis than an observation, and it may reflect my prejudices as much as the concrete reality of the prison.

7. Eaton, *Stone Walls*, p. 134.

imum social control over deviance” and in their perceptions of how well that goal is accomplished at San Quentin, there is almost complete acceptance of the goal itself.

ATTITUDES TOWARD THE ACTUAL FUNCTIONING OF THE SYSTEM

A counselor for several years at San Quentin summed up his feelings about the role of counselors when he told me: “It is pure tokenism. The Department of Corrections has never placed any confidence in their counseling staff. They only have counselors in order to say publicly that they have ‘rehabilitation.’” He stressed that with one counselor for 250 prisoners it was impossible for the counselors to do anything but act as a liaison between the prisoner and the prison administration and parole board. Whatever rehabilitation occurred in the prison, he said, “occurred more by accident than by design.”

One administrative official at San Quentin, with whom I had many conversations, frequently expressed strong criticisms of the rehabilitation programs in the prison. He felt that the emphasis on activities such as psychotherapy and group counseling was, in general, a waste of time. The only meaningful kind of rehabilitation, in his eyes, would come through the development of effective conditioning techniques. He saw criminal behavior as a collection of bad behavioral patterns essentially equivalent to bad habits. The solution to the problem of criminality was to reprogram the habits of the criminal in socially desirable ways. He was not sure how this could be accomplished, but he felt the present programs were misdirected.

Two associate wardens in the prison expressed considerable cynicism about the effectiveness of the prison system as it was, and about the possibilities of significant change. Both men told me that new men typically come into the Department of Corrections with aspirations to “change the world,” but their ideal-

ism is soon “shattered by the realities of prison life.” They begin to realize that the best that they can hope for is to have an occasional positive impact on individual inmates. In an article in the *Christian Science Monitor* (Nov. 7, 1970), San Quentin associate warden Park said, “I challenge you to come up with an alternative to this . . . I’m not saying that conditions here are necessarily ideal, but they aren’t barbaric either. What we are trying to do is operate on a level that is acceptable.” Another associate warden, when asked how he would change conditions in San Quentin if he could do anything he wanted, without any financial constraints, told me:

There is really very little of importance that could be done. This may shock you, but if I had the resources, I would not put them into San Quentin, but rather into the counties, into the local level. That is where the resources are desperately needed and that is where most prisoners should be kept. The role of the Department of Corrections should be only to handle hardened criminals, people who cannot be handled at the local level. Only destructive prisoners should be handled by the state, because the counties cannot handle these prisoners. I don’t care how much money you put into San Quentin, there is a rapid rate of diminishing returns of more education, more psychologists and so forth with these kinds of prisoners.

Most prison administrators feel that San Quentin is doing its job reasonably well, and that that job is by necessity basically a custodial one.⁸

8. There are a few prison employees who feel that the prison is doing a terribly inadequate job. Most notably at San Quentin, this view was held by the Reverend Byron Eschelmann, the head of the Protestant chapel from 1951 to 1971. In numerous conversations Chaplain Eschelmann expressed the view that the prison is a microcosm of the outside society with all of the alienation and oppression of the outside society magnified. He regarded the absolute priority of custody as disastrous for helping prisoners to make meaningful changes, and he felt that the prison was “a monstrosity” and a “hypocritical institution.” “The Prison,” said Eschelmann, “is nothing but a super ghetto stuffed with people who come from ghettos, the people who have been voiceless and impotent across the years, the recipients of persecution and abuse, the scapegoats of our culture” (interview in the *San Francisco Chronicle*, Nov. 29, 1970).

Eaton's study of attitudes in the Department of Corrections presents some interesting findings which reflect the level of complacency and acceptance of the status quo among prison employees. The subjects in his study were asked whether they agreed or disagreed with the following statement: "We can make some improvement in the department, but by and large, conditions in all institutions I know about are as good as they can be, considering the type of prisoners that have to be kept there."⁹ To agree with this statement means that the respondent accepts the status quo in the Department of Corrections. To disagree with it would indicate a very mild level of criticism of the Department (you need only believe that things are not "as good as they can be"). Only 40 percent of the employees disagreed with statement (39 percent agreed with it, and 21 percent couldn't decide; in the present context, not being able to decide itself reflects a high level of complacency). The range of responses among different employee categories was considerable: 80 percent of the Department's research staff were critical of the department; 61 percent of the policymakers; but only 39 percent of the correctional officers and 27 percent of the clerks.

All prison administrators interviewed at San Quentin agreed on one important issue: whatever problems there might be in the prison, they should be handled by prison authorities, not by outsiders. Prison officials see themselves as the best qualified to deal with these problems, and they insist that "interference" from the courts and the legislature only makes things worse. These people, one administrator told me, "are simply do-gooders. They don't have any idea of the real problems of running a prison. They don't understand the kind of people that we have to deal with. They believe everything the inmates have to say and always assume that we are the ones who are in the wrong. Whenever they meddle in the internal functioning of the prisons, they only make our problems more difficult."

9. Eaton, *Stone Walls*, p. 113.

Several San Quentin officials expressed particular animosity toward academic researchers who, they felt, could criticize the prison system from their armchairs without having to assume any responsibility for events in prison: "They can say that our custody is too harsh, but they never have to face the problems of life and death in prison. We have a responsibility to protect the lives of the inmates and the staff, and we do what is necessary for that."

DISCIPLINARY PROCEDURES

The priorities of the prison system are clearly reflected in the disciplinary procedures within the prison. The disciplinary hearings which I attended in November, 1970, were held on the ground floor of B Section, the isolation section of the prison. The hearings took place in a small room next to the showers; windows in the room looked out at the cells. At the hearing were two counselors, one correctional lieutenant, and one guard. They sat on one side of a table which took up nearly half the room; the prisoner sat on the other side, facing the disciplinary committee. As a visitor, I sat in a corner of the room. The sound of jackhammers repeatedly intruded into the hearings, making it difficult to hear. (There had been a riot in B Section several months before during which many of the cells had been severely damaged, and they were still in the process of being repaired.)

Each prisoner who appeared before the committee was escorted by a guard from his isolation cell to the hearing room. When he entered the room he was told by the chairman of the committee to sit down and then was read the formal charge of which he was accused. The chairman then asked the prisoner what he had to say for himself. There followed a brief interrogation by each of the committee members, after which the prisoner was told to leave the room and wait outside. The committee then discussed the case for two or three minutes and

reached a decision about what punishment should be given the prisoner. In none of the cases which I witnessed was there any discussion of the possible innocence of the accused prisoner; all that was discussed was the appropriate harshness of the punishment. The prisoner was then called back into the room and told the verdict. There usually followed a brief admonition by the chairman that the prisoner should mend his ways if he wanted to stay out of the hole in the future, and the prisoner was sent back to his cell.

During an average committee session 10 to 15 cases are heard. On the day I attended the disciplinary hearings at San Quentin, 15 cases were heard:

1. Several inmates were accused of having made home brew in their cells. Most of these were Chicano prisoners. The head counselor in charge of the hearing scolded them for their misbehavior and stressed that the prison could not tolerate home brew, since prisoners often became violent when they became drunk. Each of the inmates was convicted of the infraction and sentenced to 10 to 15 days in isolation and 30 to 60 days suspension of privileges.

2. One prisoner was accused of stealing six cookies from the mess line. He had previously had a disciplinary infraction for stealing a banana. One of the counselors said several times to me while the accused was in the room: "Mr. Wright, you have before you an ambulatory example of sheer stupidity." There was considerable sarcastic joking among the members of the committee and with the prisoner, who also appeared to treat the affair as a joke. He was given five days in the hole.

3. One young Chicano prisoner was convicted of "possession of militant literature." The inmate had been found with a list of militant-revolutionary newspapers in his possession (not with any of the newspapers themselves). At the top of the list were the words: "These papers will help in the revolutionary war, antipropaganda struggle against the fucking pigs." Officially, it

was for this sentence at the top of the list, and not for the list itself, that the inmate was punished.

During the hearing, the head counselor said to the prisoner: "You can have any political beliefs that you want as long as you keep them in your head. There is nothing that we can do about that. But if you put them down on paper, or have in your possession a paper with those beliefs, then it is no longer just a question of your beliefs. We take that as proof of active involvement. It is our belief that this is detrimental to the institution. We can't have revolutionary activity in prisons, so we cannot leave you in the general population." In the discussion about the case when the prisoner left the room, it was noted that his last "beef" (infraction) had been during the prison strike of August, 1970, when he had been a "leader" in the troubles. By this was meant that he had been seen in the yard talking to a small group of prisoners, encouraging them to join the strike. Furthermore, he was currently participating in a hunger strike in the isolation section of the prison, and this was taken as a strong indication of his subversive intentions. The committee decided that isolation was not sufficient and that he should also be put in segregation for an indeterminate period of time.

When the prisoner returned to the room the head counselor said to him: "We have decided to put you in isolation for ten days and revoke your privilege card for thirty days and then put you in segregation. The choice is up to you now what will happen to you. Only you will make your time here difficult. Only you can decide which way you will go." The inmate responded, quite upset and embittered by the situation: "You'll see which way I go. You'll definitely see which way I go." This response was noted in his record.

4. One prisoner was convicted of "insubordination." The situation, which no one disputed, was that he had been returning something to a friend on the tier below his cell just before lockup. The correctional officer on duty thought that he was

loitering and asked him for his I.D. card. The accused prisoner said that he had left it in his cell, at which point the guard asked him for his privilege card as a means of identification. The inmate responded, "Why?" being reluctant to part with his privilege card, for fear of having to go through a long procedure in order to get it back. The guard took this as insubordination, as a "threatening attitude," and brought him to isolation. The disciplinary committee sentenced the prisoner to 10 days in isolation and loss of privileges for 30 days.

This prisoner had already served 10 years in prison. The previous year, when he went before the Adult Authority, he was told that he would probably receive a parole date the following year if he had a completely clean record for at least 12 months. The prisoner had had no infractions for 15 months and was going up before the Adult Authority in a few weeks. The disciplinary committee, when discussing his case, was completely aware that their decision would probably mean that the Adult Authority would deny this man a parole date, but they decided to convict him anyway. The head counselor told the prisoner several times during the hearing: "That was pretty stupid of you to throw away a clean record on such a petty beef. It would have been so easy for you to have just given him the privilege card."

In discussing this case with me later, one of the counselors admitted that it was unfortunately true that the committee had not merely sentenced the prisoner to 10 days in isolation, but probably to at least one more year in prison. The counselor justified the action on grounds that the committee really did not have any choice in the matter because they had to consider the effect of their decision on the authority and control of the guards. This means that unless there is positive evidence that no breach of the rules had actually occurred (i.e., unless there is clear indication that the guard made a mistake), the decision of the guard will always be upheld. The prisoners had to know, it was stressed, that the power of the guards would be backed

up by the administration, for otherwise "the authority of the guards would not be respected."

5. Two prisoners in the adjustment center were accused of selling narcotics. The committee informed them that it had received reports that they had been selling narcotics, although it explicitly admitted that it had no real substantive evidence whatsoever. The committee, nevertheless, had the power to make an "administrative" decision. Such a decision is based on the principle that the institution cannot risk letting a guilty person into the general population, even if this means some innocent people will end up in solitary confinement. The accused prisoners were thus asked: "Can you give us any solid reasons why we shouldn't think you have been selling narcotics?" All they could say was, "I just wasn't selling any, that's all." The prisoners were confronted with the necessity of proving their innocence, which they could not do. The committee decided they should be administratively confined to the adjustment center for several months.

Segregation review hearings followed much the same pattern as disciplinary hearings. A prisoner can be placed in segregation for a variety of reasons—for punishment, for "protective custody" (i.e., if his life is in danger), or as an "administrative" classification (i.e., the prison doesn't bring formal disciplinary charges against the prisoner, but feels that he is a security risk and so keeps him segregated from the mainline population). Once in segregation status, his case is formally reviewed every 90 days by a committee similar to the disciplinary committee. A decision is reached whether to keep the prisoner in segregation for another 90 days, to transfer him to another institution, or to return him to mainline in San Quentin. The following is a brief account of the segregation review hearings I observed one day in February, 1971:

1. A young Chicano prisoner, very depressed, had been transferred to San Quentin from Tracy, where he had allegedly been

involved in a prison disturbance in which he had assaulted an officer. He had spent 29 days in the hole before his transfer and had been placed in segregation upon his arrival in San Quentin. He asked for a transfer to southern California so that "I could be closer to my people; they can never come this far to visit me," but the committee told him that this would be impossible. They said that perhaps after another 90 days in segregation they could make some arrangement for him.

2. A highly effeminate homosexual, whom the committee referred to as "she" and as a "queen," was in segregation because, according to the committee, "she" was constantly involved in "love triangles" and "enjoyed trying to get other prisoners to fight over her." The prisoner was very unhappy in segregation, but was told that the committee could not take the risk of putting him back in the mainline and that he would have to stay in segregation at least another 90 days.

3. A young, bitter, and very depressed black prisoner had served five years on a six-month to ten-year sentence for assault of a police officer. His disciplinary record was not particularly bad, but the committee said that he was a "known troublemaker." He had been transferred from Tracy to Susanville after refusing to go to work at Tracy. At Susanville he had apparently become involved in a short strike and was immediately transferred to San Quentin. The parole board said on his last appearance that he would not be given a parole until he showed "some progress in personal adjustment." At San Quentin, he had been locked up in segregation since being charged with possession of a knife in August, 1970 (i.e., seven months at the time of the review). An officer, who the prisoner said disliked him, reported seeing the prisoner give the knife to another prisoner in the mess hall. The prisoner still adamantly denied having anything to do with the knife, but the committee felt that they had to accept the word of the guard, and thus kept the inmate in segregation. At San Quentin possession of a knife receives a mandatory sentence of one year in segregation, so

this prisoner still had five months in the hole before being eligible to return to the mainline population.

4. Two brothers in the same cell were also charged with possession of a knife. One of the brothers had accumulated debts and was being threatened by other prisoners, so he obtained a knife to protect himself. The knife was discovered, and both brothers were given the mandatory one-year segregation. The brother who did not actually have the knife was put in segregation for not having reported the knife or asked for a cell transfer. It was felt that since he was a cellmate of his brother he must have known about the knife, and thus he shared the responsibility for its "possession." During the segregation review hearing, one of the counselors repeatedly said to the prisoner, in a righteous tone of voice, "We are not doing this to you: it is you who put yourself in this situation, and only you can get yourself out now."

5. Several prisoners were in segregation for "protective custody" (PC)—for owing gambling or drug debts, for resisting sexual advances, for being informers, and so forth. In each case it was felt that it was necessary to keep them locked up in the 4-by-10-foot segregation cells in order to protect their lives. Generally, in such cases, prison officials try to arrange a transfer for the prisoner to an institution where he will be in less danger, but sometimes this is not possible. In two cases the prisoners strongly denied that their lives were in danger and accused the segregation review committee of using PC as an excuse for locking them up.

In addition to short-term disciplinary placement of prisoners in isolation and longer-term placement in segregation or the adjustment center, transfers from one prison to another often serve as disciplinary measures. Prisoners who are considered troublemakers in a lower-security prison are frequently transferred to San Quentin as a disciplinary sanction. Transfers can disrupt the programs in which the inmate is involved and, in

certain cases, seriously reduce his chances for a parole. Yet for such transfers there is not even the pretense of a hearing.

During the initial classification committee meeting which I observed in April, 1971, three prisoners appeared who had been transferred to San Quentin from Tracy for allegedly participating in a strike there.¹⁰ The first was a young black prisoner who was accused of being "an active participant" in the strike, and of "encouraging other inmates to participate in it." He denied this to the classification committee, saying that he had participated in the strike only because everyone else had and that he had in no way been a leader. The committee noted that his work record was excellent and that he had not had any disciplinary infractions (he had not been given a formal disciplinary infraction for his alleged participation in the strike), and they decided that the Tracy officials had probably exaggerated his involvement. They thus ignored the recommendation from Tracy that he be put in segregation, classified him medium custody, and placed him in the mainline population.

The second case was also a young black prisoner who was transferred to San Quentin on the accusation that he was a leader of the strike and an "effeminate homosexual." He vehemently denied both, especially the homosexuality. He said that there was an officer at Tracy who had a grudge against him and had made up the charges. The committee again made the judgment that the inmate's story was probably at least partially true, and thus they did not put him in segregation.

The third prisoner transferred to San Quentin was a Chicano inmate, again accused of being a leader in the strike. The committee looked at his disciplinary record and saw that he had been in a number of incidents before; thus, they accepted the recommendation of the Tracy officials and had him placed in

10. The initial classification committee is responsible for making classification decisions for inmates (i.e., custody level and activity placement) who have just arrived at San Quentin, either directly from the Reception-Guidance Center or after having been transferred to San Quentin from another institution.

segregation rather than in the mainline like the other two prisoners.

When I discussed these cases with the committee chairman, he freely acknowledged that it was common practice for officials to exaggerate accusations in order to make punitive transfers appear reasonable to the receiving institution and to the Department authorities in Sacramento. "Often," he said, "if the information on an inmate's participation in some incident is just hearsay, the officer may still say in his report that the inmate was a leader. The officer certainly would not say that his information was not certain. This is common practice at all prisons, even San Quentin." That is why the San Quentin officials did not take the transfer explanations of the Tracy officials seriously. "When there is a strike," one committee member told me, "a lot of guys get caught up in it and get shipped out. Most of them were not active in the strike and they won't cause any trouble here at San Quentin, so we don't need to put them into segregation. So when we are told that they were 'leaders' in the strike, we don't take it very seriously unless there is other evidence that they are troublemakers." The problem is that even though the classification committee takes these transfer explanations with considerable skepticism, they become part of the prisoner's official record and they may have a strong effect on the Adult Authority when they consider the prisoner for parole. One administrator at San Quentin told me: "If an individual was transferred from one institution to another officially because of involvement in a strike, he would not be given very serious consideration for a parole by the board that year." This, the administrator admitted, was "most unfortunate, but unavoidable. Transfers are important for maintaining institutional order."

These disciplinary and segregation review cases and transfer procedures reflect the central priority of the prison system: the maintenance of the internal order of the prison. If the exigen-

cies of order clash with justice, order must prevail. Many counselors feel ambivalent about this situation. They *believe* in justice, but they feel that in the context of a prison, order and control must be given absolute priority over all other values or else, as one counselor put it, "the prison will deteriorate into absolute anarchy." They fear acutely the consequences of laxness and the possibility of undermining the ability of the guards to control the prisoners.

ATTITUDES TOWARD PRISONERS

One theme was repeated over and over during orientation day for employees at San Quentin: "As free men you should be friendly with the inmates, but never friends." We were told to keep a "professional distance" from the prisoners at all times. This attitude toward relationships with prisoners is formalized in the "Basic Rules and Regulations" set out in the new employees' orientation booklet:

8. Relationship with inmates: Maintain a friendly but business-like relationship with the inmates placed under your supervision. Do not discuss your personal affairs or the affairs of your fellow employees. Accepting favors or gifts from inmates is forbidden. Remember that bribe attempts do not just suddenly happen. They are the result of a gradual process of becoming overfamiliar, accepting favors or small gifts and gradually working yourself into a position where you must suffer the loss of your job for past violations of institutional rules or accede to their demands.

The warden of San Quentin presented a bleak scenario of the employee who becomes friends with inmates:

You become friends with an inmate; he asks you to do a little innocent favor for him: "Would you mail a birthday card to my daughter? If I mail it through the prison mail service it will arrive two days after her birthday." So you look at the card and sure enough, it is just a birthday card. So, you take the card out of the prison, an act which is

strictly prohibited [and liable to 6 months in prison]. The prisoner then uses this offense to blackmail you into carrying out illegal letters and bringing in contraband. You are trapped, and before long another good man goes down the drain.

Approximately two officers a month are dismissed for such infractions of the rules. In September, 1970, according to the warden, one officer was so blackmailed into bringing a gun in for some prisoners. All of these problems, it was stated time and time again, stemmed from the fatal error of becoming too close with the inmates. The captain in charge of custody in the prison expressed it this way:

Many of the prisoners will be very nice to you, will try to make you feel that you are the greatest. They will tell you that you are not like the other guards; you are really a good guy. But they are only trying to exploit you, to manipulate you and get something from you. These men have exploited people all of their lives, and they will try to exploit you as well. There are some people who will always try to exploit others.

All of these warnings are intended to accomplish one thing: to make the new employee extremely suspicious and mistrustful of the prisoners.

In explaining the behavior of prisoners, officials almost exclusively point to characteristics within the prisoner. Practically no importance is given to the situation in which that prisoner lives. This is true both for the behavior that leads the prisoner to end up in prison and for his behavior within prison. Thus, if prisoners tend to be manipulative, it is not because the system pressures them to be manipulative, but because "these men have exploited people all of their lives." No prison official with whom I discussed these issues ever placed any significant responsibility for inmate behavior on the prison itself.

Undoubtedly, there are certain prisoners who are pathologically manipulative and exploitative. But for most prisoners

there is no indication that this is the case. If many prisoners attempt to manipulate prison officials for their own ends, it is in large part because they face a structure which has absolute power over them. They are defined by the system as totally unfree, powerless, dependent. Manipulation, like other aspects of prisoner behavior, is for many prisoners a way of coping with this situation. The only freedom, power, and autonomy that the prisoner has he must create through some kind of manipulative maneuvers.

The view that the causes of prisoners' behavior lie almost exclusively with the prisoners rather than in their situation is also reflected in the frequently stated admonition: "Only you will make your time here difficult. Only you will decide which way you will go." In the initial classification committee meeting which I attended, nearly every prisoner was told something like the above. One inmate in particular, who had had difficulties at other prisons, was told: "You should get yourself together and follow the Adult Authority's recommendations if you ever want to get out of here. It is your life; you can do what you want with it. It seems to me that you plan to stay here forever." By placing the responsibility for his behavior completely on the shoulders of the prisoner, the prison officials wash their hands (and ease their consciences) of the consequences of the prison environment on inmate behavior.

Another common tendency among prison officials is to constantly denigrate prisoners. The director of one of the vocational programs expressed this sentiment clearly: "Most prisoners are failures. They failed in school, they failed on jobs, they failed in marriage, and they failed as criminals. They can't even succeed as criminals because they got caught. They are failures in life and they mess up whatever they do." "The prisoners," said the warden on orientation day, "are not generally wicked. They are simply impulsive and juvenile, and they simply cannot control their impulses. Prison is good for them because the prison authorities help them to control their impulses." Many other prison officials expressed similar feelings.

One way to denigrate adults is to treat them as children. One associate warden referred to the prisoners as "impulsive children who have never learned to act in a civilized manner." The whole pattern of prison life supports this notion. Only children would have their lives so closely regulated. What is more, under extreme stress and frustration, people often regress and act like children. Thus the original diagnosis becomes fulfilled and the warden can honestly say prisoners are "simply immature and juvenile." When prison officials express such feelings, they are saying in effect: If they, the prisoners, are failures and immature, then we, their guardians, must be successful and mature. This makes it much easier for officials to justify their absolute power and the priority they place on custody and order in their treatment of prisoners.¹¹

ATTITUDES TOWARD RADICAL POLITICS AMONG PRISONERS

In the past several years radical political ideology has increased significantly among prisoners.¹² In general, the prison has reacted to this growth by trying, often unsuccessfully, to repress expressions of radical politics. In discussing the case of a young Chicano inmate placed in segregation for possession of militant literature (see pp. 84-85), one of the head counselors at San Quentin said:

You know, this is not like the outside. You can't allow prisoners to do things which might lead to a riot. If prisoners were allowed to read and discuss politics and to organize without restrictions it would only end up with people

11. Numerous studies of life in "total institutions" emphasize the ways in which the role of the inmate defines him as an inferior, worthless being in the eyes of the custodians. The best general discussion of this process is Erving Goffman's *Asylums* (New York: Anchor Books, 1961). For a more specific discussion of these issues in prison, see Sykes, *The Society of Captives*.

12. See Chapter 12 for a thorough discussion of the development of radical politics within American prisons.

getting killed. We can't let prisoners do anything which might encourage a disturbance in the prison, and that is exactly what these revolutionary writings do. If you were the warden, what would you do? Would you risk letting prisoners become revolutionaries? What would you do? We don't have the choice.

In early 1971 members of a number of inmate organizations began openly to express radical ideas. On a San Francisco educational television station, prisoners belonging to SATE (Self-Advancement Through Education, a black self-help group) made statements highly critical of the prison. Shortly thereafter, most of the leadership of the organization was transferred to Folsom prison and the warden issued the following statement:

**CALIFORNIA STATE PRISON
SAN QUENTIN**

Date: March 22, 1971

To: ASSOCIATE WARDEN, ADMINISTRATION
ASSOCIATE WARDEN, CUSTODY
ASSOCIATE WARDEN, CLASSIFICATION & TREATMENT
From: WARDEN L. S. NELSON Subject: Inmate Activity Programs

We are reading in the public press, and hearing via television and radio, that the best breeding and/or recruiting ground for neo-revolutionaries is in the prison system.

I am being told that our new educational systems must encompass preparing the men for community activity, whatever that means, upon release.

I am witnessing the deterioration of our ethnic organizations, which were once dedicated to the educational improvement of our men inside San Quentin, to para-military organizations with revolutionary overtones. It appears to me that by pursuing this path, the organizations are destined to undo all the good they may have done, and may result in harm, in the form of added time coming to all men confined within our walls. For if the prisons of California become known as "Schools for Violent Revolution," the Adult Authority would be remiss in their duty to not keep the inmates longer.

I do not believe that as the administrator of this institu-

tion it is proper for me to utilize State facilities or State monies for the purpose of providing facilities or time for the propagation of revolutionary acts or material. In fact, I believe it to be the exact opposite of my duty.

I have been told that if I deny organizations the right to use para-military methods of operation, they will go underground. This is an alternative that they may choose. The alternative they might better choose is to revert to the purposes established in their constitutions, and to adhere strictly to them. None of the organizations were set up as "political" organizations. Their motivation of minorities to enter our education programs is commendable, but their purpose is not in itself to educate, nor are they an educational entity within the prison; if they were, they would be required to operate within our structured educational department.

I intend to draw the line at revolutionary education. I do so with the full knowledge that criticism will be heaped on my head, but I believe I have a deeper and more abiding responsibility to the State of California than I do to the small handful of individuals who are dedicated to the overthrow of our present system of government.

No one can shake the hand of a man who has his fist clenched over his head!

[Signed] L. S. Nelson
Warden

LSN:h

Copy to:

Director R. K. Procnier

Supervisor of Education

Marin County Superintendent of Schools

Coordinator of Inmate Activities

Representatives of EMPLEO, INDIAN CULTURAL
GROUP, SATE

When asked if prisoners are ever denied parole because of their political beliefs, most prison officials said that this almost never happens. One or two officials admitted that a prisoner

with known radical ideas is less likely to get a parole date than a prisoner who has not expressed such ideas, but they felt that this was justified, since a prisoner who expressed radical ideas in prison did not “respect authority” and was likely to have difficulties “adjusting” on the outside.

In February, 1971, I observed one day’s sitting of the Adult Authority at San Quentin. One of the prisoners who appeared before them was a young black who had openly proclaimed that he was a member of the Black Panther party. He had spent three years at San Quentin for second-degree burglary, and during that time had had only a few minor disciplinary infractions for such things as “abusive language to an officer” or “refusing to obey an order.” When he sat down before the Adult Authority, the first question he was asked was: “Tell me, why are you a Panther? What do you see in them?” He replied: “All black people in America are really Panthers because all black people in America are oppressed.” There followed a long discussion about the meaning of “oppression” and the legitimacy of the Panthers’ response to that oppression. One of the Adult Authority members admitted that “there has been a certain amount of injustice against Negroes over the years, but things have gotten much better recently, and I just don’t see how you can say that you are oppressed. This is a democracy, and if you have grievances, there are nonviolent ways that you can solve them.” The prisoner replied, “It may be a democracy for you, but it isn’t for blacks, and particularly it isn’t for me. George Washington broke the laws of King George because he thought that they were oppressive. And he broke them violently. We are just doing the same thing. This country is more oppressive against us than England ever was against George Washington. Washington just didn’t want to pay a tax on tea; we want to live like human beings.” The discussion continued, and one of the Adult Authority members asked the prisoner, “Well, even if there are still some injustices against Negroes, do you think that

it is justified to steal like you did?” The prisoner replied, “Everyone here steals. Everyone. This country is built on stealing. A shop owner steals when he raises his prices so that the people in the ghetto can’t afford to buy enough to eat. That is stealing as much as burglary.” After about twenty minutes of heated political discourse (*nothing* else was discussed), the hearing ended. The prisoner was denied a parole.

Later in the day, in another parole hearing, an inmate appeared who had been actively involved with the Minutemen before he was sent to prison five years before. He was asked by one of the Adult Authority members: “Are you still a *Weatherman*?” “Weatherman?” replied the inmate. “There weren’t any Weathermen when I was on the outside. You mean ‘Minuteman.’” The AA member replied: “Weatherman, Minuteman—they’re all the same thing anyway.”¹³ Later in the interview, the prisoner was asked, “What do you now feel about Minutemen, Weathermen, Nazis, Panthers, and those kinds of groups?” The inmate tactfully replied, “Well, like you said, they are really all the same. They may have different rhetoric, but there is no real difference in their organizations. They are all on ego trips.” The prisoner was recommended for a parole.

As in nearly all totalitarian systems, alternative ideas about power (i.e., political ideology) are severely censored in prison. In order to maintain absolute control over the lives of prisoners, prison officials feel that they cannot tolerate the open questioning of the legitimacy of their authority. Severe sanctions are brought against individuals who try.

13. The Minutemen are an extreme right-wing group that has stockpiled weapons, explosives, and ammunition ostensibly to protect America from Communism. The Weathermen, on the other hand, are an extreme left-wing group that has advocated urban guerrilla warfare and revolutionary sabotage. While both groups thus condone illegal acts of violence, the ideologies of the two are almost polar opposites. To think of Weathermen, Minutemen, Panthers, and Nazis as all being more or less the same reflects either extreme ignorance about these groups or total naïveté about the meaning of ideology.

**THE SAN QUENTIN PRISON STRIKE
OF AUGUST, 1970, AS SEEN BY
THE PRISON ADMINISTRATION**

Many of the attitudes discussed above are clearly illustrated in the reaction of the prison administration to the San Quentin prison strike of August, 1970. The strike grew out of the fact that the Marin County Superior Court was planning to hold court sessions within the walls of San Quentin prison in connection with the case of the Soledad Brothers. Prisoners feared that prison officials would be able to manipulate court sessions much more easily if they were held within prison. Approximately 800 inmates staged a sit-down in the yard to protest this action. A prisoners' manifesto of demands was written and submitted by Warren Wells, a Black Panther, to various prison officials. The manifesto contained 14 demands:

1. That all political prisoners be freed.
2. That the Soledad Three be freed.
3. That a black warden be hired.
4. That a black associate warden of custody be hired.
5. That a black associate warden of care and treatment be hired.
6. That a Mexican warden be hired.
7. That a Mexican associate warden of custody be hired.
8. That a Mexican associate warden of care and treatment be hired.¹⁴
9. That nonwhite prisoners have proportional representation in all administrative, industrial, and vocational positions in the prison.
10. That B Section and A Section be closed until they are made to conform to sanitary and health standards.

14. At present there is only one warden, one associate warden for custody, and one for care and treatment. The implication in demands 3-8 is that three individuals—one white, one black, and one Mexican—would replace the one individual presently holding the post. There is no implication, as the warden insisted, that the demand was for a black warden in lieu of a white warden.

11. That men in B Section, A Section, and the adjustment center be given one full hour of exercise a day and be given the rights that other prisoners have.
12. That all men presently condemned to death be given political asylum abroad.
13. That all forms of capital punishment and mass genocide on the people by the brutal hands of the American bureaucracies immediately cease by order of the Free World Solidarity Revolutionary Army for the People.
14. That all prisoners being tried by the Superior Court within the walls of San Quentin be tried by their peers.

The demands were presented to the warden and other officials. The warden tried, over the public address system, to get the strikers to disperse, but they refused unless he promised to negotiate. This, the warden told me, he would not do "because you do not promise to negotiate with prisoners in a state of insurrection." The warden then read the demands over the loudspeaker, trying to discredit them, but still the crowd did not disperse.¹⁵ They were then ordered to disperse, and when they refused, a heavy barrage of tear gas was released on them. No one was seriously hurt in the affair. A number of prisoners were transferred to Folsom prison, and a number of others were sent to the adjustment center or to isolation.

The universal reaction of all prison officials with whom I have discussed the demands was that they were "asinine" and "ridiculous and childish" (to use the expressions of two associate wardens). No one took them as serious statements of sincerely felt grievances. They all stressed that virtually none of the demands lay within the jurisdiction of the prison administration (with the exception of 9 and 11) and that it was "absurd" for the prisoners to make such demands. Most of the officials maintained that the strike was organized from the outside by the Panthers or the Communist party. One associate warden said

15. As is discussed in Chapter 6, many prisoners reported that the warden read only demands 1-8 over the loudspeaker, thus making the manifesto appear to be simply a racial platform for nonwhite prisoners.

that the strikers were living under serious delusions about the possibility of changing things and about the support they had on the outside: "They saw some Panthers and hippies demonstrating on the outside of the prison and fell into the trap that the public supported them. This was a childish illusion. The public doesn't give a damn about prisoners." He went on to say that these demands and the apparent militancy of some of the prisoners was no more than "political labels being put on just plain orneriness."

The captain in charge of custodial officers informed me that "the sit-down was really led by about a dozen or so inmates who coerced the others into joining the strike." He added that the demands were "outrageous." "Ninety-eight percent of the prisoners," he said, "were on our side; it was only two percent that kept everything messed up all the time. For people who haven't been so wonderful in life, these inmates are real critical of the officers."

None of the officials I talked to saw the demands as reflecting the deep alienation and sense of injustice experienced by prisoners within the prison. They saw the demands for a black and Chicano warden as "ridiculous," showing how racist the Panthers were, not as an attempt to make the power structure of the prison more responsive to the needs of nonwhite prisoners.¹⁶ They did not see the demands for a change in the conditions of punishment within the prison as reflecting the real barbarity of the treatment of prisoners and the real injustice which it symbolizes to them, but rather as an unrealistic attempt to make life easier in prison. Above all, the prison officials did not take the demands as reflecting a responsible affirmation of mature human values to be taken seriously, but rather as "childish illusions."

16. There is no reason to believe that in fact the presence of a black warden at San Quentin would significantly make the prison power structure more responsive to the black prisoners.

CHAPTER 6

San Quentin Prison as Seen by the Prisoners

THE SAN QUENTIN PRISON STRIKE OF AUGUST, 1970, AS SEEN BY THE PRISONERS

Warren Wells, a black dude, was the head of the strike. He was a pretty good guy. There were no threats or intimidation; the majority of the prisoners in the prison supported the strike, even if they didn't sit down in the yard. Everyone was together. Some of the demands were ridiculous, but most of them were good. The officials tried to make a racial thing out of it. The warden only read out the black demands. Before that, even the Angels and the Nazis were with the Panthers on the strike. Only one of the instigators of the strike was black; but the rest were white. After the strike was broken up with tear gas, the guards kept saying to the white guys, "Whitey got ducked," and "What do you want with a fucking black warden?" That has created a lot of bitterness. [Account of a white inmate in his late twenties, November 1970.]

The view of the San Quentin strike expressed by most of the prisoners with whom I discussed it is totally different from that of the prison administration. What is impressive is that the accounts of white and black prisoners are generally the same, and very few prisoners have expressed any opposition to the